

CERTIFICATION OF ENROLLMENT  
**SECOND SUBSTITUTE SENATE BILL 5973**

Chapter 468, Laws of 2009

61st Legislature  
2009 Regular Session

K-12 EDUCATION--ACHIEVEMENT GAP

EFFECTIVE DATE: 07/26/09

Passed by the Senate April 22, 2009  
YEAS 33 NAYS 15

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Passed by the House April 13, 2009  
YEAS 98 NAYS 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved May 12, 2009, 3:14 p.m.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 5973** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

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**Secretary**

FILED

May 13, 2009

**Secretary of State  
State of Washington**

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**SECOND SUBSTITUTE SENATE BILL 5973**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

**State of Washington                      61st Legislature                      2009 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Kauffman, McAuliffe, Oemig, Shin, Hobbs, Kohl-Welles, and Kline)

READ FIRST TIME 03/02/09.

1            AN ACT Relating to closing the achievement gap in order to provide  
2 all students an excellent and equitable education; amending RCW  
3 28A.300.137; adding new sections to chapter 28A.300 RCW; adding a new  
4 section to chapter 28A.410 RCW; adding a new section to chapter 28A.660  
5 RCW; and creating new sections.

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

7            NEW\_\_SECTION.    **Sec. 1.** (1) The legislature finds compelling  
8 evidence from five commissioned studies that additional progress must  
9 be made to address the achievement gap. Many students are in  
10 demographic groups that are overrepresented in measures such as school  
11 disciplinary sanctions; failure to meet state academic standards;  
12 failure to graduate; enrollment in special education and  
13 underperforming schools; enrollment in advanced placement courses,  
14 honors programs, and college preparatory classes; and enrollment in and  
15 completion of college. The studies contain specific recommendations  
16 that are data-driven and drawn from education research, as well as the  
17 personal, professional, and cultural experience of those who  
18 contributed to the studies. The legislature finds there is no better  
19 opportunity to make a strong commitment to closing the achievement gap

1 and to affirm the state's constitutional obligation to provide  
2 opportunities to learn for all students without distinction or  
3 preference on account of race, ethnicity, socioeconomic status, or  
4 gender.

5 (2) The legislature further finds that access to comprehensive and  
6 consistent data that is disaggregated in the smallest units allowable  
7 by law is important in closing the achievement gap. Policymakers and  
8 educators need as much information as possible not only about students'  
9 academic progress, but also about other factors across multiple  
10 disciplines that affect student performance.

11 (3) A consistent and powerful theme throughout the achievement gap  
12 studies was the need for cultural competency in instruction,  
13 curriculum, assessment, and professional development. Cultural  
14 competency forms a foundation for efforts to address the achievement  
15 gap, and more work is needed to embed it into the public school system.

16 (4) Therefore, following the priority recommendations from the  
17 achievement gap studies, the legislature intends to:

18 (a) Provide resources to support parent and community involvement  
19 and outreach efforts by public schools, including such items as  
20 additional notices and communication to parents, translations,  
21 translators, parent and community meetings, and school events within  
22 the community. The legislature encourages school districts to consult  
23 with the office of the education ombudsman in developing plans for  
24 parent and community involvement and outreach;

25 (b) Require that teachers demonstrate cultural competency in the  
26 classroom and with students at each level of state teacher  
27 certification, and provide additional opportunities for professional  
28 development in cultural competency for current teachers;

29 (c) Create local alternative routes to teacher certification for  
30 paraeducators and individuals in the communities surrounding schools  
31 and school districts that are struggling to address the achievement  
32 gap;

33 (d) Reexamine the study recommendations regarding data and  
34 accountability and identify ways for the education data system to  
35 address these needs; and

36 (e) Sustain efforts to close the achievement gap over the long term  
37 by creating a high profile achievement gap oversight and accountability

1 committee that will provide ongoing advice to education agencies and  
2 report annually to the legislature and the governor.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300  
4 RCW to read as follows:

5 (1) An achievement gap oversight and accountability committee is  
6 created to synthesize the findings and recommendations from the 2008  
7 achievement gap studies into an implementation plan, and to recommend  
8 policies and strategies to the superintendent of public instruction,  
9 the professional educator standards board, and the state board of  
10 education to close the achievement gap.

11 (2) The committee shall recommend specific policies and strategies  
12 in at least the following areas:

13 (a) Supporting and facilitating parent and community involvement  
14 and outreach;

15 (b) Enhancing the cultural competency of current and future  
16 educators and the cultural relevance of curriculum and instruction;

17 (c) Expanding pathways and strategies to prepare and recruit  
18 diverse teachers and administrators;

19 (d) Recommending current programs and resources that should be  
20 redirected to narrow the gap;

21 (e) Identifying data elements and systems needed to monitor  
22 progress in closing the gap;

23 (f) Making closing the achievement gap part of the school and  
24 school district improvement process; and

25 (g) Exploring innovative school models that have shown success in  
26 closing the achievement gap.

27 (3) Taking a multidisciplinary approach, the committee may seek  
28 input and advice from other state and local agencies and organizations  
29 with expertise in health, social services, gang and violence  
30 prevention, substance abuse prevention, and other issues that  
31 disproportionately affect student achievement and student success.

32 (4) The achievement gap oversight and accountability committee  
33 shall be composed of the following members:

34 (a) The chairs and ranking minority members of the house and senate  
35 education committees, or their designees;

36 (b) One additional member of the house of representatives appointed

1 by the speaker of the house and one additional member of the senate  
2 appointed by the president of the senate;

3 (c) A representative of the office of the education ombudsman;

4 (d) A representative of the center for the improvement of student  
5 learning in the office of the superintendent of public instruction;

6 (e) A representative of federally recognized Indian tribes whose  
7 traditional lands and territories lie within the borders of Washington  
8 state, designated by the federally recognized tribes; and

9 (f) Four members appointed by the governor in consultation with the  
10 state ethnic commissions, who represent the following populations:  
11 African-Americans, Hispanic Americans, Asian Americans, and Pacific  
12 Islander Americans.

13 (5) The governor and the tribes are encouraged to designate members  
14 who have experience working in and with schools.

15 (6) The committee may convene ad hoc working groups to obtain  
16 additional input and participation from community members. Members of  
17 ad hoc working groups shall serve without compensation and shall not be  
18 reimbursed for travel or other expenses.

19 (7) The chair or cochairs of the committee shall be selected by the  
20 members of the committee. Staff support for the committee shall be  
21 provided by the center for the improvement of student learning.  
22 Members of the committee shall serve without compensation but must be  
23 reimbursed as provided in RCW 43.03.050 and 43.03.060. Legislative  
24 members of the committee shall be reimbursed for travel expenses in  
25 accordance with RCW 44.04.120.

26 **Sec. 3.** RCW 28A.300.137 and 2008 c 298 s 3 are each amended to  
27 read as follows:

28 Beginning in January 2010, the (~~center for the improvement of~~  
29 ~~student learning~~) achievement gap oversight and accountability  
30 committee shall report annually to the superintendent of public  
31 instruction, the state board of education, the professional educator  
32 standards board, the governor, (~~the P-20 council,~~) and the education  
33 committees of the legislature on the (~~implementation status of~~)  
34 strategies to address the achievement gap (~~for African American~~  
35 ~~students~~) and on the progress in improvement of education performance  
36 measures for African-American, Hispanic, American Indian/Alaskan  
37 Native, Asian, and Pacific Islander/Hawaiian Native students.

1        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 28A.300  
2    RCW to read as follows:

3        All student data related reports required of the superintendent of  
4    public instruction in this title must be disaggregated by at least the  
5    following subgroups of students:    White, Black, Hispanic, American  
6    Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low  
7    income, transitional bilingual, migrant, special education, and  
8    students covered by section 504 of the federal rehabilitation act of  
9    1973, as amended (29 U.S.C. Sec. 794).

10       NEW SECTION.    **Sec. 5.**    A new section is added to chapter 28A.410  
11    RCW to read as follows:

12        (1) The professional educator standards board, in consultation and  
13    collaboration with the achievement gap oversight and accountability  
14    committee established under section 2 of this act, shall identify a  
15    list of model standards for cultural competency and make  
16    recommendations to the education committees of the legislature on the  
17    strengths and weaknesses of those standards.

18        (2) For the purposes of this section, "cultural competency"  
19    includes knowledge of student cultural histories and contexts, as well  
20    as family norms and values in different cultures; knowledge and skills  
21    in accessing community resources and community and parent outreach; and  
22    skills in adapting instruction to students' experiences and identifying  
23    cultural contexts for individual students.

24       NEW SECTION.    **Sec. 6.**    A new section is added to chapter 28A.660  
25    RCW to read as follows:

26        The office of the superintendent of public instruction shall  
27    identify school districts that have the most significant achievement  
28    gaps among subgroups of students and for large numbers of those  
29    students, and districts that should receive priority for assistance in  
30    advancing cultural competency skills in their workforce. The  
31    professional educator standards board shall provide assistance to the  
32    identified school districts to develop partnership grant programs  
33    between the districts and teacher preparation programs to provide one  
34    or more of the four alternative route programs under RCW 28A.660.040  
35    and to recruit paraeducators and other individuals in the local  
36    community to become certified as teachers. A partnership grant program

1 proposed by an identified school district shall receive priority  
2 eligibility for partnership grants under RCW 28A.660.020. To the  
3 maximum extent possible, the board shall coordinate the recruiting  
4 Washington teachers program under RCW 28A.415.370 with the alternative  
5 route programs under this section.

6 NEW SECTION. **Sec. 7.** The superintendent of public instruction  
7 shall take all actions necessary to secure federal funds to support  
8 enhancing data collection and data system capacity in order to monitor  
9 progress in closing the achievement gap and to support other  
10 innovations and model programs that align education reform and address  
11 disproportionality in the public school system.

Passed by the Senate April 22, 2009.

Passed by the House April 13, 2009.

Approved by the Governor May 12, 2009.

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