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ENGROSSED SUBSTITUTE HOUSE BILL 2115

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State of Washington                      62nd Legislature                      2011 1st Special Session

By House Education (originally sponsored by Representatives Haigh and Dammeier)

READ FIRST TIME 05/11/11.

1            AN ACT Relating to legislative review of performance standards for  
2 the statewide student assessment; amending RCW 28A.305.130; and  
3 declaring an emergency.

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

5            **Sec. 1.** RCW 28A.305.130 and 2009 c 548 s 502 are each amended to  
6 read as follows:

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

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

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

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

5 (4) For purposes of statewide accountability:

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

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

1 any advisory committees that may be established for this purpose. The  
2 legislature shall be advised of the initial performance standards  
3 ((and)) for the high school statewide student assessment. Any changes  
4 recommended by the board in the performance standards for the ((tenth  
5 grade)) high school assessment shall be presented to the education  
6 committees of the house of representatives and the senate by November  
7 30th of the school year in which the changes will take place to permit  
8 the legislature to take statutory action before the changes are  
9 implemented if such action is deemed warranted by the legislature. The  
10 legislature shall be advised of the initial performance standards and  
11 any changes made to the elementary level performance standards and the  
12 middle school level performance standards. The board must provide an  
13 explanation of and rationale for all initial performance standards and  
14 any changes, for all grade levels of the statewide student assessment.  
15 If the board changes the performance standards for any grade level or  
16 subject, the superintendent of public instruction must recalculate the  
17 results from the previous ten years of administering that assessment  
18 regarding students below, meeting, and beyond the state standard, to  
19 the extent that this data is available, and post a comparison of the  
20 original and recalculated results on the superintendent's web site;

21 (c) Annually review the assessment reporting system to ensure  
22 fairness, accuracy, timeliness, and equity of opportunity, especially  
23 with regard to schools with special circumstances and unique  
24 populations of students, and a recommendation to the superintendent of  
25 public instruction of any improvements needed to the system; and

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

29 (5) Accredite, subject to such accreditation standards and  
30 procedures as may be established by the state board of education, all  
31 private schools that apply for accreditation, and approve, subject to  
32 the provisions of RCW 28A.195.010, private schools carrying out a  
33 program for any or all of the grades kindergarten through twelve(~~(+~~  
34 ~~PROVIDED, That~~)). However, no private school may be approved that  
35 operates a kindergarten program only(~~(+ PROVIDED FURTHER, That~~)) and  
36 no private school(~~(s)~~) shall be placed upon the list of accredited  
37 schools so long as secret societies are knowingly allowed to exist  
38 among its students by school officials;

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

4 (7) Hire an executive director and an administrative assistant to  
5 reside in the office of the superintendent of public instruction for  
6 administrative purposes. Any other personnel of the board shall be  
7 appointed as provided by RCW 28A.300.020. The board may delegate to  
8 the executive director by resolution such duties as deemed necessary to  
9 efficiently carry on the business of the board including, but not  
10 limited to, the authority to employ necessary personnel and the  
11 authority to enter into, amend, and terminate contracts on behalf of  
12 the board. The executive director, administrative assistant, and all  
13 but one of the other personnel of the board are exempt from civil  
14 service, together with other staff as now or hereafter designated as  
15 exempt in accordance with chapter 41.06 RCW; and

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

18 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
19 preservation of the public peace, health, or safety, or support of the  
20 state government and its existing public institutions, and takes effect  
21 immediately.

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