

CERTIFICATION OF ENROLLMENT

**ENGROSSED SECOND SUBSTITUTE SENATE BILL 5841**

Chapter 400, Laws of 2007

(partial veto)

60th Legislature  
2007 Regular Session

STUDENT LEARNING OPPORTUNITIES AND ACHIEVEMENT

EFFECTIVE DATE: 07/22/07

Passed by the Senate April 20, 2007  
YEAS 34 NAYS 14

BRAD OWEN

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

Passed by the House April 17, 2007  
YEAS 62 NAYS 36

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Approved May 9, 2007, 10:02 a.m., with  
the exception of sections 6 and 7 which  
are vetoed.

CHRISTINE GREGOIRE

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

CERTIFICATE

I, Thomas Hoemann, Secretary of  
the Senate of the State of  
Washington, do hereby certify that  
the attached is **ENGROSSED SECOND  
SUBSTITUTE SENATE BILL 5841** as  
passed by the Senate and the House  
of Representatives on the dates  
hereon set forth.

THOMAS HOEMANN

\_\_\_\_\_  
**Secretary**

FILED

May 11, 2007

**Secretary of State  
State of Washington**

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ENGROSSED SECOND SUBSTITUTE SENATE BILL 5841

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AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

State of Washington                      60th Legislature                      2007 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Hobbs, McAuliffe, Rockefeller, Tom, Oemig, Kauffman, Regala, Kohl-Welles and Rasmussen)

READ FIRST TIME 03/05/07.

1            AN ACT Relating to enhancing student learning opportunities and  
2 student achievement; amending RCW 28A.150.210; adding a new section to  
3 chapter 28A.150 RCW; adding new sections to chapter 28A.630 RCW; adding  
4 a new section to chapter 28A.215 RCW; adding a new section to chapter  
5 28A.300 RCW; adding a new section to chapter 28A.155 RCW; creating new  
6 sections; and providing expiration dates.

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

8            **Sec. 1.** RCW 28A.150.210 and 1993 c 336 s 101 are each amended to  
9 read as follows:

10            (~~The goal of the Basic Education Act for the schools of the state~~  
11 ~~of Washington set forth in this chapter shall be to provide students~~  
12 ~~with the opportunity to become responsible citizens, to contribute to~~  
13 ~~their own economic well being and to that of their families and~~  
14 ~~communities, and to enjoy productive and satisfying lives. To these~~  
15 ~~ends, the goals of each school district, with the involvement of~~  
16 ~~parents and community members, shall be to provide opportunities for~~  
17 ~~all students to develop the knowledge and skills essential to:~~

18            ~~(1) Read with comprehension, write with skill, and communicate~~  
19 ~~effectively and responsibly in a variety of ways and settings;~~

1       ~~(2) Know and apply the core concepts and principles of mathematics;~~  
2 ~~social, physical, and life sciences; civics and history; geography;~~  
3 ~~arts; and health and fitness;~~

4       ~~(3) Think analytically, logically, and creatively, and to integrate~~  
5 ~~experience and knowledge to form reasoned judgments and solve problems;~~  
6 ~~and~~

7       ~~(4) Understand the importance of work and how performance, effort,~~  
8 ~~and decisions directly affect future career and educational~~  
9 ~~opportunities.)~~) The goal of the basic education act for the schools of

10 the state of Washington set forth in this chapter shall be to provide  
11 students with the opportunity to become responsible and respectful  
12 global citizens, to contribute to their economic well-being and that of  
13 their families and communities, to explore and understand different  
14 perspectives, and to enjoy productive and satisfying lives.  
15 Additionally, the state of Washington intends to provide for a public  
16 school system that is able to evolve and adapt in order to better focus  
17 on strengthening the educational achievement of all students, which  
18 includes high expectations for all students and gives all students the  
19 opportunity to achieve personal and academic success. To these ends,  
20 the goals of each school district, with the involvement of parents and  
21 community members, shall be to provide opportunities for every student  
22 to develop the knowledge and skills essential to:

23       (1) Read with comprehension, write effectively, and communicate  
24 successfully in a variety of ways and settings and with a variety of  
25 audiences;

26       (2) Know and apply the core concepts and principles of mathematics;  
27 social, physical, and life sciences; civics and history, including  
28 different cultures and participation in representative government;  
29 geography; arts; and health and fitness;

30       (3) Think analytically, logically, and creatively, and to integrate  
31 different experiences and knowledge to form reasoned judgments and  
32 solve problems; and

33       (4) Understand the importance of work and finance and how  
34 performance, effort, and decisions directly affect future career and  
35 educational opportunities.

36       NEW SECTION. Sec. 2. A new section is added to chapter 28A.150  
37 RCW to read as follows:

1 ALL-DAY KINDERGARTEN PROGRAMS--FUNDING. (1) Beginning with the  
2 2007-08 school year, funding for voluntary all-day kindergarten  
3 programs shall be phased-in beginning with schools with the highest  
4 poverty levels, defined as those schools with the highest percentages  
5 of students qualifying for free and reduced-price lunch support in the  
6 prior school year. Once a school receives funding for the all-day  
7 kindergarten program, that school shall remain eligible for funding in  
8 subsequent school years regardless of changes in the school's  
9 percentage of students eligible for free and reduced-price lunches as  
10 long as other program requirements are fulfilled. Additionally,  
11 schools receiving all-day kindergarten program support shall agree to  
12 the following conditions:

- 13 (a) Provide at least a one thousand-hour instructional program;
- 14 (b) Provide a curriculum that offers a rich, varied set of  
15 experiences that assist students in:
  - 16 (i) Developing initial skills in the academic areas of reading,  
17 mathematics, and writing;
  - 18 (ii) Developing a variety of communication skills;
  - 19 (iii) Providing experiences in science, social studies, arts,  
20 health and physical education, and a world language other than English;
  - 21 (iv) Acquiring large and small motor skills;
  - 22 (v) Acquiring social and emotional skills including successful  
23 participation in learning activities as an individual and as part of a  
24 group; and
  - 25 (vi) Learning through hands-on experiences;
- 26 (c) Establish learning environments that are developmentally  
27 appropriate and promote creativity;
- 28 (d) Demonstrate strong connections and communication with early  
29 learning community providers; and
- 30 (e) Participate in kindergarten program readiness activities with  
31 early learning providers and parents.

32 (2) Subject to funds appropriated for this purpose, the  
33 superintendent of public instruction shall designate one or more school  
34 districts to serve as resources and examples of best practices in  
35 designing and operating a high-quality all-day kindergarten program.  
36 Designated school districts shall serve as lighthouse programs and  
37 provide technical assistance to other school districts in the initial  
38 stages of implementing an all-day kindergarten program. Examples of

1 topics addressed by the technical assistance include strategic  
2 planning, developing the instructional program and curriculum, working  
3 with early learning providers to identify students and communicate with  
4 parents, and developing kindergarten program readiness activities.

5 (3) Any funds allocated to support all-day kindergarten programs  
6 under this section shall not be considered as basic education funding.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.630  
8 RCW to read as follows:

9 PRIMARY LEVEL EDUCATION PROJECTS. Subject to funds appropriated  
10 for the purposes of this section:

11 (1) Four demonstration projects are authorized for schools serving  
12 kindergarten through third grade students to develop, implement, and  
13 document the effects of a comprehensive K-3 foundations program. At  
14 least two demonstration projects shall be in schools that are  
15 participating in the public- private early learning partnerships in the  
16 Highline and Yakima school districts. A third demonstration project  
17 shall be in the Spokane school district.

18 (2) The superintendent of public instruction shall select project  
19 participants based on the criteria in this section, the commitment to  
20 a school-wide program, and the degree to which applicants articulate an  
21 understanding of development and implementation of a comprehensive K-3  
22 foundations program.

23 (3) Successful school applicants shall:

24 (a) Demonstrate that there is engaged and committed school and  
25 district leadership and support for the project;

26 (b) Demonstrate that school staff is engaged and committed and  
27 believes in high expectations for all students;

28 (c) Have a history of successfully using data to guide decision  
29 making for students and the program;

30 (d) Plan for the use of staff learning improvement days to support  
31 project implementation;

32 (e) Demonstrate successful linkages with the early learning  
33 providers in their communities;

34 (f) Outline the steps taken to develop this application and the  
35 general plan for implementation of a comprehensive K-3 foundations  
36 program; and

1 (g) Commit to individualized learning opportunities in early grades  
2 by using district resources, such as funding under RCW 28A.505.210, to  
3 reduce class sizes in grades kindergarten through three.

4 (4) Program resources provided to demonstration projects are:

5 (a) Support to implement an all-day kindergarten program;

6 (b) Support for class sizes at a ratio of one teacher to eighteen  
7 students, and the additional resources for materials generated by that  
8 ratio through associated nonemployee-related costs;

9 (c) Support for a one-half full-time equivalent instructional  
10 coach; and

11 (d) Support for professional development time related to program  
12 implementation.

13 (5) Demonstration projects shall provide:

14 (a) A program that implements an educational philosophy that  
15 supports child-centered learning;

16 (b) Learning opportunities through personal exploration and  
17 discovery, hands-on experiences, and by working independently, in small  
18 groups and in large groups;

19 (c) Rich and varied subject matter that includes: Reading,  
20 writing, mathematics, science, social studies, a world language other  
21 than English, the arts, and health and physical education;

22 (d) Opportunities to learn and feel accomplishment, diligence,  
23 creativity, and confidence;

24 (e) Social and emotional development opportunities;

25 (f) Personalized assessment for each student that addresses  
26 academic knowledge and skill development, social and emotional skill  
27 development, critical thinking and decision-making skills, large and  
28 fine motor skill development, and knowledge of personal interests,  
29 strengths, and goals;

30 (g) For students to progress to the upper elementary grades when a  
31 solid foundation is in place and reading and mathematics primary skills  
32 have been mastered;

33 (h) Class sizes that do not exceed one certificated instructional  
34 staff to eighteen students; and

35 (i) Cooperation with project evaluators in an evaluation of the  
36 demonstration projects, including providing the data necessary to  
37 complete the work.

1 (6) The office of the superintendent of public instruction shall  
2 contract with the Northwest regional educational laboratory to conduct  
3 an evaluation of the demonstration projects under this section.  
4 Student, staff, program, and parent data shall be collected using  
5 various instruments including surveys, program and activity  
6 descriptions, student performance measures, observations, and other  
7 processes.

8 (7) Within available funding, findings from the evaluation under  
9 this section shall include conclusions regarding the degree to which  
10 students thrive in the education environment; student progress in  
11 academic, social, and emotional areas; the program components that have  
12 been most important to student success; the degree to which educational  
13 staff feel accomplished in their work and satisfied with student  
14 progress; and recommendations for continued implementation and  
15 expansion of the program.

16 (8) Findings shall be reported to the governor, the office of the  
17 superintendent of public instruction, and the appropriate early  
18 learning, education, and fiscal committees of the legislature. An  
19 interim report is due November 1, 2008. The final report is due  
20 December 1, 2009.

21 (9) This section expires September 1, 2010.

22 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.630  
23 RCW to read as follows:

24 ENGLISH AS A SECOND LANGUAGE PROJECTS. (1) The goals of the  
25 English as a second language demonstration project are to develop  
26 recommendations:

27 (a) Identifying foundational competencies for developing academic  
28 English skills in English language learner students that all teachers  
29 should acquire in initial teacher preparation programs;

30 (b) Identifying components of a professional development program  
31 that builds classroom teacher competence for developing academic  
32 English skills in English language learner students; and

33 (c) Identifying job-embedded practices that connect the English  
34 language learner teacher and classroom teachers to coordinate  
35 instruction to support the work of the student.

36 (2) The English as a second language demonstration project shall  
37 use two field strategies in the development of recommendations.

1 (a) The first strategy is to conduct a field study of an ongoing  
2 project in a number of schools and school districts in which Spanish is  
3 the predominate language other than English.

4 (b) The second strategy is to conduct a project that provides  
5 professional development and planning time resources to approximately  
6 three large schools in which there are many first languages among the  
7 students. The participants of this project shall partner with an  
8 institution of higher education or a professional development provider  
9 with expertise in supporting student acquisition of academic English.  
10 The superintendent of public instruction shall select the participants  
11 in the project under this subsection (2)(b).

12 (3)(a) The office of the superintendent of public instruction shall  
13 contract with the Northwest regional educational laboratory to conduct  
14 the field study work and collect additional information from the  
15 project schools. In conducting its work, the laboratory shall review  
16 current literature regarding best practices and consult with state and  
17 national experts as appropriate.

18 (b) The laboratory shall report its findings to the governor, the  
19 office of the superintendent of public instruction, and the education  
20 and fiscal committees of the legislature. An interim report is due  
21 November 1, 2008. The final report is due December 1, 2009.

22 (4) This section expires September 1, 2010.

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.215  
24 RCW to read as follows:

25 COMMUNITY LEARNING CENTER PROGRAM. (1) The Washington community  
26 learning center program is established. The program shall be  
27 administered by the office of the superintendent of public instruction.  
28 The purposes of the program include:

29 (a) Supporting the creation or expansion of community learning  
30 centers that provide students with tutoring and educational enrichment  
31 when school is not in session;

32 (b) Providing training and professional development for community  
33 learning center program staff;

34 (c) Increasing public awareness of the availability and benefits of  
35 after-school programs; and

36 (d) Supporting statewide after-school intermediary organizations in



1 their efforts to provide leadership, coordination, technical  
2 assistance, advocacy, and programmatic support to after-school programs  
3 throughout the state.

4 (2)(a) Subject to funds appropriated for this purpose, the office  
5 of the superintendent of public instruction may provide community  
6 learning center grants to any public or private organization that meets  
7 the eligibility criteria of the federal twenty-first century community  
8 learning centers program.

9 (b) Priority may be given to grant requests submitted jointly by  
10 one or more schools or school districts and one or more community-based  
11 organizations or other nonschool partners.

12 (c) Priority may also be given to grant requests for after-school  
13 programs focusing on improving mathematics achievement, particularly  
14 for middle and junior high school students.

15 (d) Priority shall be given to grant requests that:

16 (i) Focus on improving reading and mathematics proficiency for  
17 students who attend schools that have been identified as being in need  
18 of improvement under section 1116 of Title I of the federal no child  
19 left behind act of 2001; and

20 (ii) Include a public/private partnership agreement or proposal for  
21 how to provide free transportation for those students in need that are  
22 involved in the program.

23 (3) Community learning center grant funds may be used to carry out  
24 a broad array of out-of-school activities that support and enhance  
25 academic achievement. The activities may include but need not be  
26 limited to:

- 27 (a) Remedial and academic enrichment;
- 28 (b) Mathematics, reading, and science education;
- 29 (c) Arts and music education;
- 30 (d) Entrepreneurial education;
- 31 (e) Community service;
- 32 (f) Tutoring and mentoring programs;
- 33 (g) Programs enhancing the language skills and academic achievement  
34 of limited English proficient students;
- 35 (h) Recreational and athletic activities;
- 36 (i) Telecommunications and technology education;
- 37 (j) Programs that promote parental involvement and family literacy;

1 (k) Drug and violence prevention, counseling, and character  
2 education programs; and

3 (l) Programs that assist students who have been truant, suspended,  
4 or expelled, to improve their academic achievement.

5 (4) Each community learning center grant may be made for a maximum  
6 of five years. Each grant recipient shall report annually to the  
7 office of the superintendent of public instruction on what  
8 transportation services are being used to assist students in accessing  
9 the program and how those services are being funded. Based on this  
10 information, the office of the superintendent of public instruction  
11 shall compile a list of transportation service options being used and  
12 make that list available to all after-school program providers that  
13 were eligible for the community learning center program grants.

14 (5) To the extent that funding is available for this purpose, the  
15 office of the superintendent of public instruction may provide grants  
16 or other support for the training and professional development of  
17 community learning center staff, the activities of intermediary after-  
18 school organizations, and efforts to increase public awareness of the  
19 availability and benefits of after-school programs.

20 (6) Schools or school districts that receive a community learning  
21 center grant under this section may seek approval from the office of  
22 the superintendent of public instruction for flexibility to use a  
23 portion of their state transportation funds for the costs of  
24 transporting students to and from the community learning center  
25 program.

26 (7) The office of the superintendent of public instruction shall  
27 evaluate program outcomes and report to the governor and the education  
28 committees of the legislature on the outcomes of the grants and make  
29 recommendations related to program modification, sustainability, and  
30 possible expansion. An interim report is due November 1, 2008. A  
31 final report is due December 1, 2009.

32 ***\*NEW SECTION. Sec. 6. CAREER PATHWAYS PROGRAMS. (1) Subject to***  
33 ***funds appropriated for this purpose, the superintendent of public***  
34 ***instruction shall provide grants to support development of career***  
35 ***pathways programs in high-demand fields. A portion of the appropriated***  
36 ***funds shall be administered by an experienced nonprofit health***  
37 ***organization and be used to create health care career pathways with***

1 geographically dispersed high school partnerships. The remaining funds  
2 shall be used to provide grants to geographically dispersed high school  
3 partnerships to create career pathways in the trades, mechanics and  
4 engineering, or other field identified by the partnership as high  
5 demand and appropriate to meet the workforce education needs in its  
6 region.

7 (2) To be eligible for a grant, high schools must form partnerships  
8 of parents, students, special populations, academic and career and  
9 technical education teachers and administrators, workforce development  
10 faculty and administrators, career guidance and academic counselors,  
11 representatives of tech-prep consortia, local workforce development  
12 councils, representatives of local skill centers and local skills  
13 panels, apprenticeship councils, and business and labor organizations  
14 in the community.

15 (3) Grant recipients must develop and implement a model curriculum  
16 for their selected career pathway. Grant funds shall be used for  
17 start-up costs, primarily for the development of the curriculum and  
18 assessments described in this section and for professional development  
19 for teachers. If sufficient funds remain, grant funds may be used to  
20 upgrade equipment within the program to meet industry standards.

21 (4) A career pathways program shall:

22 (a) Integrate core academic standards for reading, writing, and  
23 mathematics with high-quality career and technical preparation based on  
24 accepted industry standards in the field;

25 (b) Incorporate secondary and postsecondary education elements;

26 (c) Be coherent, sequenced, and articulated to community and  
27 technical college courses to provide high school students with dual  
28 credit for both high school graduation and college, and to prepare  
29 students to succeed in postsecondary education programs in the field;

30 (d) Lead to an industry-recognized credential or certificate at the  
31 postsecondary level or an associate or baccalaureate degree; and

32 (e) Emphasize projects and application of knowledge and skills and  
33 provide extensive opportunities for work-based learning and  
34 internships.

35 (5) Students who are struggling with core academic skills,  
36 including the Washington assessment of student learning, shall receive  
37 supplemental assistance and instruction within the program, including

1 assistance to create a career and technical collection of evidence as  
2 an alternative to the Washington assessment of learning.

3 (6) Participants in a high-demand career pathways program should  
4 expect to complete a high school diploma and the appropriate courses in  
5 a high-quality career and technical program and graduate ready to  
6 pursue postsecondary education.

7 (7) With assistance from the office of the superintendent of public  
8 instruction and the workforce training and education coordinating  
9 board, grant recipients shall develop end-of-program assessments for  
10 their high-demand career pathways program. The assessments shall be  
11 integrated to include academic, work readiness, and technical knowledge  
12 and skills. The legislature's intent is to use these assessments as  
13 prototypes for possible future additional alternative assessments for  
14 career and technical education students to demonstrate they meet the  
15 state's learning standards.

16 (8) Grant recipients must develop a communications strategy for  
17 parents and students in other area high schools and middle schools to  
18 promote the model career pathways programs as a high-quality learning  
19 option for students and prepare plans for replication of the programs.

20 (9) For the purposes of this section, "career pathways program" has  
21 the same meaning as a career and technical program of study under P.L.  
22 109-270, the Carl D. Perkins career and technical education improvement  
23 act of 2006.

24 (10) This section expires July 1, 2009.

\*Sec. 6 was vetoed. See message at end of chapter.

25 \*NEW SECTION. Sec. 7. A new section is added to chapter 28A.300  
26 RCW to read as follows:

27 **WORLD LANGUAGES.** Subject to funds appropriated for this purpose,  
28 the superintendent of public instruction shall assign at least one  
29 full-time equivalent staff position within the office of the  
30 superintendent of public instruction to serve as the world language  
31 supervisor. The world language supervisor shall have the following  
32 duties and responsibilities:

33 (1) Develop, conduct, and oversee professional development for  
34 teachers on grade level expectations, state and national standards, and  
35 best practices in instruction for world languages;

36 (2) Provide technical assistance to schools in designing elementary

1 and middle school language programs, selecting and designing high  
2 quality curriculum, and providing professional development;

3 (3) Advise in the development of online world language courses;

4 (4) Create a clearinghouse of information and materials to support  
5 high quality world language instruction at the elementary and secondary  
6 levels;

7 (5) Secure and implement grants, including federal grants, to  
8 enhance world language programs;

9 (6) Encourage and foster an articulated curriculum for world  
10 languages through elementary, secondary, and postsecondary grades;

11 (7) Establish and maintain a state database for world language  
12 course offerings in schools and school districts;

13 (8) Implement memoranda of understanding with ministries of  
14 education in other countries, including interviewing, selecting,  
15 securing visas for, and providing orientation for visiting teachers;

16 (9) Serve in an advisory capacity on committees or work groups  
17 regarding teacher certification, advanced placement programs, and  
18 textbook publishing and selection; and

19 (10) Serve as an education liaison with the business, trade, and  
20 economic development communities.

\*Sec. 7 was vetoed. See message at end of chapter.

21 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.155  
22 RCW to read as follows:

23 SAFETY NET. The office of the superintendent of public instruction  
24 shall review and streamline the application process to access special  
25 education safety net funds, provide technical assistance to school  
26 districts, and annually survey school districts regarding improvements  
27 to the process.

28 NEW SECTION. **Sec. 9.** Captions used in this act are not any part  
29 of the law.

Passed by the Senate April 20, 2007.

Passed by the House April 17, 2007.

Approved by the Governor May 9, 2007, with the exception of  
certain items that were vetoed.

Filed in Office of Secretary of State May 11, 2007.

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

"I am returning, without my approval as to Sections 6 and 7,  
Engrossed Second Substitute Senate Bill 5841 entitled:

"AN ACT Relating to enhancing student learning opportunities and  
student achievement."

Sections 1 through 5 of this bill addresses changes to the basic education act goals and authorizes new programs to further student learning opportunities. Specifically, all day kindergarten, primary grade foundational programs, English language learners, and community learning opportunities are addressed. Each of the new programs are provided with implementing resources in the biennial operating budget.

Sections 6 and 7 of the bill, however, cannot be implemented. Those sections create a new career pathways program and a world languages supervisor within the Office of the Superintendent of Public Instruction (OSPI). Neither the program nor the OSPI supervisor were provided with financial support in the biennial operating budget. Additionally, a proposed duty supervisor to implement memoranda of understanding with ministries of education in other countries and conduct other related activities raises concerns about proper international relations protocol.

For these reasons, I have vetoed Sections 6 and 7 of Engrossed Second Substitute Senate Bill 5841.

With the exception of Sections 6 and 7, Engrossed Second Substitute Senate Bill 5841 is approved."