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HOUSE BILL 2167

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State of Washington

63rd Legislature

2014 Regular Session

By Representatives Lytton, Haigh, Magendanz, Kagi, Dahlquist, and Carlyle; by request of Superintendent of Public Instruction

Prefiled 01/07/14. Read first time 01/13/14. Referred to Committee on Education.

1 AN ACT Relating to changing the date by which challenged schools  
2 are identified; amending RCW 28A.657.020; and declaring an emergency.

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

4 **Sec. 1.** RCW 28A.657.020 and 2013 c 159 s 3 are each amended to  
5 read as follows:

6 (1) Beginning in 2010, and each year thereafter through December 1,  
7 2012, the superintendent of public instruction shall annually identify  
8 schools as one of the state's persistently lowest-achieving schools if  
9 the school is a Title I school, or a school that is eligible for but  
10 does not receive Title I funds, that is among the lowest-achieving five  
11 percent of Title I or Title I eligible schools in the state.

12 (2) The criteria for determining whether a school is among the  
13 persistently lowest-achieving five percent of Title I schools, or Title  
14 I eligible schools, under subsection (1) of this section shall be  
15 established by the superintendent of public instruction. The criteria  
16 must meet all applicable requirements for the receipt of a federal  
17 school improvement grant under the American recovery and reinvestment  
18 act of 2009 and Title I of the elementary and secondary education act  
19 of 1965, and take into account both:

1 (a) The academic achievement of the "all students" group in a  
2 school in terms of proficiency on the state's assessment, and any  
3 alternative assessments, in reading and mathematics combined; and

4 (b) The school's lack of progress on the mathematics and reading  
5 assessments over a number of years in the "all students" group.

6 (3)(a) Beginning (~~December 1, 2013~~) February 1, 2014, and each  
7 (~~December~~) February thereafter, the superintendent of public  
8 instruction shall annually identify challenged schools in need of  
9 improvement and a subset of such schools that are the persistently  
10 lowest-achieving schools in the state.

11 (b) The criteria for determining whether a school is a challenged  
12 school in need of improvement shall be adopted by the superintendent of  
13 public instruction in rule. The criteria must meet all applicable  
14 federal requirements under Title I of the elementary and secondary  
15 education act of 1965 and other federal rules or guidance, including  
16 applicable requirements for the receipt of federal school improvement  
17 funds if available, but shall apply equally to Title I, Title I-  
18 eligible, and non-Title I schools in the state. The criteria must take  
19 into account the academic achievement of the "all students" group and  
20 subgroups of students in a school in terms of proficiency on the state  
21 assessments in reading or English language arts and mathematics and a  
22 high school's graduation rate for all students and subgroups of  
23 students. The superintendent may establish tiered categories of  
24 challenged schools based on the relative performance of all students,  
25 subgroups of students, and other factors.

26 (c) The superintendent of public instruction shall also adopt  
27 criteria in rule for determining whether a challenged school in need of  
28 improvement is also a persistently lowest-achieving school for purposes  
29 of the required action district process under this chapter, which shall  
30 include the school's lack of progress for all students and subgroups of  
31 students over a number of years. The criteria for identifying  
32 persistently lowest-achieving schools shall also take into account the  
33 level of state or federal resources available to implement a required  
34 action plan.

35 (d) If the Washington achievement index is approved by the United  
36 States department of education for use in identifying schools for  
37 federal purposes, the superintendent of public instruction shall use

1 the approved index to identify schools under (b) and (c) of this  
2 subsection.

3 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
4 preservation of the public peace, health, or safety, or support of the  
5 state government and its existing public institutions, and takes effect  
6 immediately.

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