

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 5946

Chapter 18, Laws of 2013

(partial veto)

63rd Legislature
2013 2nd Special Session

EDUCATIONAL OUTCOMES

EFFECTIVE DATE: 09/28/13 - Except for section 503, which becomes effective 06/30/13.

Passed by the Senate June 28, 2013
YEAS 46 NAYS 2

BRAD OWEN

President of the Senate

Passed by the House June 28, 2013
YEAS 69 NAYS 23

FRANK CHOPP

Speaker of the House of Representatives

Approved June 30, 2013, 4:53 p.m., with
the exception of Sections 304 and 515,
which are vetoed.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5946** as passed by the Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

July 1, 2013

**Secretary of State
State of Washington**

1 NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.300
2 RCW to read as follows:

3 In support of reading and early literacy, the office of the
4 superintendent of public instruction is responsible for:

5 (1) Continuing to work collaboratively with state and regional
6 partners such as the department of early learning and the educational
7 service districts to establish early literacy benchmarks and standards
8 and to implement the Washington state comprehensive literacy plan;

9 (2) Disseminating research and information to school districts
10 about evidence-based programs and practices in reading readiness
11 skills, early literacy, and reading instruction;

12 (3) Providing statewide models to support school districts that are
13 implementing response to intervention initiatives, positive behavior
14 intervention support systems, or other similar comprehensive models of
15 data-based identification and early intervention; and

16 (4) Within available funds and in partnership with the educational
17 service districts, providing technical assistance and professional
18 development opportunities for school districts.

19 NEW SECTION. **Sec. 102.** A new section is added to chapter 28A.320
20 RCW to read as follows:

21 School districts are responsible for providing a comprehensive
22 system of instruction and services in reading and early literacy to
23 kindergarten through fourth grade students that is based on the degree
24 of student need for additional support. Reading and early literacy
25 systems provided by school districts must include:

26 (1) Annual use of screening assessments and other tools to identify
27 at-risk readers in kindergarten through fourth grade, such as the
28 Washington kindergarten inventory of developing skills, the Washington
29 state early learning and development guidelines for birth through third
30 grade, the second grade reading assessment under RCW 28A.300.310, and
31 locally used assessments and other tools; and

32 (2) Research-based family involvement and engagement strategies,
33 including strategies to help families and guardians assist in improving
34 students' reading and early literacy skills at home.

35 NEW SECTION. **Sec. 103.** A new section is added to chapter 28A.415
36 RCW to read as follows:

1 (1) High-quality professional development is essential for
2 educators to keep abreast of the important advances in research that
3 are occurring regarding instructional strategies and curriculum.
4 Professional development in early literacy is especially important to
5 support the instruction of young readers since reading proficiency is
6 a crucial element for student academic success.

7 (2) Subject to funds appropriated for this specific purpose, the
8 office of the superintendent of public instruction shall create
9 partnerships with the educational service districts and public or
10 private institutions of higher education with approved educator
11 preparation programs to develop and deliver research-based professional
12 development learning opportunities in reading instruction and early
13 literacy for teachers of kindergarten through fourth grade students.

14 NEW SECTION. **Sec. 104.** A new section is added to chapter 28A.320
15 RCW to read as follows:

16 (1) Each school district shall require that report cards for
17 students in kindergarten through fourth grade include information
18 regarding how the student is progressing on acquiring reading skills
19 and whether the student is at grade level in reading.

20 (2) If a student is not reading at or above grade level, the
21 teacher, with the support of other school personnel as appropriate,
22 must explain to the parent or guardian which interventions and
23 strategies will be used to help improve the student's reading skills
24 and must provide strategies for parents or guardians to assist with
25 improving the student's reading skills at home.

26 (3) Each school shall report to the school district the number of
27 students in grades kindergarten through four who are reading below
28 grade level and the interventions that are being provided to improve
29 the reading skills of the students, with the information disaggregated
30 by subgroups of students. The school district shall aggregate the
31 reports from the schools and provide the reports to the office of the
32 superintendent of public instruction. The office of the superintendent
33 of public instruction shall submit a statewide report annually to the
34 education committees of the legislature and the educational opportunity
35 gap oversight and accountability committee.

1 NEW SECTION. **Sec. 105.** A new section is added to chapter 28A.655
2 RCW to read as follows:

3 (1) The definitions in this subsection apply throughout this
4 section and section 106 of this act unless the context clearly requires
5 otherwise.

6 (a) "Basic" means a score on the statewide student assessment at a
7 level two in a four-level scoring system.

8 (b) "Below basic" means a score on the statewide student assessment
9 at a level one in a four-level scoring system.

10 (c) "Not meet the state standard" means a score on the statewide
11 student assessment at either a level one or a level two in a four-level
12 scoring system.

13 (2) Beginning in the 2014-15 school year, for any student who
14 receives a score of below basic on the third grade statewide student
15 assessment in English language arts, a meeting must be scheduled before
16 the end of the school year between the student's parent or guardian,
17 teacher, and the principal of the school the student attends or the
18 principal's designee to discuss appropriate grade placement and
19 recommended intensive strategies to improve the student's reading
20 skills. For students to be placed in fourth grade, the strategies
21 discussed must include an intensive improvement strategy provided,
22 supported, or contracted by the school district that includes a summer
23 program or other option identified by the parents, teacher, principal,
24 or principal's designee as appropriately meeting the student's need to
25 prepare for fourth grade. The parents or guardians must be fully
26 informed about the strategies and the parent's or guardian's consent
27 must be obtained regarding the appropriate grade placement and the
28 intensive improvement strategy to be implemented. The school district
29 must implement the strategy selected in consultation with the student's
30 parents or guardians.

31 (3) If a student does not have a score in English language arts on
32 the third grade statewide student assessment but the district
33 determines, using district or classroom-based diagnostic assessments or
34 another standardized assessment, that the student's performance is
35 equivalent to below basic in English language arts, the policy in
36 subsection (2) of this section applies.

37 (4) Students participating in the transitional bilingual
38 instruction program are exempt from the policy in subsection (2) of

1 this section, unless the student has participated in the transitional
2 bilingual instruction program for three school years and receives a
3 score of below basic on the third grade statewide student assessment in
4 English language arts.

5 (5) Students with disabilities whose individualized education
6 program includes specially designed instruction in reading or English
7 language arts are exempt from subsections (2), (3), and (4) of this
8 section. Communication and consultation with parents or guardians of
9 such students shall occur through the individualized education program
10 process required under chapter 28A.155 RCW and associated
11 administrative rules.

12 NEW SECTION. **Sec. 106.** A new section is added to chapter 28A.655
13 RCW to read as follows:

14 (1)(a) Beginning in the 2015-16 school year, except as otherwise
15 provided in this subsection (1), for any student who received a score
16 of basic or below basic on the third grade statewide student assessment
17 in English language arts in the previous school year, the school
18 district must implement an intensive reading and literacy improvement
19 strategy from a state menu of best practices established in accordance
20 with subsection (3) of this section or an alternative strategy in
21 accordance with subsection (4) of this section.

22 (b) Reading and literacy improvement strategies for students with
23 disabilities whose individualized education program includes specially
24 designed instruction in reading or English language arts shall be as
25 provided in the individualized education program.

26 (2)(a) Also beginning in the 2015-16 school year, in any school
27 where more than forty percent of the tested students received a score
28 of basic or below basic on the third grade statewide student assessment
29 in English language arts in the previous school year, as calculated
30 under this subsection (2), the school district must implement an
31 intensive reading and literacy improvement strategy from a state menu
32 of best practices established in accordance with subsection (3) of this
33 section or an alternative strategy in accordance with subsection (4) of
34 this section for all students in grades kindergarten through four at
35 the school.

36 (b) For the purposes of this subsection (2), the office of the
37 superintendent of public instruction shall exclude the following from

1 the calculation of a school's percentage of tested students receiving
2 a score of basic or below basic on the third grade statewide student
3 assessment:

4 (i) Students enrolled in the transitional bilingual instruction
5 program unless the student has participated in the transitional
6 bilingual instruction program for three school years;

7 (ii) Students with disabilities whose individualized education
8 program specifies a different standard to measure reading performance
9 than is required for the statewide student assessment; and

10 (iii) Schools with fewer than ten students in third grade.

11 (3) The office of the superintendent of public instruction shall
12 convene a panel of experts, including the Washington state institute
13 for public policy, to develop a state menu of best practices and
14 strategies for intensive reading and literacy improvement designed to
15 assist struggling students in reaching grade level in reading by the
16 end of fourth grade. The state menu must also include best practices
17 and strategies to improve the reading and literacy of students who are
18 English language learners and for system improvements that schools and
19 school districts can implement to improve reading instruction for all
20 students. The office of the superintendent of public instruction shall
21 publish the state menu by July 1, 2014, and update the state menu by
22 each July 1st thereafter.

23 (4) School districts may use an alternative practice or strategy
24 that is not on a state menu developed under subsection (3) of this
25 section for two school years initially. If the district is able to
26 demonstrate improved outcomes for participating students over the
27 previous two school years at a level commensurate with the best
28 practices and strategies on the state menu, the office of the
29 superintendent of public instruction must approve use of the
30 alternative practice or strategy by the district for one additional
31 school year. Subsequent annual approval by the superintendent of
32 public instruction to use the alternative practice or strategy is
33 dependent on the district continuing to demonstrate an increase in
34 improved outcomes for participating students.

35 **PART II**

36 **REQUIRING THE LEARNING ASSISTANCE PROGRAM TO BE EVIDENCE-BASED**

1 **Sec. 201.** RCW 28A.165.005 and 2009 c 548 s 701 are each amended to
2 read as follows:

3 ~~(1)~~ This chapter is designed to: ~~((+1))~~ (a) Promote the use of
4 ~~((assessment))~~ data when developing programs to assist underachieving
5 students and reduce disruptive behaviors in the classroom; and ~~((+2))~~
6 (b) guide school districts in providing the most effective and
7 efficient practices when implementing supplemental instruction and
8 services to assist underachieving students and reduce disruptive
9 behaviors in the classroom.

10 ~~(2)~~ School districts implementing a learning assistance program
11 shall focus first on addressing the needs of students in grades
12 kindergarten through four who are deficient in reading or reading
13 readiness skills to improve reading literacy.

14 **Sec. 202.** RCW 28A.165.015 and 2009 c 548 s 702 are each amended to
15 read as follows:

16 Unless the context clearly indicates otherwise the definitions in
17 this section apply throughout this chapter.

18 ~~(1)~~ ~~(("Approved program" means a program submitted to and approved~~
19 ~~by the office of the superintendent of public instruction and conducted~~
20 ~~pursuant to the plan that addresses the required elements as provided~~
21 ~~for in this chapter.~~

22 ~~(2)~~ "Basic skills areas" means reading, writing, and mathematics
23 as well as readiness associated with these skills.

24 ~~((+3))~~ ~~(2)~~ "Participating student" means a student in kindergarten
25 through grade twelve who scores below standard for his or her grade
26 level using multiple measures of performance, including on the
27 statewide student assessments or other assessments and performance
28 measurement tools administered by the school or district and who is
29 identified ~~((in))~~ by the ~~((approved plan))~~ district to receive
30 services.

31 ~~((+4))~~ ~~(3)~~ "Statewide student assessments" means one or more of
32 the ~~((several basic skills assessments administered as part of the~~
33 ~~state's student assessment system, and assessments in the basic skills~~
34 ~~areas))~~ assessments administered by ~~((local))~~ school districts as
35 required under RCW 28A.655.070.

36 ~~((+5))~~ ~~(4)~~ "Underachieving students" means students with the

1 greatest academic deficits in basic skills as identified by ~~((the))~~
2 statewide, school, or district assessments or other performance
3 measurement tools.

4 **Sec. 203.** RCW 28A.165.035 and 2008 c 321 s 4 are each amended to
5 read as follows:

6 (1) Beginning in the 2015-16 school year, expenditure of funds from
7 the learning assistance program must be consistent with the provisions
8 of section 106 of this act.

9 (2) Use of best practices that have been demonstrated through
10 research to be associated with increased student achievement magnifies
11 the opportunities for student success. To the extent they are included
12 as a best practice or strategy in one of the state menus or an approved
13 alternative under this section or section 106 of this act, the
14 following are services and activities that may be supported by the
15 learning assistance program:

16 ~~((1))~~ (a) Extended learning time opportunities occurring:

17 ~~((a))~~ (i) Before or after the regular school day;

18 ~~((b))~~ (ii) On Saturday; and

19 ~~((c))~~ (iii) Beyond the regular school year;

20 ~~((2))~~ (b) Services under RCW 28A.320.190;

21 ~~((3))~~ (c) Professional development for certificated and
22 classified staff that focuses on:

23 ~~((a))~~ (i) The needs of a diverse student population;

24 ~~((b))~~ (ii) Specific literacy and mathematics content and
25 instructional strategies; and

26 ~~((c))~~ (iii) The use of student work to guide effective
27 instruction and appropriate assistance;

28 ~~((4))~~ (d) Consultant teachers to assist in implementing effective
29 instructional practices by teachers serving participating students;

30 ~~((5))~~ (e) Tutoring support for participating students; ~~(and~~

31 ~~((6))~~ (f) Outreach activities and support for parents of
32 participating students, including employing parent and family
33 engagement coordinators; and

34 (g) Up to five percent of a district's learning assistance program
35 allocation may be used for development of partnerships with community-
36 based organizations, educational service districts, and other local
37 agencies to deliver academic and nonacademic supports to participating

1 students who are significantly at risk of not being successful in
2 school to reduce barriers to learning, increase student engagement, and
3 enhance students' readiness to learn. The office of the superintendent
4 of public instruction must approve any community-based organization or
5 local agency before learning assistance funds may be expended.

6 (3) In addition to the state menu developed under section 106 of
7 this act, the office of the superintendent of public instruction shall
8 convene a panel of experts, including the Washington state institute
9 for public policy, to develop additional state menus of best practices
10 and strategies for use in the learning assistance program to assist
11 struggling students at all grade levels in English language arts and
12 mathematics and reduce disruptive behaviors in the classroom. The
13 office of the superintendent of public instruction shall publish the
14 state menus by July 1, 2015, and update the state menus by each July
15 1st thereafter.

16 (4)(a) Beginning in the 2016-17 school year, except as provided in
17 (b) of this subsection, school districts must use a practice or
18 strategy that is on a state menu developed under subsection (3) of this
19 section or section 106 of this act.

20 (b) Beginning in the 2016-17 school year, school districts may use
21 a practice or strategy that is not on a state menu developed under
22 subsection (3) of this section for two school years initially. If the
23 district is able to demonstrate improved outcomes for participating
24 students over the previous two school years at a level commensurate
25 with the best practices and strategies on the state menu, the office of
26 the superintendent of public instruction shall approve use of the
27 alternative practice or strategy by the district for one additional
28 school year. Subsequent annual approval by the superintendent of
29 public instruction to use the alternative practice or strategy is
30 dependent on the district continuing to demonstrate increased improved
31 outcomes for participating students.

32 (c) Beginning in the 2016-17 school year, school districts may
33 enter cooperative agreements with state agencies, local governments, or
34 school districts for administrative or operational costs needed to
35 provide services in accordance with the state menus developed under
36 this section and section 106 of this act.

37 (5) School districts are encouraged to implement best practices and

1 strategies from the state menus developed under this section and
2 section 106 of this act before the use is required.

3 **NEW SECTION. Sec. 204.** A new section is added to chapter 28A.165
4 RCW to read as follows:

5 (1) Beginning with the 2014-15 school year, school districts shall
6 record in the statewide individual student data system annual entrance
7 and exit performance data for each student participating in the
8 learning assistance program according to specifications established by
9 the office of the superintendent of public instruction.

10 (2) By August 1, 2014, and each August 1st thereafter, school
11 districts shall report to the office of the superintendent of public
12 instruction, using a common format prepared by the office:

13 (a) The amount of academic growth gained by students participating
14 in the learning assistance program;

15 (b) The number of students who gain at least one year of academic
16 growth; and

17 (c) The specific practices, activities, and programs used by each
18 school building that received learning assistance program funding.

19 (3) The office of the superintendent of public instruction shall
20 compile the school district data and report annual and longitudinal
21 gains for the specific practices, activities, and programs used by the
22 school districts to show which are the most effective. The data must
23 be disaggregated by student subgroups.

24 **Sec. 205.** RCW 28A.165.055 and 2009 c 548 s 703 are each amended to
25 read as follows:

26 ~~((Each school district with an approved program is eligible for~~
27 ~~state funds provided for the learning assistance program.))~~ The funds
28 for the learning assistance program shall be appropriated ~~((for the~~
29 ~~learning assistance program))~~ in accordance with RCW 28A.150.260 and
30 the omnibus appropriations act. The distribution formula is for school
31 district allocation purposes only, but funds appropriated for the
32 learning assistance program must be expended for the purposes of RCW
33 28A.165.005 through 28A.165.065 and section 106 of this act.

34 **Sec. 206.** RCW 28A.165.065 and 2004 c 20 s 7 are each amended to
35 read as follows:

1 To ensure that school districts are meeting the requirements of
2 (~~(an approved program)~~) this chapter, the superintendent of public
3 instruction shall monitor (~~(such)~~) learning assistance programs no less
4 than once every four years. (~~(Individual student records shall be~~
5 ~~maintained at the school district.)~~) The primary purpose of program
6 monitoring is to evaluate the effectiveness of a district's allocation
7 and expenditure of resources and monitor school district fidelity in
8 implementing best practices. The office of the superintendent of
9 public instruction may provide technical assistance to school districts
10 to improve the effectiveness of a learning assistance program.

11
12

PART III
STUDENT DISCIPLINE

13 NEW SECTION. Sec. 301. A new section is added to chapter 28A.600
14 RCW to read as follows:

15 (1) The office of the superintendent of public instruction shall
16 convene a discipline task force to develop standard definitions for
17 causes of student disciplinary actions taken at the discretion of the
18 school district. The task force must also develop data collection
19 standards for disciplinary actions that are discretionary and for
20 disciplinary actions that result in the exclusion of a student from
21 school. The data collection standards must include data about
22 education services provided while a student is subject to a
23 disciplinary action, the status of petitions for readmission to the
24 school district when a student has been excluded from school, credit
25 retrieval during a period of exclusion, and school dropout as a result
26 of disciplinary action.

27 (2) The discipline task force shall include representatives from
28 the K-12 data governance group, the educational opportunity gap
29 oversight and accountability committee, the state ethnic commissions,
30 the governor's office of Indian affairs, the office of the education
31 ombudsman, school districts, and other education and advocacy
32 organizations.

33 (3) The office of the superintendent of public instruction and the
34 K-12 data governance group shall revise the statewide student data
35 system to incorporate the student discipline data collection standards

1 recommended by the discipline task force, and begin collecting data
2 based on the revised standards in the 2015-16 school year.

3 **Sec. 302.** RCW 28A.600.015 and 2006 c 263 s 701 are each amended to
4 read as follows:

5 (1) The superintendent of public instruction shall adopt and
6 distribute to all school districts lawful and reasonable rules
7 prescribing the substantive and procedural due process guarantees of
8 pupils in the common schools. Such rules shall authorize a school
9 district to use informal due process procedures in connection with the
10 short-term suspension of students to the extent constitutionally
11 permissible: PROVIDED, That the superintendent of public instruction
12 deems the interest of students to be adequately protected. When a
13 student suspension or expulsion is appealed, the rules shall authorize
14 a school district to impose the suspension or expulsion temporarily
15 after an initial hearing for no more than ten consecutive school days
16 or until the appeal is decided, whichever is earlier. Any days that
17 the student is temporarily suspended or expelled before the appeal is
18 decided shall be applied to the term of the student suspension or
19 expulsion and shall not limit or extend the term of the student
20 suspension or expulsion. An expulsion or suspension of a student may
21 not be for an indefinite period of time.

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

24 (3) Emergency expulsions must end or be converted to another form
25 of corrective action within ten school days from the date of the
26 emergency removal from school. Notice and due process rights must be
27 provided when an emergency expulsion is converted to another form of
28 corrective action.

29 **Sec. 303.** RCW 28A.600.020 and 2006 c 263 s 706 are each amended to
30 read as follows:

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

1 (2) Any student who creates a disruption of the educational process
2 in violation of the building disciplinary standards while under a
3 teacher's immediate supervision may be excluded by the teacher from his
4 or her individual classroom and instructional or activity area for all
5 or any portion of the balance of the school day, or up to the following
6 two days, or until the principal or designee and teacher have
7 conferred, whichever occurs first. Except in emergency circumstances,
8 the teacher first must attempt one or more alternative forms of
9 corrective action. In no event without the consent of the teacher may
10 an excluded student return to the class during the balance of that
11 class or activity period or up to the following two days, or until the
12 principal or his or her designee and the teacher have conferred.

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

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

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

36 (~~(a)~~) (i) Engages in two or more violations within a three-year
37 period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460,
38 28A.635.020, 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

1 ~~((b))~~ (ii) Engages in one or more of the offenses listed in RCW
2 13.04.155.

3 (b) The principal shall communicate the disciplinary action taken
4 by the principal to the school personnel who referred the student to
5 the principal for disciplinary action.

6 (6) Any corrective action involving a suspension or expulsion from
7 school for more than ten days must have an end date of not more than
8 one calendar year from the time of corrective action. Districts shall
9 make reasonable efforts to assist students and parents in returning to
10 an educational setting prior to and no later than the end date of the
11 corrective action. Where warranted based on public health or safety,
12 a school may petition the superintendent of the school district,
13 pursuant to policies and procedures adopted by the office of the
14 superintendent of public instruction, for authorization to exceed the
15 one calendar year limitation provided in this subsection. The
16 superintendent of public instruction shall adopt rules outlining the
17 limited circumstances in which a school may petition to exceed the one
18 calendar year limitation, including safeguards to ensure that the
19 school district has made every effort to plan for the student's return
20 to school. School districts shall report to the office of the
21 superintendent of public instruction the number of petitions made to
22 the school board and the number of petitions granted on an annual
23 basis.

24 (7) Nothing in this section prevents a public school district,
25 educational service district, the Washington state center for childhood
26 deafness and hearing loss, or the state school for the blind if it has
27 suspended or expelled a student from the student's regular school
28 setting from providing educational services to the student in an
29 alternative setting or modifying the suspension or expulsion on a case-
30 by-case basis.

31 ***Sec. 304. RCW 28A.600.410 and 1992 c 155 s 1 are each amended to**
32 **read as follows:**

33 **The state of Washington excludes tens of thousands of students from**
34 **school each year due to out-of-school suspensions and expulsions. Out-**
35 **of-school suspensions and expulsions contribute to poor academic**
36 **achievement, lower graduation rates, and higher dropout rates. It is**
37 **the intent of the legislature to minimize the use of out-of-school**

1 suspension and expulsion and its impact on student achievement by
2 reducing the number of days that students are excluded from school due
3 to disciplinary action. Student behavior should not result in the loss
4 of educational opportunity in the public school system.

5 School districts are encouraged to find alternatives to suspension
6 including reducing the length of a student's suspension conditioned by
7 the commencement of counseling or other treatment services. Consistent
8 with current law, the conditioning of a student's suspension does not
9 obligate the school district to pay for the counseling or other
10 treatment services except for those stipulated and agreed to by the
11 district at the inception of the suspension.

*Sec. 304 was vetoed. See message at end of chapter.

12 **Sec. 305.** RCW 28A.600.460 and 1997 c 266 s 9 are each amended to
13 read as follows:

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

25 (2) A student committing an offense under chapter 9A.36, 9A.40,
26 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,
27 shall not be assigned to that teacher's classroom for the duration of
28 the student's attendance at that school or any other school where the
29 teacher is assigned.

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

1 (4) Nothing in this section is intended to limit the authority of
2 a school under existing law and rules to expel or suspend a student for
3 misconduct or criminal behavior.

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

13 **Sec. 306.** RCW 28A.300.046 and 2011 c 288 s 10 are each amended to
14 read as follows:

15 (1)(a) The superintendent of public instruction shall adopt rules
16 establishing a standard definition of student absence from school. In
17 adopting the definition, the superintendent shall review current
18 practices in Washington school districts, definitions used in other
19 states, and any national standards or definitions used by the national
20 center for education statistics or other national groups. The
21 superintendent shall also consult with the building bridges work group
22 established under RCW 28A.175.075.

23 (b) Using the definition of student absence adopted under this
24 section, the superintendent shall establish an indicator for measuring
25 student attendance in high schools for purposes of the PASS program
26 under RCW 28A.175.130.

27 (2)(a) The K-12 data governance group under RCW 28A.300.507 shall
28 establish the parameters and an implementation schedule for statewide
29 collection through the comprehensive education and data research system
30 of: (i) Student attendance data using the definitions of student
31 absence adopted under this section; and (ii) student discipline data
32 with a focus on suspensions and expulsions from school.

33 (b) (~~At a minimum,~~) Student suspension and expulsion data
34 collected for the purposes of this subsection (2) must be:

35 (i) Made publicly available and easily accessible on the
36 superintendent of public instruction's web site; and

1 (ii) Disaggregated and cross-tabulated as established under RCW
2 28A.300.042.

3 (c) School districts must collect and submit student attendance
4 data and student discipline data for high school students through the
5 comprehensive education and data research system for purposes of the
6 PASS program under RCW 28A.175.130 beginning in the 2012-13 school
7 year.

8 **Sec. 307.** RCW 28A.300.042 and 2009 c 468 s 4 are each amended to
9 read as follows:

10 (1) All student data-related reports required of the superintendent
11 of public instruction in this title must be disaggregated by at least
12 the following subgroups of students: White, Black, Hispanic, American
13 Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low
14 income, transitional bilingual, migrant, special education, and
15 students covered by section 504 of the federal rehabilitation act of
16 1973, as amended (29 U.S.C. Sec. 794).

17 (2) All student data-related reports required of the superintendent
18 of public instruction regarding student suspensions and expulsions as
19 required in RCW 28A.300.046 are subject to disaggregation by subgroups
20 including:

21 (a) Gender;

22 (b) Foster care;

23 (c) Homeless, if known;

24 (d) School district;

25 (e) School;

26 (f) Grade level;

27 (g) Behavior infraction code, including:

28 (i) Bullying;

29 (ii) Tobacco;

30 (iii) Alcohol;

31 (iv) Illicit drug;

32 (v) Fighting without major injury;

33 (vi) Violence without major injury;

34 (vii) Violence with major injury;

35 (viii) Possession of a weapon; and

36 (ix) Other behavior resulting from a short-term or long-term

1 suspension, _expulsion, _or _interim _alternative _education _setting
2 intervention;

- 3 (h) Intervention applied, including:
- 4 (i) Short-term suspension;
- 5 (ii) Long-term suspension;
- 6 (iii) Emergency expulsion;
- 7 (iv) Expulsion;
- 8 (v) Interim alternative education settings;
- 9 (vi) No intervention applied; and
- 10 (vii) Other intervention applied that is not described in this
11 subsection (2)(h);

- 12 (i) Number of days a student is suspended or expelled, to be
13 counted in half or full days; and
- 14 (j) Any other categories added at a future date by the data
15 governance group.

16 (3) All student data-related reports required of the superintendent
17 of public instruction regarding student suspensions and expulsions as
18 required in RCW 28A.300.046 are subject to cross-tabulation at a
19 minimum by the following:

- 20 (a) School and district;
- 21 (b) Race, low income, special education, transitional bilingual,
22 migrant, foster care, homeless, students covered by section 504 of the
23 federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794),
24 and categories to be added in the future;
- 25 (c) Behavior infraction code; and
- 26 (d) Intervention applied.

27 NEW SECTION. Sec. 308. A new section is added to chapter 28A.600
28 RCW to read as follows:

29 (1) School districts should make efforts to have suspended or
30 expelled students return to an educational setting as soon as possible.
31 School districts should convene a meeting with the student and the
32 student's parents or guardians within twenty days of the student's
33 long-term suspension or expulsion, but no later than five days before
34 the student's enrollment, to discuss a plan to reengage the student in
35 a school program.

36 (2) In developing a reengagement plan, school districts should
37 consider shortening the length of time that the student is suspended or

1 expelled, other forms of corrective action, and supportive
2 interventions that aid in the student's academic success and keep the
3 student engaged and on track to graduate. School districts must create
4 a reengagement plan tailored to the student's individual circumstances,
5 including consideration of the incident that led to the student's long-
6 term suspension or expulsion. The plan should aid the student in
7 taking the necessary steps to remedy the situation that led to the
8 student's suspension or expulsion.

9 (3) Any reengagement meetings conducted by the school district
10 involving the suspended or expelled student and his or her parents or
11 guardians are not intended to replace a petition for readmission.

12 NEW SECTION. **Sec. 309.** Nothing in chapter . . . , Laws of 2013 2nd
13 sp. sess. (this act) prevents a public school district, law enforcement
14 agencies, or law enforcement personnel from enforcing laws protecting
15 health and human safety.

16 **PART IV**
17 **EDUCATOR SUPPORT PROGRAM**

18 NEW SECTION. **Sec. 401.** A new section is added to chapter 28A.415
19 RCW to read as follows:

20 (1) The educator support program is established to provide
21 professional development and mentor support for beginning educators and
22 educators on probation under RCW 28A.405.100, to be composed of the
23 beginning educator support team for beginning educators and continuous
24 improvement coaching for educators on probation, as provided in this
25 section.

26 (2)(a) Subject to funds appropriated for this specific purpose, the
27 office of the superintendent of public instruction shall allocate funds
28 for the beginning educator support team on a competitive basis to
29 individual school districts or consortia of districts. School
30 districts are encouraged to include educational service districts in
31 creating regional consortia. In allocating funds, the office of the
32 superintendent of public instruction shall give priority to school
33 districts with low-performing schools identified under RCW 28A.657.020
34 as being challenged schools in need of improvement. A portion of the

1 appropriated funds may be used for program coordination and provision
2 of statewide or regional professional development through the office of
3 the superintendent of public instruction.

4 (b) A beginning educator support team must include the following
5 components:

6 (i) A paid orientation or individualized assistance before the
7 start of the school year for beginning educators;

8 (ii) Assignment of a trained and qualified mentor for the first
9 three years for beginning educators, with intensive support in the
10 first year and decreasing support over the following years depending on
11 the needs of the beginning educator;

12 (iii) Professional development for beginning educators that is
13 designed to meet their unique needs for supplemental training and skill
14 development;

15 (iv) Professional development for mentors;

16 (v) Release time for mentors and their designated educators to work
17 together, as well as time for educators to observe accomplished peers;
18 and

19 (vi) A program evaluation using a standard evaluation tool provided
20 from the office of the superintendent of public instruction that
21 measures increased knowledge, skills, and positive impact on student
22 learning for program participants.

23 (3) Subject to funds separately appropriated for this specific
24 purpose, the beginning educator support team components under
25 subsection (2) of this section may be provided for continuous
26 improvement coaching to support educators on probation under RCW
27 28A.405.100.

28 **Sec. 402.** RCW 28A.415.010 and 2006 c 263 s 807 are each amended to
29 read as follows:

30 It shall be the responsibility of each educational service district
31 board to establish a center for the improvement of teaching. The
32 center shall administer, coordinate, and act as fiscal agent for such
33 programs related to the recruitment and training of certificated and
34 classified K-12 education personnel as may be delegated to the center
35 by the superintendent of public instruction under RCW 28A.310.470. To
36 assist in these activities, each educational service district board
37 shall establish an improvement of teaching coordinating council to

1 include, at a minimum, representatives as specified in RCW 28A.415.040.
2 An existing in-service training task force, established pursuant to RCW
3 28A.415.040, may serve as the improvement of teaching coordinating
4 council. The educational service district board shall ensure
5 coordination of programs established pursuant to RCW 28A.415.030,
6 28A.410.060, and (~~28A.415.250~~) section 401 of this act.

7 The educational service district board may arrange each year for
8 the holding of one or more teachers' institutes and/or workshops for
9 professional staff preparation and in-service training in such manner
10 and at such time as the board believes will be of benefit to the
11 teachers and other professional staff of school districts within the
12 educational service district and shall comply with rules of the
13 professional educator standards board pursuant to RCW 28A.410.060 or
14 the superintendent of public instruction (~~pursuant to RCW~~
15 ~~28A.415.250~~). The board may provide such additional means of teacher
16 and other professional staff preparation and in-service training as it
17 may deem necessary or appropriate and there shall be a proper charge
18 against the educational service district general expense fund when
19 approved by the educational service district board.

20 Educational service district boards of contiguous educational
21 service districts, by mutual arrangements, may hold joint institutes
22 and/or workshops, the expenses to be shared in proportion to the
23 numbers of certificated personnel as shown by the last annual reports
24 of the educational service districts holding such joint institutes or
25 workshops.

26 In local school districts employing more than one hundred teachers
27 and other professional staff, the school district superintendent may
28 hold a teachers' institute of one or more days in such district, said
29 institute when so held by the school district superintendent to be in
30 all respects governed by the provisions of this title and rules
31 relating to teachers' institutes held by educational service district
32 superintendents.

33 **PART V**

34 **ALTERNATIVE LEARNING EXPERIENCES**

35 **Sec. 501.** 2011 1st sp.s. c 34 s 1 (uncodified) is amended to read
36 as follows:

1 (1) Under Article IX of the Washington state Constitution, all
2 children are entitled to an opportunity to receive a basic education.
3 Although the state must assure that students in public schools have
4 opportunities to participate in the instructional program of basic
5 education, there is no obligation for either the state or school
6 districts to provide that instruction using a particular delivery
7 method or through a particular program.

8 (2) The legislature finds ample evidence of the need to examine and
9 reconsider policies under which alternative learning that occurs
10 outside the classroom using an individual student learning plan may be
11 considered equivalent to full-time attendance in school, including for
12 funding purposes. Previous legislative studies have raised questions
13 about financial practices and accountability in alternative learning
14 experience ((~~programs~~)) courses. Since 2005, there has been
15 significant enrollment growth in alternative learning experience online
16 ((~~programs~~)) courses, with evidence of unexpected financial impact when
17 large numbers of nonresident students enroll in ((~~programs~~)) courses.
18 Based on this evidence, there is a rational basis on which to conclude
19 that there are different costs associated with providing ((~~a program~~))
20 courses not primarily based on full-time, daily contact between
21 teachers and students and not primarily occurring on-site in a
22 classroom.

23 (3) For these reasons, the legislature intends to allow for
24 continuing review and revision of the way in which state funding
25 allocations are used to support alternative learning experience
26 ((~~programs~~)) courses.

27 **Sec. 502.** RCW 28A.150.325 and 2011 1st sp.s. c 34 s 2 are each
28 amended to read as follows:

29 (1) ((~~For purposes of this chapter,~~)) The definitions in this
30 subsection apply throughout this chapter unless the context clearly
31 requires otherwise.

32 (a) "Alternative learning experience ((~~program~~)) course" means a
33 course ((~~or set of courses~~)), or for grades kindergarten through eight
34 grade-level coursework, that is a delivery method for the program of
35 basic education and is:

36 ((~~(a)~~)) (i) Provided in whole or in part independently from a

1 regular classroom setting or schedule, but may include some components
2 of direct instruction;

3 ~~((b))~~ (ii) Supervised, monitored, assessed, evaluated, and
4 documented by a certificated teacher employed by the school district or
5 under contract as permitted by applicable rules; and

6 ~~((e))~~ (iii) Provided in accordance with a written student
7 learning plan that is implemented pursuant to the school district's
8 policy and rules adopted by the superintendent of public instruction
9 for alternative learning experiences.

10 (b) "In-person" means face-to-face instructional contact in a
11 physical classroom environment.

12 (c) "Instructional contact time" means instructional time with a
13 certificated teacher. Instructional contact time must be for the
14 purposes of actual instruction, review of assignments, testing,
15 evaluation of student progress, or other learning activities or
16 requirements identified in the student's written student learning plan.
17 Instructional contact time must be related to an alternative learning
18 experience course identified in the student's written student learning
19 plan. Instructional contact time may occur in a group setting between
20 the teacher and multiple students and may be delivered either in-person
21 or remotely using technology.

22 (d) "Online course" means an alternative learning experience course
23 that has the same meaning as provided in RCW 28A.250.010.

24 (e) "Remote course" means an alternative learning experience course
25 that is not an online course where the student has in-person
26 instructional contact time for less than twenty percent of the total
27 weekly time for the course. No minimum in-person instructional contact
28 time is required.

29 (f) "Site-based course" means an alternative learning experience
30 course where the student has in-person instructional contact time for
31 at least twenty percent of the total weekly time for the course.

32 (g) "Total weekly time" means the estimated average hours per
33 school week the student will engage in learning activities to meet the
34 requirements of the written student learning plan.

35 (2) ~~((The broad categories of alternative learning experience~~
36 ~~programs include, but are not limited to:~~

37 ~~(a) Online programs as defined in RCW 28A.150.262;~~

1 ~~(b) — Parent — partnership — programs — that — include — significant~~
2 ~~participation and partnership by parents and families in the design and~~
3 ~~implementation of a student's learning experience; and~~

4 ~~(c) Contract based learning programs))~~ School districts may claim
5 state funding under section 503 of this act, to the extent otherwise
6 allowed by state law including the provisions of RCW 28A.250.060, for
7 students enrolled in remote, site-based, or online alternative learning
8 experience courses. High school courses must meet district or state
9 graduation requirements and be offered for high school credit.

10 (3) School districts that offer alternative learning experience
11 ~~((programs))~~ courses may not provide any compensation, reimbursement,
12 gift, reward, or gratuity to any parents, guardians, or students for
13 participation in the courses. School district employees are prohibited
14 from receiving any compensation or payment as an incentive to increase
15 student enrollment of out-of-district students in ~~((an))~~ alternative
16 learning experience ~~((program))~~ courses. This prohibition includes,
17 but is not limited to, providing funds to parents, guardians, or
18 students for the purchase of educational materials, supplies,
19 experiences, services, or technological equipment. A district may
20 purchase educational materials, equipment, or other nonconsumable
21 supplies for students' use in alternative learning experience
22 ~~((programs))~~ courses if the purchase is consistent with the district's
23 approved curriculum, conforms to applicable laws and rules, and is made
24 in the same manner as such purchases are made for students in the
25 district's regular instructional program. Items so purchased remain
26 the property of the school district upon program completion. School
27 districts may not purchase or contract for instructional or
28 cocurricular experiences and services that are included in an
29 alternative learning experience written student learning plan,
30 including but not limited to lessons, trips, and other activities,
31 unless substantially similar experiences and services are available to
32 students enrolled in the district's regular instructional program.
33 School districts that purchase or contract for such experiences and
34 services for students enrolled in an alternative learning experience
35 ~~((program))~~ course must submit an annual report to the office of the
36 superintendent of public instruction detailing the costs and purposes
37 of the expenditures. These requirements extend to contracted providers
38 of alternative learning experience ~~((programs))~~ courses, and each

1 district shall be responsible for monitoring the compliance of its
2 providers with these requirements. However, nothing in this
3 (~~section~~) subsection shall prohibit school districts from contracting
4 with school district employees to provide services or experiences to
5 students, or from contracting with online providers approved by the
6 office of the superintendent of public instruction pursuant to chapter
7 28A.250 RCW.

8 (4) (~~Part-time enrollment in alternative learning experiences is~~
9 ~~subject to the provisions of RCW 28A.150.350.~~

10 (~~The superintendent of public instruction shall adopt rules~~
11 ~~defining minimum requirements and accountability for alternative~~
12 ~~learning experience programs)) Each school district offering or
13 contracting to offer alternative learning experience courses must:~~

14 (a) Report annually to the superintendent of public instruction
15 regarding the course types and offerings, and number of students
16 participating in each;

17 (b) Document the district of residence for each student enrolled in
18 an alternative learning experience course; and

19 (c) Beginning in the 2013-14 school year and continuing through the
20 2016-17 school year, pay costs associated with a biennial measure of
21 student outcomes and financial audit of the district's alternative
22 learning experience courses by the office of the state auditor.

23 (5) A school district offering or contracting to offer an
24 alternative learning experience course to a nonresident student must
25 inform the resident school district if the student drops out of the
26 course or is otherwise no longer enrolled.

27 (6) School districts must assess the educational progress of
28 enrolled students at least annually, using, for full-time students, the
29 state assessment for the student's grade level and using any other
30 annual assessments required by the school district. Part-time students
31 must also be assessed at least annually. However, part-time students
32 who are either receiving home-based instruction under chapter 28A.200
33 RCW or who are enrolled in an approved private school under chapter
34 28A.195 RCW are not required to participate in the assessments required
35 under chapter 28A.655 RCW. The rules must address how students who
36 reside outside the geographic service area of the school district are
37 to be assessed.

1 (7) Beginning with the 2013-14 school year, school districts must
2 designate alternative learning experience courses as such when
3 reporting course information to the office of the superintendent of
4 public instruction under RCW 28A.300.500.

5 (8)(a) The superintendent of public instruction shall adopt rules
6 necessary to implement this section.

7 (b) Rules adopted for weekly direct personal contact requirements
8 and monthly progress evaluation must be flexible and reflect the needs
9 of the student and the student's individual learning plan rather than
10 specifying an amount of time. In addition, the rules must reduce
11 documentation requirements, particularly for students making
12 satisfactory progress, based on the unique aspects of the alternative
13 learning experience course types defined in this section and taking
14 into consideration the technical and system capabilities associated
15 with the different course types.

16 (c) The rules must establish procedures that address how the
17 counting of students must be coordinated by resident and nonresident
18 districts for state funding so that no student is counted for more than
19 one full-time equivalent in the aggregate.

20 **NEW SECTION. Sec. 503.** The superintendent of public instruction
21 shall separately calculate and allocate moneys appropriated under RCW
22 28A.150.260 to school districts for each full-time equivalent student
23 enrolled in an alternative learning experience course. The calculation
24 shall be based on the estimated statewide annual average allocation per
25 full-time equivalent student in grades nine through twelve in general
26 education, excluding small high school enhancements, and including
27 applicable rules and provisions of the omnibus appropriations act.

28 **Sec. 504.** RCW 28A.250.010 and 2011 1st sp.s. c 34 s 5 are each
29 amended to read as follows:

30 The definitions in this section apply throughout this chapter
31 unless the context clearly requires otherwise.

32 (1)(a) "Multidistrict online provider" means:

33 (i) A private or nonprofit organization that enters into a contract
34 with a school district to provide online courses or programs to K-12
35 students from more than one school district;

1 (ii) A private or nonprofit organization that enters into contracts
2 with multiple school districts to provide online courses or programs to
3 K-12 students from those districts; or

4 (iii) Except as provided in (b) of this subsection, a school
5 district that provides online courses or programs to students who
6 reside outside the geographic boundaries of the school district.

7 (b) "Multidistrict online provider" does not include a school
8 district online learning program in which fewer than ten percent of the
9 students enrolled in the program are from other districts under the
10 interdistrict student transfer provisions of RCW 28A.225.225.
11 "Multidistrict online provider" also does not include regional online
12 learning programs that are jointly developed and implemented by two or
13 more school districts or an educational service district through an
14 interdistrict cooperative program agreement that addresses, at minimum,
15 how the districts share student full-time equivalency for state basic
16 education funding purposes and how categorical education programs,
17 including special education, are provided to eligible students.

18 (2)(a) "Online course" means a course or grade-level coursework
19 where:

20 (i) More than half of the course content is delivered
21 electronically using the internet or other computer-based methods;
22 (~~and~~)

23 (ii) More than half of the teaching is conducted from a remote
24 location through an online course learning management system or other
25 online or electronic tools;

26 (iii) A certificated teacher has the primary responsibility for the
27 student's instructional interaction. Instructional interaction between
28 the teacher and the student includes, but is not limited to, direct
29 instruction, review of assignments, assessment, testing, progress
30 monitoring, and educational facilitation; and

31 (iv) Students have access to the teacher synchronously,
32 asynchronously, or both.

33 (b) "Online school program" means a school program that(+

34 ~~(i) Offers courses or grade level coursework that is delivered~~
35 ~~primarily electronically using the internet or other computer based~~
36 ~~methods;~~

37 ~~(ii) Offers courses or grade level coursework that is taught by a~~

1 teacher—primarily—from—a—remote—location—using—online—or—other
2 electronic—tools.—Students—enrolled—in—an—online—program—may—have
3 access—to—the—teacher—synchronously, asynchronously, or both;

4 (~~iii~~)) offers a sequential set of online courses or grade-level
5 coursework that may be taken in a single school term or throughout the
6 school year in a manner that could provide a full-time basic education
7 program if so desired by the student. Students may enroll in the
8 program as part-time or full-time students(~~(; and~~

9 ~~(iv) Has an online component of the program with online lessons and~~
10 ~~tools for student and data management~~)).

11 (c) An online course or online school program may be delivered to
12 students at school as part of the regularly scheduled school day. An
13 online course or online school program also may be delivered to
14 students, in whole or in part, independently from a regular classroom
15 schedule, but such courses or programs must comply with RCW
16 ((~~28A.150.262~~)) 28A.150.325 (as recodified by this act) and associated
17 rules adopted by the superintendent of public instruction to qualify
18 for state basic education funding.

19 (3) "Online provider" means any provider of an online course or
20 program, including multidistrict online providers, all school district
21 online learning programs, and all regional online learning programs.

22 **Sec. 505.** RCW 28A.250.020 and 2011 1st sp.s. c 34 s 6 are each
23 amended to read as follows:

24 (1) The superintendent of public instruction, in collaboration with
25 the state board of education, shall develop and implement approval
26 criteria and a process for approving online providers; a process for
27 monitoring and if necessary rescinding the approval of courses or
28 programs offered by an online provider; and an appeals process. The
29 criteria and processes for multidistrict online providers shall be
30 adopted by rule by December 1, 2009.

31 (2) When developing the approval criteria, the superintendent of
32 public instruction shall require that providers offering online courses
33 or programs have accreditation, or are candidates for accreditation,
34 through the Northwest accreditation commission or another national,
35 regional, or state accreditation program listed by the office of the
36 superintendent of public instruction (~~(after consultation with the~~
37 ~~Washington coalition for online learning)~~). In addition to other

1 criteria, the approval criteria shall include the degree of alignment
2 with state academic standards and require that all teachers be
3 certificated in accordance with Washington state law. When reviewing
4 online providers that offer high school courses, the superintendent of
5 public instruction shall assure that the courses offered by the
6 provider are eligible for high school credit. However, final decisions
7 regarding whether credit meets the school district's graduation
8 requirements shall remain the responsibility of the school districts.

9 (3) Initial approval of online providers by the superintendent of
10 public instruction shall be for four years. The superintendent of
11 public instruction shall develop a process for the renewal of approvals
12 and for rescinding approvals based on noncompliance with approval
13 requirements. Any multidistrict online provider that was approved by
14 the digital learning commons or accredited by the Northwest association
15 of accredited schools before July 26, 2009, and that meets the teacher
16 certification requirements of subsection (2) of this section, is exempt
17 from the initial approval process under this section until August 31,
18 2012, but must comply with the process for renewal of approvals and
19 must comply with approval requirements.

20 (4) The superintendent of public instruction shall make the first
21 round of decisions regarding approval of multidistrict online providers
22 by April 1, 2010. The first round of decisions regarding approval of
23 online providers that are not multidistrict online providers shall be
24 made by April 1, 2013. Thereafter, the superintendent of public
25 instruction shall make annual approval decisions no later than November
26 1st of each year.

27 (5) The superintendent of public instruction shall establish an
28 online learning advisory committee within existing resources that shall
29 provide advice to the superintendent regarding the approval criteria,
30 major components of the web site, the model school district policy,
31 model agreements, and other related matters. The committee shall
32 include a representative of each of the following groups: Private and
33 public online providers, parents of online students, accreditation
34 organizations, educational service districts, school principals,
35 teachers, school administrators, school board members, institutions of
36 higher education, and other individuals as determined by the
37 superintendent. Members of the advisory committee shall be selected by

1 the superintendent based on nominations from statewide organizations,
2 shall serve three-year terms, and may be reappointed. The
3 superintendent shall select the chair of the committee.

4 **Sec. 506.** RCW 28A.250.050 and 2011 1st sp.s. c 34 s 11 are each
5 amended to read as follows:

6 (1) By August 31, 2010, all school district boards of directors
7 shall develop policies and procedures regarding student access to
8 online courses and online learning programs. The policies and
9 procedures shall include but not be limited to: Student eligibility
10 criteria; the types of online courses available to students through the
11 school district; the methods districts will use to support student
12 success, which may include a local advisor; when the school district
13 will and will not pay course fees and other costs; the granting of high
14 school credit; and a process for students and parents or guardians to
15 formally acknowledge any course taken for which no credit is given.
16 The policies and procedures shall take effect beginning with the 2010-
17 11 school year. School districts shall submit their policies to the
18 superintendent of public instruction by September 15, 2010. By
19 December 1, 2010, the superintendent of public instruction shall
20 summarize the school district policies regarding student access to
21 online courses and submit a report to the legislature.

22 (2) School districts must award credit and grades for online high
23 school courses successfully completed by a student that meet the school
24 district's graduation requirements and are provided by an approved
25 online provider.

26 (3) School districts shall provide students with information
27 regarding online courses that are available through the school
28 district. The information shall include the types of information
29 described in subsection (1) of this section.

30 (4) When developing local or regional online learning programs,
31 school districts shall incorporate into the program design the approval
32 criteria developed by the superintendent of public instruction under
33 RCW 28A.250.020.

34 **Sec. 507.** RCW 28A.250.060 and 2011 1st sp.s. c 34 s 8 are each
35 amended to read as follows:

36 (1) Beginning with the 2011-12 school year, school districts may

1 claim state funding under (~~RCW 28A.150.260~~) section 503 of this act,
2 to the extent otherwise allowed by state law, for students enrolled in
3 online courses or programs only if the online courses or programs are:

4 (a) Offered by a multidistrict online provider approved under RCW
5 28A.250.020 by the superintendent of public instruction;

6 (b) Offered by a school district online learning program if the
7 program serves students who reside within the geographic boundaries of
8 the school district, including school district programs in which fewer
9 than ten percent of the program's students reside outside the school
10 district's geographic boundaries; or

11 (c) Offered by a regional online learning program where courses are
12 jointly developed and offered by two or more school districts or an
13 educational service district through an interdistrict cooperative
14 program agreement.

15 (2) Beginning with the 2013-14 school year, school districts may
16 claim state funding under (~~RCW 28A.150.260~~) section 503 of this act,
17 to the extent otherwise allowed by state law, for students enrolled in
18 online courses or programs only if the online courses or programs are
19 offered by an online provider approved under RCW 28A.250.020 by the
20 superintendent of public instruction.

21 (3) Criteria shall be established by the superintendent of public
22 instruction to allow online courses that have not been approved by the
23 superintendent of public instruction to be eligible for state funding
24 if the course is in a subject matter in which no courses have been
25 approved and, if it is a high school course, the course meets
26 Washington high school graduation requirements.

27 **Sec. 508.** RCW 28A.250.070 and 2009 c 542 s 8 are each amended to
28 read as follows:

29 Nothing in this chapter is intended to diminish the rights of
30 students to attend a nonresident school district in accordance with RCW
31 28A.225.220 through 28A.225.230 for the purposes of enrolling in online
32 courses or online school programs. The office of online learning under
33 RCW 28A.250.030 shall develop a standard form, which must be used by
34 all school districts, for releasing a student to a nonresident school
35 district for the purposes of enrolling in an online course or online
36 school program.

1 NEW SECTION. **Sec. 509.** A new section is added to chapter 28A.250
2 RCW to read as follows:

3 An online school program may request a waiver from the office of
4 the superintendent of public instruction to administer one or more
5 sections of the statewide student assessment for grades three through
6 eight for some or all students enrolled in the program on alternate
7 days or on an alternate schedule, as long as the administration is
8 within the testing period established by the office. The office may
9 deny a request for a waiver if the online school program's proposal
10 does not maintain adequate test security or would reduce the
11 reliability of the assessment results by providing an inequitable
12 advantage for some students.

13 **Sec. 510.** RCW 28A.225.220 and 1995 c 335 s 602 and 1995 c 52 s 2
14 are each reenacted and amended to read as follows:

15 (1) Any board of directors may make agreements with adults choosing
16 to attend school, and may charge the adults reasonable tuition.

17 (2) A district is strongly encouraged to honor the request of a
18 parent or guardian for his or her child to attend a school in another
19 district or the request of a parent or guardian for his or her child to
20 transfer as a student receiving home-based instruction.

21 (3) A district shall release a student to a nonresident district
22 that agrees to accept the student if:

23 (a) A financial, educational, safety, or health condition affecting
24 the student would likely be reasonably improved as a result of the
25 transfer; or

26 (b) Attendance at the school in the nonresident district is more
27 accessible to the parent's place of work or to the location of child
28 care; or

29 (c) There is a special hardship or detrimental condition; or

30 (d) The purpose of the transfer is for the student to enroll in an
31 online course or online school program offered by an online provider
32 approved under RCW 28A.250.020.

33 (4) A district may deny the request of a resident student to
34 transfer to a nonresident district if the release of the student would
35 adversely affect the district's existing desegregation plan.

36 (5) For the purpose of helping a district assess the quality of its
37 education program, a resident school district may request an optional

1 exit interview or questionnaire with the parents or guardians of a
2 child transferring to another district. No parent or guardian may be
3 forced to attend such an interview or complete the questionnaire.

4 (6) Beginning with the 1993-94 school year, school districts may
5 not charge transfer fees or tuition for nonresident students enrolled
6 under subsection (3) of this section and RCW 28A.225.225.
7 Reimbursement of a high school district for cost of educating high
8 school pupils of a nonhigh school district shall not be deemed a
9 transfer fee as affecting the apportionment of current state school
10 funds.

11 **Sec. 511.** RCW 28A.225.225 and 2013 c 192 s 2 are each amended to
12 read as follows:

13 (1) Except for students who reside out-of-state and students under
14 RCW 28A.225.217, a district shall accept applications from nonresident
15 students who are the children of full-time certificated and classified
16 school employees, and those children shall be permitted to enroll:

17 (a) At the school to which the employee is assigned;

18 (b) At a school forming the district's K through 12 continuum which
19 includes the school to which the employee is assigned; or

20 (c) At a school in the district that provides early intervention
21 services pursuant to RCW 28A.155.065 or preschool services pursuant to
22 RCW 28A.155.070, if the student is eligible for such services.

23 (2) A district may reject applications under this section if:

24 (a) The student's disciplinary records indicate a history of
25 convictions for offenses or crimes, violent or disruptive behavior, or
26 gang membership;

27 (b) The student has been expelled or suspended from a public school
28 for more than ten consecutive days. Any policy allowing for
29 readmission of expelled or suspended students under this subsection
30 (2)(b) must apply uniformly to both resident and nonresident
31 applicants; (~~or~~)

32 (c) Enrollment of a child under this section would displace a child
33 who is a resident of the district, except that if a child is admitted
34 under subsection (1) of this section, that child shall be permitted to
35 remain enrolled at that school, or in that district's kindergarten
36 through twelfth grade continuum, until he or she has completed his or
37 her schooling; or

1 (d) The student has repeatedly failed to comply with requirements
2 for participation in an online school program, such as participating in
3 weekly direct contact with the teacher or monthly progress evaluations.

4 (3) A nonhigh district that is participating in an innovation
5 academy cooperative may not accept an application from a high school
6 student that conflicts with RCW 28A.340.080.

7 (4) Except as provided in subsection (1) of this section, all
8 districts accepting applications from nonresident students or from
9 students receiving home-based instruction for admission to the
10 district's schools shall consider equally all applications received.
11 Each school district shall adopt a policy establishing rational, fair,
12 and equitable standards for acceptance and rejection of applications by
13 June 30, 1990. The policy may include rejection of a nonresident
14 student if:

15 (a) Acceptance of a nonresident student would result in the
16 district experiencing a financial hardship;

17 (b) The student's disciplinary records indicate a history of
18 convictions for offenses or crimes, violent or disruptive behavior, or
19 gang membership;

20 (c) Accepting of the nonresident student would conflict with RCW
21 28A.340.080; or

22 (d) The student has been expelled or suspended from a public school
23 for more than ten consecutive days. Any policy allowing for
24 readmission of expelled or suspended students under this subsection
25 (4)(d) must apply uniformly to both resident and nonresident
26 applicants.

27 For purposes of subsections (2)(a) and (4)(b) of this section,
28 "gang" means a group which: (i) Consists of three or more persons;
29 (ii) has identifiable leadership; and (iii) on an ongoing basis,
30 regularly conspires and acts in concert mainly for criminal purposes.

31 (5) The district shall provide to applicants written notification
32 of the approval or denial of the application in a timely manner. If
33 the application is rejected, the notification shall include the reason
34 or reasons for denial and the right to appeal under RCW 28A.225.230(3).

35 **Sec. 512.** RCW 28A.150.100 and 2011 1st sp.s. c 34 s 10 are each
36 amended to read as follows:

37 (1) For the purposes of this section and RCW 28A.150.410 and

1 28A.400.200, "basic education certificated instructional staff" means
2 all full-time equivalent classroom teachers, teacher librarians,
3 guidance counselors, certificated student health services staff, and
4 other certificated instructional staff in the following programs as
5 defined for statewide school district accounting purposes: Basic
6 education, secondary vocational education, general instructional
7 support, and general supportive services.

8 (2) Each school district shall maintain a ratio of at least forty-
9 six basic education certificated instructional staff to one thousand
10 annual average full-time equivalent students. This requirement does
11 not apply to that portion of a district's annual average full-time
12 equivalent enrollment that is enrolled in alternative learning
13 experience (~~(programs)~~) courses as defined in RCW 28A.150.325 (as
14 recodified by this act).

15 **Sec. 513.** RCW 28A.525.162 and 2012 c 244 s 2 are each amended to
16 read as follows:

17 (1) Funds appropriated to the superintendent of public instruction
18 from the common school construction fund shall be allotted by the
19 superintendent of public instruction in accordance with this chapter.

20 (2) No allotment shall be made to a school district until such
21 district has provided local funds equal to or greater than the
22 difference between the total approved project cost and the amount of
23 state funding assistance to the district for financing the project
24 computed pursuant to RCW 28A.525.166, with the following exceptions:

25 (a) The superintendent of public instruction may waive the local
26 requirement for state funding assistance for districts which have
27 provided funds for school building construction purposes through the
28 authorization of bonds or through the authorization of excess tax
29 levies or both in an amount equivalent to two and one-half percent of
30 the value of its taxable property, as defined in RCW 39.36.015.

31 (b) No such local funds shall be required as a condition to the
32 allotment of funds from the state for the purpose of making major or
33 minor structural changes to existing school facilities in order to
34 bring such facilities into compliance with the barrier free access
35 requirements of section 504 of the federal rehabilitation act of 1973
36 (29 U.S.C. Sec. 706) and rules implementing the act.

1 (3) For the purpose of computing the state funding assistance
2 percentage under RCW 28A.525.166 when a school district is granted
3 authority to enter into contracts, adjusted valuation per pupil shall
4 be calculated using headcount student enrollments from the most recent
5 October enrollment reports submitted by districts to the superintendent
6 of public instruction, adjusted as follows:

7 (a) In the case of projects for which local bonds were approved
8 after May 11, 1989:

9 (i) For districts which have been designated as serving high school
10 districts under RCW 28A.540.110, students residing in the nonhigh
11 district so designating shall be excluded from the enrollment count if
12 the student is enrolled in any grade level not offered by the nonhigh
13 district;

14 (ii) The enrollment of nonhigh school districts shall be increased
15 by the number of students residing within the district who are enrolled
16 in a serving high school district so designated by the nonhigh school
17 district under RCW 28A.540.110, including only students who are
18 enrolled in grade levels not offered by the nonhigh school district;
19 and

20 (iii) The number of preschool students with disabilities included
21 in the enrollment count shall be multiplied by one-half;

22 (b) In the case of construction or modernization of high school
23 facilities in districts serving students from nonhigh school districts,
24 the adjusted valuation per pupil shall be computed using the combined
25 adjusted valuations and enrollments of each district, each weighted by
26 the percentage of the district's resident high school students served
27 by the high school district;

28 (c) The number of kindergarten students included in the enrollment
29 count shall be counted as one headcount student; and

30 (d) The number of students residing outside the school district who
31 are enrolled in alternative learning experience (~~(programs)~~) courses
32 under RCW 28A.150.325 (as recodified by this act) shall be excluded
33 from the total.

34 (4) In lieu of the exclusion in subsection (3)(d) of this section,
35 a district may submit an alternative calculation for excluding students
36 enrolled in alternative learning experience (~~(programs)~~) courses. The
37 alternative calculation must show the student headcount use of district
38 classroom facilities on a regular basis for a regular duration by out-

1 of-district alternative learning experience ((program)) students
2 subtracted by the headcount of in-district alternative learning
3 experience ((program)) students not using district classroom facilities
4 on a regular basis for a reasonable duration. The alternative
5 calculation must be submitted in a form approved by the office of the
6 superintendent of public instruction. The office of the superintendent
7 of public instruction must develop rules to define "regular basis" and
8 "reasonable duration."

9 (5) The superintendent of public instruction, considering policy
10 recommendations from the school facilities citizen advisory panel,
11 shall prescribe such rules as are necessary to equate insofar as
12 possible the efforts made by school districts to provide capital funds
13 by the means aforesaid.

14 (6) For the purposes of this section, "preschool students with
15 disabilities" means children of preschool age who have developmental
16 disabilities who are entitled to services under RCW 28A.155.010 through
17 28A.155.100 and are not included in the kindergarten enrollment count
18 of the district.

19 **Sec. 514.** RCW 28A.525.166 and 2012 c 244 s 3 are each amended to
20 read as follows:

21 Allocations to school districts of state funds provided by RCW
22 28A.525.162 through 28A.525.180 shall be made by the superintendent of
23 public instruction and the amount of state funding assistance to a
24 school district in financing a school plant project shall be determined
25 in the following manner:

26 (1) The boards of directors of the districts shall determine the
27 total cost of the proposed project, which cost may include the cost of
28 acquiring and preparing the site, the cost of constructing the building
29 or of acquiring a building and preparing the same for school use, the
30 cost of necessary equipment, taxes chargeable to the project, necessary
31 architects' fees, and a reasonable amount for contingencies and for
32 other necessary incidental expenses: PROVIDED, That the total cost of
33 the project shall be subject to review and approval by the
34 superintendent.

35 (2) The state funding assistance percentage for a school district
36 shall be computed by the following formula:

1 The ratio of the school district's adjusted valuation per pupil
 2 divided by the ratio of the total state adjusted valuation per pupil
 3 shall be subtracted from three, and then the result of the foregoing
 4 shall be divided by three plus (the ratio of the school district's
 5 adjusted valuation per pupil divided by the ratio of the total state
 6 adjusted valuation per pupil).

$$\begin{array}{rcl}
 & \text{District adjusted} & \text{Total state} \\
 & \text{3-valuation} & \div \text{ adjusted valuation} \\
 \text{Computed} & \text{per pupil} & \text{per pupil} & \text{State} \\
 \text{State} = & \frac{\text{District adjusted}}{\text{3+valuation}} & \div \frac{\text{Total state}}{\text{adjusted valuation}} & = \text{\% Funding} \\
 \text{Ratio} & \text{per pupil} & \text{per pupil} & \text{Assistance}
 \end{array}$$

14 PROVIDED, That in the event the state funding assistance percentage to
 15 any school district based on the above formula is less than twenty
 16 percent and such school district is otherwise eligible for state
 17 funding assistance under RCW 28A.525.162 through 28A.525.180, the
 18 superintendent may establish for such district a state funding
 19 assistance percentage not in excess of twenty percent of the approved
 20 cost of the project, if the superintendent finds that such additional
 21 assistance is necessary to provide minimum facilities for housing the
 22 pupils of the district.

23 (3) In addition to the computed state funding assistance percentage
 24 developed in subsection (2) of this section, a school district shall be
 25 entitled to additional percentage points determined by the average
 26 percentage of growth for the past three years. One percent shall be
 27 added to the computed state funding assistance percentage for each
 28 percent of growth, with a maximum of twenty percent.

29 (4) In computing the state funding assistance percentage in
 30 subsection (2) of this section and adjusting the percentage under
 31 subsection (3) of this section, students residing outside the school
 32 district who are enrolled in alternative learning experience
 33 (~~(programs)~~) courses under RCW 28A.150.325 (as recodified by this act)
 34 shall be excluded from the count of total pupils. In lieu of the
 35 exclusion in this subsection, a district may submit an alternative
 36 calculation for excluding students enrolled in alternative learning
 37 experience (~~(programs)~~) courses. The alternative calculation must show
 38 the student headcount use of district classroom facilities on a regular

1 basis for a reasonable duration by out-of-district alternative learning
2 experience ((program)) students subtracted by the headcount of in-
3 district alternative learning experience ((program)) students not using
4 district classroom facilities on a regular basis for a reasonable
5 duration. The alternative calculation must be submitted in a form
6 approved by the office of the superintendent of public instruction.
7 The office of the superintendent of public instruction must develop
8 rules to define "regular basis" and "reasonable duration."

9 (5) The approved cost of the project determined in the manner
10 prescribed in this section multiplied by the state funding assistance
11 percentage derived as provided for in this section shall be the amount
12 of state funding assistance to the district for the financing of the
13 project: PROVIDED, That need therefor has been established to the
14 satisfaction of the superintendent: PROVIDED, FURTHER, That additional
15 state funding assistance may be allowed if it is found by the
16 superintendent, considering policy recommendations from the school
17 facilities citizen advisory panel that such assistance is necessary in
18 order to meet (a) a school housing emergency resulting from the
19 destruction of a school building by fire, the condemnation of a school
20 building by properly constituted authorities, a sudden excessive and
21 clearly foreseeable future increase in school population, or other
22 conditions similarly emergent in nature; or (b) a special school
23 housing burden resulting from projects of statewide significance or
24 imposed by virtue of the admission of nonresident students into
25 educational programs established, maintained and operated in conformity
26 with the requirements of law; or (c) a deficiency in the capital funds
27 of the district resulting from financing, subsequent to April 1, 1969,
28 and without benefit of the state funding assistance provided by prior
29 state assistance programs, the construction of a needed school building
30 project or projects approved in conformity with the requirements of
31 such programs, after having first applied for and been denied state
32 funding assistance because of the inadequacy of state funds available
33 for the purpose, or (d) a condition created by the fact that an
34 excessive number of students live in state owned housing, or (e) a need
35 for the construction of a school building to provide for improved
36 school district organization or racial balance, or (f) conditions
37 similar to those defined under (a), (b), (c), (d), and (e) of this
38 subsection, creating a like emergency.

1 ***NEW SECTION.** **Sec. 515.** (1) The office of financial management
2 shall conduct a study, in consultation with, at minimum, one
3 representative each from school districts that administer remote, site-
4 based, and online alternative learning experience courses; the office
5 of the superintendent of public instruction; the Washington state
6 institute for public policy; individuals with expertise in outcome-
7 based public school funding models; a Washington state nonprofit
8 organization with expertise in alternative learning education; and the
9 legislative evaluation and accountability program committee.

10 (2) The purpose of the study is to create a proposal for
11 efficiently and sustainably funding alternative learning experience
12 courses and to recommend steps to increase the focus on educational
13 outcomes. The study may recommend the funding method established in
14 section 503 of this act or another method of funding. The study shall
15 review alternative learning funding models used in other states and
16 consider the advantages and disadvantages of applying state policies,
17 including funding policies, differentially depending on the type of
18 alternative learning experience course. The study should also include
19 but not be limited to, recommendations for establishing baseline data
20 regarding alternative learning experience student proficiency and
21 achievement in relation to students in a comparable demographic,
22 identifying outcome targets and methods to measure progress toward
23 targets, identifying methods to ensure ongoing evaluation of outcomes
24 that account for the student demographics being served, and improving
25 alternative learning experience accountability.

26 (3) The office of financial management shall report its findings
27 from the study to the quality education council by November 1, 2013.
28 The quality education council shall review the findings and make
29 recommendations to the education and fiscal committees of the
30 legislature by December 15, 2013.

*Sec. 515 was vetoed. See message at end of chapter.

31 **NEW SECTION.** **Sec. 516.** RCW 28A.150.262 (Defining full-time
32 equivalent student--Students receiving instruction through alternative
33 learning experience online programs--Requirements) and 2011 1st sp.s.
34 c 34 s 3, 2009 c 542 s 9, & 2005 c 356 s 2 are each repealed.

35 **NEW SECTION.** **Sec. 517.** (1) RCW 28A.150.325 is recodified as a

1 section in chapter 28A.--- RCW (the new chapter created in section 518
2 of this act).

3 (2) 2011 1st sp.s. c 34 s 1 is codified as a section in chapter
4 28A.--- RCW (the new chapter created in section 518 of this act).

5 NEW SECTION. **Sec. 518.** Sections 501 and 503 of this act
6 constitute a new chapter in Title 28A RCW.

7 **PART VI**
8 **MISCELLANEOUS**

9 NEW SECTION. **Sec. 601.** The following acts or parts of acts are
10 each repealed:

11 (1) RCW 28A.165.025 (School district program plan) and 2009 c 556
12 s 1 & 2004 c 20 s 3;

13 (2) RCW 28A.165.045 (Plan approval process) and 2009 c 556 s 2 &
14 2004 c 20 s 5;

15 (3) RCW 28A.415.250 (Teacher assistance program--Provision for
16 mentor teachers) and 2009 c 539 s 5, 1993 c 336 s 401, 1991 c 116 s 19,
17 1990 c 33 s 403, 1987 c 507 s 1, & 1985 c 399 s 1; and

18 (4) RCW 28A.415.260 (Pilot program using full-time mentor teachers)
19 and 1998 c 245 s 12 & 1993 c 336 s 402.

20 NEW SECTION. **Sec. 602.** Section 503 of this act is necessary for
21 the immediate preservation of the public peace, health, or safety, or
22 support of the state government and its existing public institutions,
23 and takes effect immediately.

24 NEW SECTION. **Sec. 603.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons or circumstances is not affected.

Passed by the Senate June 28, 2013.

Passed by the House June 28, 2013.

Approved by the Governor June 30, 2013, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State July 1, 2013.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 304 and
515, Engrossed Substitute Senate Bill 5946 entitled:

"AN ACT Relating to strengthening student educational outcomes."

This legislation includes reforms to improve student achievement, which includes strategies to address early elementary school literacy, strengthening the learning assistance programs, reforming the approach to long-term student suspensions, and clarifications regarding the alternative learning experience program.

Section 304 is an intent section that discusses various experiences of schools and students, and is not necessary to interpret or implement the substantive provisions of the bill. For this reason, I have vetoed section 304.

Section 515 requires the Office of Financial Management by November 1, 2013, to complete a study, in consultation with various stakeholders, to create a proposal for efficiently and sustainably funding alternative learning experience courses and to recommend steps to increase the focus of educational outcomes. Given the short timeline for completion, the Office would need to contract for the work, and no funding was provided to the Office to conduct the study. For these reasons, I have vetoed section 515.

For these reasons I have vetoed Sections 304 and 515 of Engrossed Substitute Senate Bill 5946.

With the exception of Sections 304 and 515, Engrossed Substitute Senate Bill 5946 is approved."