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ENGROSSED SECOND SUBSTITUTE SENATE BILL 5941

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State of Washington

61st Legislature

2009 Regular Session

By Senate Ways & Means (originally sponsored by Senators Oemig, Kastama, Jarrett, McAuliffe, Marr, Hobbs, and Tom)

READ FIRST TIME 03/02/09.

1 AN ACT Relating to comprehensive education data; amending RCW  
2 43.41.400; adding new sections to chapter 43.41 RCW; and creating a new  
3 section.

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

5 **Sec. 1.** RCW 43.41.400 and 2007 c 401 s 3 are each amended to read  
6 as follows:

7 (1) An education data center shall be established in the office of  
8 financial management. The education data center shall jointly, with  
9 the legislative ((education — {evaluation})) evaluation and  
10 accountability program committee, conduct collaborative analyses of  
11 early learning, K-12, and higher education programs and education  
12 issues across the P-20 system, which includes the department of early  
13 learning, the superintendent of public instruction, the professional  
14 educator standards board, the state board of education, the state board  
15 for community and technical colleges, the workforce training and  
16 education coordinating board, the higher education coordinating board,  
17 public and private nonprofit four-year institutions of higher  
18 education, and the employment security department. The education data  
19 center shall conduct collaborative analyses under this section with the

1 legislative evaluation and accountability program committee and provide  
2 data electronically to the legislative evaluation and accountability  
3 program committee, to the extent permitted by state and federal  
4 confidentiality requirements. The education data center shall be  
5 considered an authorized representative of the state educational  
6 agencies in this section under applicable federal and state statutes  
7 for purposes of accessing and compiling student record data for  
8 research purposes.

9 (2) The education data center shall:

10 (a) In consultation with the legislative evaluation and  
11 accountability program committee and the agencies and organizations  
12 participating in the education data center, identify the critical  
13 research and policy questions that are intended to be addressed by the  
14 education data center and the data needed to address the questions;

15 (b) Coordinate with other state education agencies to compile and  
16 analyze education data, including data on student demographics that is  
17 disaggregated by distinct ethnic categories within racial subgroups,  
18 and complete P-20 research projects;

19 ~~((b))~~ (c) Collaborate with the legislative evaluation and  
20 accountability program committee and the education and fiscal  
21 committees of the legislature in identifying the data to be compiled  
22 and analyzed to ensure that legislative interests are served;

23 ~~((e))~~ (d) Annually provide to the K-12 data governance group a  
24 list of data elements and data quality improvements that are necessary  
25 to answer the research and policy questions identified by the education  
26 data center and have been identified by the legislative committees in  
27 (c) of this subsection. Within three months of receiving the list, the  
28 K-12 data governance group shall develop and transmit to the education  
29 data center a feasibility analysis of obtaining or improving the data,  
30 including the steps required, estimated time frame, and the financial  
31 and other resources that would be required. Based on the analysis,  
32 the education data center shall submit, if necessary, a recommendation  
33 to the legislature regarding any statutory changes or resources that  
34 would be needed to collect or improve the data;

35 (e) Monitor and evaluate the education data collection systems of  
36 the organizations and agencies represented in the education data center  
37 ensuring that data systems are flexible, able to adapt to evolving  
38 needs for information, and to the extent feasible and necessary,

1 include data that are needed to conduct the analyses and provide  
2 answers to the research and policy questions identified in (a) of this  
3 subsection;

4 (f) Track enrollment and outcomes through the public centralized  
5 higher education enrollment system;

6 ~~((d))~~ (g) Assist other state educational agencies' collaborative  
7 efforts to develop a long-range enrollment plan for higher education  
8 including estimates to meet demographic and workforce needs; ~~((and~~

9 ~~(e))~~ (h) Provide research that focuses on student transitions  
10 within and among the early learning, K-12, and higher education sectors  
11 in the P-20 system; and

12 (i) Make recommendations to the legislature as necessary to help  
13 ensure the goals and objectives of this section and sections 2 and 3 of  
14 this act are met.

15 (3) The department of early learning, superintendent of public  
16 instruction, professional educator standards board, state board of  
17 education, state board for community and technical colleges, workforce  
18 training and education coordinating board, higher education  
19 coordinating board, public four-year institutions of higher education,  
20 and employment security department shall work with the education data  
21 center to develop data-sharing and research agreements, consistent with  
22 applicable security and confidentiality requirements, to facilitate the  
23 work of the center. Private, nonprofit institutions of higher  
24 education that provide programs of education beyond the high school  
25 level leading at least to the baccalaureate degree and are accredited  
26 by the Northwest association of schools and colleges or their peer  
27 accreditation bodies may also develop data-sharing and research  
28 agreements with the education data center, consistent with applicable  
29 security and confidentiality requirements. The education data center  
30 shall make data from collaborative analyses available to the education  
31 agencies and institutions that contribute data to the education data  
32 center to the extent allowed by federal and state security and  
33 confidentiality requirements applicable to the data of each  
34 contributing agency or institution.

35 NEW SECTION. Sec. 2. A new section is added to chapter 43.41 RCW  
36 to read as follows:

37 (1) It is the legislature's intent to establish a comprehensive K-

1 12 education data improvement system for financial, student, and  
2 educator data. The objective of the system is to monitor student  
3 progress, have information on the quality of the educator workforce,  
4 monitor and analyze the costs of programs, provide for financial  
5 integrity and accountability, and have the capability to link across  
6 these various data components by student, by class, by teacher, by  
7 school, by district, and statewide. Education data systems must be  
8 flexible and able to adapt to evolving needs for information, but there  
9 must be an objective and orderly data governance process for  
10 determining when changes are needed and how to implement them. It is  
11 the further intent of the legislature to provide independent review and  
12 evaluation of a comprehensive K-12 education data improvement system by  
13 assigning the review and monitoring responsibilities to the education  
14 data center and the legislative evaluation and accountability program  
15 committee.

16 (2) It is the intent that the data system specifically service  
17 reporting requirements for teachers, parents, superintendents, school  
18 boards, the legislature, the office of the superintendent of public  
19 instruction, and the public.

20 (3) It is the legislature's intent that the K-12 education data  
21 improvement system used by school districts and the state include but  
22 not be limited to the following information and functionality:

23 (a) Comprehensive educator information, including grade level and  
24 courses taught, building or location, program, job assignment, years of  
25 experience, the institution of higher education from which the educator  
26 obtained his or her degree, compensation, class size, mobility of class  
27 population, socioeconomic data of class, number of languages and which  
28 languages are spoken by students, general resources available for  
29 curriculum and other classroom needs, and number and type of  
30 instructional support staff in the building;

31 (b) The capacity to link educator assignment information with  
32 educator certification information such as certification number, type  
33 of certification, route to certification, certification program, and  
34 certification assessment or evaluation scores;

35 (c) Common coding of secondary courses and major areas of study at  
36 the elementary level or standard coding of course content;

37 (d) Robust student information, including but not limited to  
38 student characteristics, course and program enrollment, performance on

1 statewide and district summative and formative assessments to the  
2 extent district assessments are used, and performance on college  
3 readiness tests;

4 (e) A subset of student information elements to serve as a dropout  
5 early warning system;

6 (f) The capacity to link educator information with student  
7 information;

8 (g) A common, standardized structure for reporting the costs of  
9 programs at the school and district level with a focus on the cost of  
10 services delivered to students;

11 (h) Separate accounting of state, federal, and local revenues and  
12 costs;

13 (i) Information linking state funding formulas to school district  
14 budgeting and accounting, including procedures:

15 (i) To support the accuracy and auditing of financial data; and

16 (ii) Using the prototypical school model for school district  
17 financial accounting reporting;

18 (j) The capacity to link program cost information with student  
19 performance information to gauge the cost-effectiveness of programs;

20 (k) Information that is centrally accessible and updated regularly;  
21 and

22 (l) An anonymous, nonidentifiable replicated copy of data that is  
23 updated at least quarterly, and made available to the public by the  
24 state.

25 (4) It is the legislature's goal that all school districts have the  
26 capability to collect state-identified common data and export it in a  
27 standard format to support a statewide K-12 education data improvement  
28 system under this section.

29 (5) It is the legislature's intent that the K-12 education data  
30 improvement system be developed to provide the capability to make  
31 reports as required under section 3 of this act available.

32 (6) It is the legislature's intent that school districts collect  
33 and report new data elements to satisfy the requirements of RCW  
34 43.41.400, this section, and section 3 of this act, only to the extent  
35 funds are available for this purpose.

36 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.41 RCW  
37 to read as follows:

1 (1) A K-12 data governance group shall be established within the  
2 educational data center to assist in the design and implementation of  
3 a K-12 education data improvement system for financial, student, and  
4 educator data. It is the intent that the data system reporting  
5 specifically serve requirements for teachers, parents, superintendents,  
6 school boards, the office of the superintendent of public instruction,  
7 the legislature, and the public.

8 (2) The K-12 data governance group shall include representatives of  
9 the education data center, the office of the superintendent of public  
10 instruction, the legislative evaluation and accountability program  
11 committee, the professional educator standards board, the state board  
12 of education, and school district staff, including information  
13 technology staff. Additional entities with expertise in education data  
14 may be included in the K-12 data governance group.

15 (3) The K-12 data governance group shall:

16 (a) Identify the critical research and policy questions that need  
17 to be addressed by the K-12 education data improvement system;

18 (b) Identify reports and other information that should be made  
19 available on the internet in addition to the reports identified in  
20 subsection (5) of this section;

21 (c) Create a comprehensive needs requirement document detailing the  
22 specific information and technical capacity needed by school districts  
23 and the state to meet the legislature's expectations for a  
24 comprehensive K-12 education data improvement system as described under  
25 section 2 of this act;

26 (d) Conduct a gap analysis of current and planned information  
27 compared to the needs requirement document, including an analysis of  
28 the strengths and limitations of an education data system and programs  
29 currently used by school districts and the state, and specifically the  
30 gap analysis must look at the extent to which the existing data can be  
31 transformed into canonical form and where existing software can be used  
32 to meet the needs requirement document;

33 (e) Focus on financial and cost data necessary to support the new  
34 K-12 financial models and funding formulas, including any necessary  
35 changes to school district budgeting and accounting, and on assuring  
36 the capacity to link data across financial, student, and educator  
37 systems; and

1 (f) Define the operating rules and governance structure for K-12  
2 data collections, ensuring that data systems are flexible and able to  
3 adapt to evolving needs for information, within an objective and  
4 orderly data governance process for determining when changes are needed  
5 and how to implement them. Strong consideration must be made to the  
6 current practice and cost of migration to new requirements. The  
7 operating rules should delineate the coordination, delegation, and  
8 escalation authority for data collection issues, business rules, and  
9 performance goals for each K-12 data collection system, including:

10 (i) Defining and maintaining standards for privacy and  
11 confidentiality;

12 (ii) Setting data collection priorities;

13 (iii) Defining and updating a standard data dictionary;

14 (iv) Ensuring data compliance with the data dictionary;

15 (v) Ensuring data accuracy; and

16 (vi) Establishing minimum standards for school, student, financial,  
17 and teacher data systems. Data elements may be specified "to the  
18 extent feasible" or "to the extent available" to collect more and  
19 better data sets from districts with more flexible software. Nothing  
20 in RCW 43.41.400, this section, or section 2 of this act should be  
21 construed to require that a data dictionary or reporting should be  
22 hobbled to the lowest common set. The work of the K-12 data  
23 governance group must specify which data are desirable. Districts that  
24 can meet these requirements shall report the desirable data. Funding  
25 from the legislature must establish which subset data are absolutely  
26 required.

27 (4)(a) The K-12 data governance group shall provide updates on its  
28 work as requested by the education data center and the legislative  
29 evaluation and accountability program committee.

30 (b) The work of the K-12 data governance group shall be  
31 periodically reviewed and monitored by the educational data center and  
32 the legislative evaluation and accountability program committee.

33 (5) To the extent data is available, the office of the  
34 superintendent of public instruction shall make the following minimum  
35 reports available on the internet. The reports must either be run on  
36 demand against current data, or, if a static report, must have been run  
37 against the most recent data:

1 (a) The percentage of data compliance and data accuracy by school  
2 district;

3 (b) The magnitude of spending per student, by student estimated by  
4 the following algorithm and reported as the detailed summation of the  
5 following components:

6 (i) An approximate, prorated fraction of each teacher or human  
7 resource element that directly serves the student. Each human resource  
8 element must be listed or accessible through online tunneling in the  
9 report;

10 (ii) An approximate, prorated fraction of classroom or building  
11 costs used by the student;

12 (iii) An approximate, prorated fraction of transportation costs  
13 used by the student; and

14 (iv) An approximate, prorated fraction of all other resources  
15 within the district that support any component of which makes up more  
16 than five percent;

17 (c) The cost of K-12 basic education, per student, by student, by  
18 school district, estimated by the algorithm in (b) of this subsection,  
19 and reported in the same manner as required in (b) of this subsection;

20 (d) The cost of K-12 special education services per student, by  
21 student receiving those services, by school district, estimated by the  
22 algorithm in (b) of this subsection, and reported in the same manner as  
23 required in (b) of this subsection;

24 (e) Improvement on the statewide assessments computed as both a  
25 percentage change and absolute change on a scale score metric by  
26 district, by school, and by teacher that can also be filtered by a  
27 student's length of full-time enrollment within the school district;

28 (f) Number of K-12 students per classroom teacher on a per teacher  
29 basis;

30 (g) Number of K-12 classroom teachers per student on a per student  
31 basis;

32 (h) Percentage of a classroom teacher per student on a per student  
33 basis; and

34 (i) The cost of K-12 education per student by school district  
35 sorted by federal, state, and local dollars.

36 (6) The superintendent of public instruction shall submit a  
37 preliminary report to the legislature by November 15, 2009, including  
38 the analyses by the K-12 data governance group under subsection (3) of



1 this section and preliminary options for addressing identified gaps.  
2 A final report, including a proposed phase-in plan and preliminary cost  
3 estimates for implementation of a comprehensive data improvement system  
4 for financial, student, and educator data shall be submitted to the  
5 legislature by September 1, 2010.

6 (7) All reports and data referenced in this section, RCW 43.41.400,  
7 and section 2 of this act shall be made available in a manner  
8 consistent with the technical requirements of the legislative  
9 evaluation and accountability program committee and the education data  
10 center so that selected data can be provided to the legislature,  
11 governor, school districts, and the public.

12 (8) Reports shall contain data to the extent it is available. All  
13 reports must include documentation of which data are not available or  
14 are estimated. Reports must not be suppressed because of poor data  
15 accuracy or completeness. Reports may be accompanied with  
16 documentation to inform the reader of why some data are missing or  
17 inaccurate or estimated.

18 NEW SECTION. **Sec. 4.** The education data center and the  
19 superintendent of public instruction shall take all actions necessary  
20 to secure federal funds to implement this act.

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