
HOUSE BILL 1541

State of Washington

64th Legislature

2015 Regular Session

By Representatives Santos, Ortiz-Self, Tharinger, Moscoso, Orwall, and Gregerson

Read first time 01/22/15. Referred to Committee on Education.

1 AN ACT Relating to implementing strategies to close the
2 educational opportunity gap, based on the recommendations of the
3 educational opportunity gap oversight and accountability committee;
4 amending RCW 28A.600.015, 28A.600.020, 28A.600.460, 43.41.400,
5 28A.405.106, 28A.405.120, 28A.660.045, 28A.660.050, 28A.180.040,
6 28A.180.090, 28A.300.042, and 28A.300.505; adding a new section to
7 chapter 28A.600 RCW; adding a new section to chapter 28A.415 RCW;
8 adding new sections to chapter 28A.657 RCW; adding a new section to
9 chapter 28A.410 RCW; adding a new section to chapter 28B.50 RCW;
10 creating new sections; and providing expiration dates.

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

12 NEW SECTION. **Sec. 1.** (1) The legislature has already
13 established that it is a goal of the state to provide for a public
14 school system that gives all students the opportunity to achieve
15 personal and academic success. This goal contains within it a promise
16 of excellence and opportunity for all students, not just some
17 students. In establishing the educational opportunity gap oversight
18 and accountability committee in 2009, the legislature recognized that
19 additional work was needed to fulfill the promise of excellence and
20 opportunity for students of certain demographic groups, including
21 English language learners.

1 (2) In its 2013 report to the legislature, the educational
2 opportunity gap oversight and accountability committee made the
3 following recommendations in keeping with its statutory purpose,
4 which is to recommend specific policies and strategies to close the
5 educational opportunity gap:

6 (a) Decrease the disproportionate representation of students of
7 color in disciplinary actions in schools;

8 (b) Enhance the cultural competence of current and future
9 educators;

10 (c) Provide English language learner and second language
11 acquisition endorsements for all educators;

12 (d) Create new English language learner accountability
13 benchmarks;

14 (e) Provide tools for deeper data analysis and disaggregation of
15 student demographic data to inform instructional strategies to close
16 the opportunity gap; and

17 (f) Invest in the recruitment and retention of educators of
18 color.

19 (3) The legislature finds that these recommendations represent a
20 holistic approach to making progress toward closing the opportunity
21 gap. The recommendations are interdependent and mutually reinforcing.
22 Closing the opportunity gap requires highly skilled, culturally
23 competent, and diverse educators who understand the communities and
24 cultures that students come from; it requires careful monitoring of
25 not only the academic performance but also the educational
26 environment for all students, at a fine grain of detail to assure
27 adequate accountability; and it requires a robust program of
28 instruction, including appropriately trained educators, to help
29 English language learners gain language proficiency as well as
30 academic proficiency.

31 (4) Therefore the legislature intends to adopt policies and
32 programs to implement the six recommendations of the educational
33 opportunity gap oversight and accountability committee.

34 **PART I**

35 **DISPROPORTIONALITY IN STUDENT DISCIPLINE**

36 NEW SECTION. **Sec. 101.** A new section is added to chapter
37 28A.600 RCW to read as follows:

1 (1) The office of the superintendent of public instruction shall
2 convene a discipline task force to develop standard definitions for
3 causes of student disciplinary actions taken at the discretion of the
4 school district. The task force must also develop data collection
5 standards for disciplinary actions that are discretionary and for
6 disciplinary actions that result in the exclusion of a student from
7 school. The data collection standards must include data about
8 education services provided while a student is subject to a
9 disciplinary action, the status of petitions for readmission to the
10 school district when a student has been excluded from school, credit
11 retrieval during a period of exclusion, and school dropout as a
12 result of disciplinary action.

13 (2) The discipline task force shall include representatives from
14 the K-12 data governance group, the educational opportunity gap
15 oversight and accountability committee, the state ethnic commissions,
16 the governor's office of Indian affairs, the office of the education
17 ombudsman, school districts, and other education and advocacy
18 organizations.

19 (3) The office of the superintendent of public instruction and
20 the K-12 data governance group shall revise the statewide student
21 data system to incorporate the student discipline data collection
22 standards recommended by the discipline task force, and begin
23 collecting data based on the revised standards in the 2017-18 school
24 year.

25 **Sec. 102.** RCW 28A.600.015 and 2013 2nd sp.s. c 18 s 302 are each
26 amended to read as follows:

27 (1) The superintendent of public instruction shall adopt and
28 distribute to all school districts lawful and reasonable rules
29 prescribing the substantive and procedural due process guarantees of
30 pupils in the common schools. Such rules shall authorize a school
31 district to use informal due process procedures in connection with
32 the short-term suspension of students to the extent constitutionally
33 permissible: PROVIDED, That the superintendent of public instruction
34 deems the interest of students to be adequately protected. When a
35 student suspension or expulsion is appealed, the rules shall
36 authorize a school district to impose the suspension or expulsion
37 temporarily after an initial hearing for no more than ten consecutive
38 school days or until the appeal is decided, whichever is earlier. Any
39 days that the student is temporarily suspended or expelled before the

1 appeal is decided shall be applied to the term of the student
2 suspension or expulsion and shall not limit or extend the term of the
3 student suspension or expulsion. An expulsion or suspension of a
4 student may not be for an indefinite period of time.

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

7 (3) Emergency expulsions must end or be converted to another form
8 of corrective action within ten school days from the date of the
9 emergency removal from school. Notice and due process rights must be
10 provided when an emergency expulsion is converted to another form of
11 corrective action.

12 (4) For any circumstance where disciplinary action is
13 discretionary on the part of the school district, a school district
14 may not impose a suspension that results in the exclusion of a
15 student from school. A student may be excluded from a particular
16 classroom or instructional or activity area for the period of
17 suspension, but the school district must provide an opportunity for
18 the student to receive educational services in an alternative manner,
19 which may include services provided through an alternative program,
20 at an alternative school, or at an alternative location within the
21 student's regular school.

22 **Sec. 103.** RCW 28A.600.020 and 2013 2nd sp.s. c 18 s 303 are each
23 amended to read as follows:

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

29 (2) Any student who creates a disruption of the educational
30 process in violation of the building disciplinary standards while
31 under a teacher's immediate supervision may be excluded by the
32 teacher from his or her individual classroom and instructional or
33 activity area for all or any portion of the balance of the school
34 day, or up to the following two days, or until the principal or
35 designee and teacher have conferred, whichever occurs first. Except
36 in emergency circumstances, the teacher first must attempt one or
37 more alternative forms of corrective action. In no event without the
38 consent of the teacher may an excluded student return to the class
39 during the balance of that class or activity period or up to the

1 following two days, or until the principal or his or her designee and
2 the teacher have conferred.

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

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

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

27 (i) Engages in two or more violations within a three-year period
28 of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460, 28A.635.020,
29 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

30 (ii) Engages in one or more of the offenses listed in RCW
31 13.04.155.

32 (b) The principal shall communicate the disciplinary action taken
33 by the principal to the school personnel who referred the student to
34 the principal for disciplinary action.

35 (6) Any corrective action involving a suspension or expulsion
36 from school for more than ten days must have an end date of not more
37 than one calendar year from the time of corrective action. Districts
38 shall make reasonable efforts to assist students and parents in
39 returning to an educational setting prior to and no later than the
40 end date of the corrective action. Where warranted based on public

1 health or safety, a school may petition the superintendent of the
2 school district, pursuant to policies and procedures adopted by the
3 office of the superintendent of public instruction, for authorization
4 to exceed the one calendar year limitation provided in this
5 subsection. The superintendent of public instruction shall adopt
6 rules outlining the limited circumstances in which a school may
7 petition to exceed the one calendar year limitation, including
8 safeguards to ensure that the school district has made every effort
9 to plan for the student's return to school. School districts shall
10 report to the office of the superintendent of public instruction the
11 number of petitions made to the school board and the number of
12 petitions granted on an annual basis.

13 (7) As provided in RCW 28A.600.015, for any circumstance where
14 disciplinary action is discretionary on the part of the school
15 district, a school district may not impose a suspension that results
16 in the exclusion of a student from school.

17 (8) Nothing in this section prevents a public school district,
18 educational service district, the Washington state center for
19 childhood deafness and hearing loss, or the state school for the
20 blind if it has suspended or expelled a student from the student's
21 regular school setting from providing educational services to the
22 student in an alternative setting or modifying the suspension or
23 expulsion on a case-by-case basis.

24 **Sec. 104.** RCW 28A.600.460 and 2013 2nd sp.s. c 18 s 305 are each
25 amended to read as follows:

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

37 (2) A student committing an offense under chapter 9A.36, 9A.40,
38 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,
39 shall not be assigned to that teacher's classroom for the duration of

1 the student's attendance at that school or any other school where the
2 teacher is assigned.

3 (3) A student who commits an offense under chapter 9A.36, 9A.40,
4 9A.46, or 9A.48 RCW, when directed toward another student, may be
5 removed from the classroom of the victim for the duration of the
6 student's attendance at that school or any other school where the
7 victim is enrolled. A student who commits an offense under one of the
8 chapters enumerated in this section against a student or another
9 school employee, may be expelled or suspended.

10 (4) Nothing in this section is intended to limit the authority of
11 a school under existing law and rules to expel or suspend a student
12 for misconduct or criminal behavior. However, as provided in RCW
13 28A.600.015, for any circumstance where disciplinary action is
14 discretionary on the part of the school district, a school district
15 may not impose a suspension that results in the exclusion of a
16 student from school.

17 (5) All school districts must collect data on disciplinary
18 actions taken in each school and must record these actions using the
19 statewide student data system, based on the data collection standards
20 established by the office of the superintendent of public instruction
21 and the K-12 data governance group. The information shall be made
22 available to the public upon request, but public release of the data
23 shall not include personally identifiable information including, but
24 not limited to, a student's social security number, name, or address.

25 **Sec. 105.** RCW 43.41.400 and 2012 c 229 s 585 are each amended to
26 read as follows:

27 (1) An education data center shall be established in the office
28 of financial management. The education data center shall jointly,
29 with the legislative evaluation and accountability program committee,
30 conduct collaborative analyses of early learning, K-12, and higher
31 education programs and education issues across the P-20 system, which
32 includes the department of early learning, the superintendent of
33 public instruction, the professional educator standards board, the
34 state board of education, the state board for community and technical
35 colleges, the workforce training and education coordinating board,
36 the student achievement council, public and private nonprofit four-
37 year institutions of higher education, and the employment security
38 department. The education data center shall conduct collaborative
39 analyses under this section with the legislative evaluation and

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

8 (2) The education data center shall:

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

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

19 (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 (d) Annually provide to the K-12 data governance group a list of
24 data elements and data quality improvements that are necessary to
25 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,
28 the K-12 data governance group shall develop and transmit to the
29 education data center a feasibility analysis of obtaining or
30 improving the data, including the steps required, estimated time
31 frame, and the financial and other resources that would be required.
32 Based on the analysis, the education data center shall submit, if
33 necessary, a recommendation to the legislature regarding any
34 statutory changes or resources that would be needed to collect or
35 improve the data;

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

1 provide answers to the research and policy questions identified in
2 (a) of this subsection;

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

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

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

11 (i) Prepare a regular report on the educational and workforce
12 outcomes of youth in the juvenile justice system, using data
13 disaggregated by ethnic categories, racial subgroups, and age; and

14 (j) Make recommendations to the legislature as necessary to help
15 ensure the goals and objectives of this section and RCW 28A.655.210
16 and 28A.300.507 are met.

17 (3) The department of early learning, superintendent of public
18 instruction, professional educator standards board, state board of
19 education, state board for community and technical colleges,
20 workforce training and education coordinating board, student
21 achievement council, public four-year institutions of higher
22 education, and employment security department shall work with the
23 education data center to develop data-sharing and research
24 agreements, consistent with applicable security and confidentiality
25 requirements, to facilitate the work of the center. The education
26 data center shall also develop data-sharing and research agreements
27 with the administrative office of the courts to conduct research on
28 educational and workforce outcomes using data maintained under RCW
29 13.50.010(12) related to juveniles. Private, nonprofit institutions
30 of higher education that provide programs of education beyond the
31 high school level leading at least to the baccalaureate degree and
32 are accredited by the Northwest association of schools and colleges
33 or their peer accreditation bodies may also develop data-sharing and
34 research agreements with the education data center, consistent with
35 applicable security and confidentiality requirements. The education
36 data center shall make data from collaborative analyses available to
37 the education agencies and institutions that contribute data to the
38 education data center to the extent allowed by federal and state
39 security and confidentiality requirements applicable to the data of
40 each contributing agency or institution.

1 (4) To the maximum extent feasible, the professional development
2 program must incorporate or adapt existing online training or
3 curriculum, including securing materials or curriculum under contract
4 or purchase agreements within available funds. Multiple modes of
5 instruction should be incorporated including videos of classroom
6 teaching, participatory exercises, and other engaging combinations of
7 online audio, video, and print presentation.

8 ~~((+4))~~ (5) The professional development program must be
9 developed in modules that allow:

10 (a) Access to material over a reasonable number of training
11 sessions;

12 (b) Delivery in person or online; and

13 (c) Use in a self-directed manner.

14 ~~((+5))~~ (6) The office of the superintendent of public
15 instruction must maintain a web site that includes the online
16 professional development materials along with sample evaluation forms
17 and templates, links to relevant research on evaluation and on high
18 quality teaching and leadership, samples of contract and collective
19 bargaining language on key topics, examples of multiple measures of
20 teacher and principal performance, suggestions for data to measure
21 student growth, and other tools that will assist school districts in
22 implementing the revised evaluation systems.

23 ~~((+6))~~ (7) The office of the superintendent of public
24 instruction must identify the number of in-service training hours
25 associated with each professional development module and develop a
26 way for users to document their completion of the training.
27 Documented completion of the training under this section is
28 considered approved in-service training for the purposes of RCW
29 28A.415.020.

30 ~~((+7))~~ (8) The office of the superintendent of public
31 instruction shall periodically update the modules to reflect new
32 topics and research on performance evaluation so that the training
33 serves as an ongoing source of continuing education and professional
34 development.

35 ~~((+8))~~ (9) The office of the superintendent of public
36 instruction shall work with the educational service districts to
37 provide clearinghouse services for the identification and publication
38 of professional development opportunities for teachers and principals
39 that align with performance evaluation criteria.

1 **Sec. 202.** RCW 28A.405.120 and 2012 c 35 s 2 are each amended to
2 read as follows:

3 (1) School districts shall require each administrator, each
4 principal, or other supervisory personnel who has responsibility for
5 evaluating classroom teachers or principals to have training in
6 evaluation procedures.

7 (2) Before school district implementation of the revised
8 evaluation systems required under RCW 28A.405.100, principals and
9 administrators who have evaluation responsibilities must engage in
10 professional development designed to implement the revised systems
11 and maximize rater agreement. The professional development to support
12 the revised evaluation systems must also include foundational
13 elements of cultural competence, focusing on multicultural education
14 and principles of English language acquisition.

15 NEW SECTION. **Sec. 203.** A new section is added to chapter
16 28A.415 RCW to read as follows:

17 (1) The office of the superintendent of public instruction, in
18 collaboration with the educational opportunity gap oversight and
19 accountability committee, the professional educator standards board,
20 colleges of education, and representatives from diverse communities
21 and community-based organizations, must develop a content outline for
22 professional development and training in cultural competence for
23 school staff.

24 (2) The content of the cultural competence professional
25 development and training must be aligned with the standards developed
26 by the professional educator standards board under RCW 28A.410.270.

27 (3) The cultural competence professional development and training
28 must contain components that are appropriate for classified school
29 staff and district administrators as well as certificated
30 instructional staff and principals at the building level. The
31 professional development and training must also contain components
32 suitable for delivery by individuals from the local community or
33 community-based organizations with appropriate expertise.

34 (4) The legislature encourages educational service districts and
35 school districts to use the cultural competence professional
36 development and training developed under this section and provide
37 opportunities for all school and school district staff to gain
38 knowledge and skills in cultural competence, including in partnership
39 with their local communities.

1 Subject to the availability of amounts appropriated for these
2 purposes, the conditional scholarship programs in this chapter are
3 created under the following guidelines:

4 (1) The programs shall be administered by the student achievement
5 council. In administering the programs, the council has the following
6 powers and duties:

7 (a) To adopt necessary rules and develop guidelines to administer
8 the programs;

9 (b) To collect and manage repayments from participants who do not
10 meet their service obligations; and

11 (c) To accept grants and donations from public and private
12 sources for the programs.

13 (2) Requirements for participation in the conditional scholarship
14 programs are as provided in this subsection (2).

15 (a) The alternative route conditional scholarship program is
16 limited to interns of professional educator standards board-approved
17 alternative routes to teaching programs under RCW 28A.660.040. For
18 fiscal year 2011, priority must be given to fiscal year 2010
19 participants in the alternative route partnership program. In order
20 to receive conditional scholarship awards, recipients shall:

21 (i) Be accepted and maintain enrollment in alternative
22 certification routes through a professional educator standards board-
23 approved program;

24 (ii) Continue to make satisfactory progress toward completion of
25 the alternative route certification program and receipt of a
26 residency teaching certificate; and

27 (iii) Receive no more than the annual amount of the scholarship,
28 not to exceed eight thousand dollars, for the cost of tuition, fees,
29 and educational expenses, including books, supplies, and
30 transportation for the alternative route certification program in
31 which the recipient is enrolled. The council may adjust the annual
32 award by the average rate of resident undergraduate tuition and fee
33 increases at the state universities as defined in RCW 28B.10.016.

34 (b) The pipeline for paraeducators conditional scholarship
35 program is limited to qualified paraeducators as provided by RCW
36 28A.660.042. In order to receive conditional scholarship awards,
37 recipients shall:

38 (i) Be accepted and maintain enrollment at a community and
39 technical college for no more than two years and attain an associate
40 of arts degree;

1 (ii) Continue to make satisfactory progress toward completion of
2 an associate of arts degree. This progress requirement is a condition
3 for eligibility into a route one program of the alternative routes to
4 teacher certification program for a mathematics, special education,
5 or English as a second language endorsement; and

6 (iii) Receive no more than the annual amount of the scholarship,
7 not to exceed four thousand dollars, for the cost of tuition, fees,
8 and educational expenses, including books, supplies, and
9 transportation for the alternative route certification program in
10 which the recipient is enrolled. The student achievement council may
11 adjust the annual award by the average rate of tuition and fee
12 increases at the state community and technical colleges.

13 (c) The educator retooling (~~((to teach mathematics and science))~~)
14 conditional scholarship program is limited to current K-12 teachers.
15 In order to receive conditional scholarship awards:

16 (i) Individuals currently employed as teachers shall pursue a
17 middle level mathematics or science, (~~((or))~~) secondary mathematics or
18 science, special education, bilingual education, or English language
19 learner endorsement; or

20 (ii) Individuals who are certificated with an elementary
21 education endorsement shall pursue an endorsement in middle level
22 mathematics or science, (~~((or both))~~) special education, bilingual
23 education, or English language learner; and

24 (iii) Individuals shall use one of the pathways to endorsement
25 processes to receive (~~((a mathematics or science))~~) the endorsement,
26 (~~((or both,))~~) which shall include passing (~~((a mathematics or science))~~)
27 the associated endorsement test(~~((,))~~) or (~~((both))~~) tests, plus
28 observation and completing applicable coursework to attain the proper
29 endorsement; and

30 (iv) Individuals shall receive no more than the annual amount of
31 the scholarship, not to exceed three thousand dollars, for the cost
32 of tuition, test fees, and educational expenses, including books,
33 supplies, and transportation for the endorsement pathway being
34 pursued.

35 (3) The Washington professional educator standards board shall
36 select individuals to receive conditional scholarships. In selecting
37 recipients, preference shall be given to eligible veterans or
38 national guard members. In awarding educator retooling scholarships
39 to support additional bilingual education and English language
40 learner endorsements, the board shall give preference to teachers

1 assigned to schools required under state or federal accountability
2 measures to implement a plan for improvement, and to teachers
3 assigned to schools whose enrollment of English language learner
4 students has increased an average of more than five percent per year
5 over the previous three years.

6 (4) For the purpose of this chapter, a conditional scholarship is
7 a loan that is forgiven in whole or in part in exchange for service
8 as a certificated teacher employed in a Washington state K-12 public
9 school. The state shall forgive one year of loan obligation for every
10 two years a recipient teaches in a public school. Recipients who fail
11 to continue a course of study leading to residency teacher
12 certification or cease to teach in a public school in the state of
13 Washington in their endorsement area are required to repay the
14 remaining loan principal with interest.

15 (5) Recipients who fail to fulfill the required teaching
16 obligation are required to repay the remaining loan principal with
17 interest and any other applicable fees. The student achievement
18 council shall adopt rules to define the terms for repayment,
19 including applicable interest rates, fees, and deferments.

20 (6) The student achievement council may deposit all
21 appropriations, collections, and any other funds received for the
22 program in this chapter in the future teachers conditional
23 scholarship account authorized in RCW 28B.102.080.

24 **Sec. 303.** RCW 28A.180.040 and 2013 2nd sp.s. c 9 s 4 are each
25 amended to read as follows:

26 (1) Every school district board of directors shall:

27 (a) Make available to each eligible pupil transitional bilingual
28 instruction to achieve competency in English, in accord with rules of
29 the superintendent of public instruction;

30 (b) Wherever feasible, ensure that communications to parents
31 emanating from the schools shall be appropriately bilingual for those
32 parents of pupils in the bilingual instruction program;

33 (c) Determine, by administration of an English test approved by
34 the superintendent of public instruction the number of eligible
35 pupils enrolled in the school district at the beginning of a school
36 year and thereafter during the year as necessary in individual cases;

37 (d) Ensure that a student who is a child of a military family in
38 transition and who has been assessed as in need of, or enrolled in, a

1 bilingual instruction program, the receiving school shall initially
2 honor placement of the student into a like program.

3 (i) The receiving school shall determine whether the district's
4 program is a like program when compared to the sending school's
5 program; and

6 (ii) The receiving school may conduct subsequent assessments
7 pursuant to RCW 28A.180.090 to determine appropriate placement and
8 continued enrollment in the program;

9 (e) Before the conclusion of each school year, measure each
10 eligible pupil's improvement in learning the English language by
11 means of a test approved by the superintendent of public instruction;

12 (f) Provide in-service training for teachers, counselors, and
13 other staff, who are involved in the district's transitional
14 bilingual program. Such training shall include appropriate
15 instructional strategies for children of culturally different
16 backgrounds, use of curriculum materials, and program models; and

17 (g) Make available a program of instructional support for up to
18 two years immediately after pupils exit from the program, for exited
19 pupils who need assistance in reaching grade-level performance in
20 academic subjects even though they have achieved English proficiency
21 for purposes of the transitional bilingual instructional program.

22 (2) Beginning in the 2019-20 school year, all classroom teachers
23 assigned using funds for the transitional bilingual instructional
24 program to provide supplemental instruction for eligible pupils must
25 hold an endorsement in bilingual education or English language
26 learner, or both.

27 (3) The definitions in Article II of RCW 28A.705.010 apply to
28 subsection (1)(d) of this section.

29 PART IV

30 ENGLISH LANGUAGE LEARNER ACCOUNTABILITY

31 NEW SECTION. **Sec. 401.** (1) The office of the superintendent of
32 public instruction shall convene an English language learner
33 accountability task force to design a performance-based
34 accountability system for the transitional bilingual instructional
35 program. The task force must include representatives from the
36 educational opportunity gap oversight and accountability committee,
37 the state ethnic commissions, the governor's office of tribal
38 affairs, the office of the education ombudsman, the civil rights

1 office within the office of the superintendent of public instruction,
2 parents, community representatives, and program directors and
3 teachers from school districts of different sizes and with different
4 English language learner student populations.

5 (2) The task force must review the research literature to
6 identify evidence-based program designs and instructional strategies
7 for English language learners to achieve English proficiency.

8 (3) The task force must identify performance benchmarks for
9 transitional bilingual instructional programs, including:

10 (a) Benchmarks based on performance of eligible and exited
11 students, including performance in English language and performance
12 in other academic areas, based on state learning standards; and

13 (b) Benchmarks based on program characteristics that research
14 suggests are associated with students achieving English proficiency,
15 such as staff qualifications and training and the level of
16 supplemental instruction for students.

17 (4) The task force must design an accountability system for the
18 program that includes reporting and monitoring of benchmark
19 performance and tiered levels of support and technical assistance for
20 schools and districts based on benchmark performance. The design of
21 the system must also include a reduction in requirements for schools
22 and districts to submit program applications and program plans for
23 state approval, to be replaced with a focus on program outcomes.

24 (5) The task force must submit a report first to the educational
25 opportunity gap oversight and accountability committee and the
26 quality education council, and then to the education committees of
27 the legislature, with recommendations for the design of the
28 accountability system and any policy changes, statutory changes, or
29 resources necessary for its implementation. An interim report is due
30 to the legislative education committees by January 15, 2016, and a
31 final report is due by September 30, 2017.

32 (6) This section expires July 1, 2018.

33 **Sec. 402.** RCW 28A.180.090 and 2001 1st sp.s. c 6 s 2 are each
34 amended to read as follows:

35 The superintendent of public instruction shall develop an
36 evaluation system designed to measure increases in the English and
37 academic proficiency of eligible pupils. When developing the system,
38 the superintendent shall:

1 (1) Require school districts to assess potentially eligible
2 pupils within ten days of registration using an English proficiency
3 assessment or assessments as specified by the superintendent of
4 public instruction. Results of these assessments shall be made
5 available to both the superintendent of public instruction and the
6 school district;

7 (2) Require school districts to annually assess all eligible
8 pupils at the end of the school year using an English proficiency
9 assessment or assessments as specified by the superintendent of
10 public instruction. Results of these assessments shall be made
11 available to both the superintendent of public instruction and the
12 school district;

13 (3) Develop a system to evaluate increases in the English and
14 academic proficiency of students who are, or were, eligible pupils.
15 This evaluation shall include students when they are in the program
16 and after they exit the program until they finish their K-12 career
17 or transfer from the school district. The purpose of the evaluation
18 system is to inform schools, school districts, parents, and the state
19 of the effectiveness of the transitional bilingual programs in school
20 and school districts in teaching these students English and other
21 content areas, such as mathematics and writing; and

22 ~~((Report to the education and fiscal committees of the~~
23 ~~legislature by November 1, 2002, regarding the development of the~~
24 ~~systems described in this section and a timeline for the full~~
25 ~~implementation of those systems. The legislature shall approve and~~
26 ~~provide funding for the evaluation system in subsection (3) of this~~
27 ~~section before any implementation of the system developed under~~
28 ~~subsection (3) of this section may occur.)) Provide school districts
29 with technical assistance and support in selecting research-based
30 program models, instructional materials, and professional development
31 for program staff, including disseminating information about best
32 practices and innovative programs. The information must include
33 research about the differences between conversational language
34 proficiency, academic language proficiency, and subject-specific
35 language proficiency and the implications this research has on
36 instructional practices and evaluation of program effectiveness.~~

37 NEW SECTION. Sec. 403. A new section is added to chapter
38 28A.657 RCW to read as follows:

1 At the beginning of each school year, the office of the
2 superintendent of public instruction shall identify schools that
3 experienced a significant increase during the previous two school
4 years in enrollment of English language learner students as compared
5 to previous enrollment trends. The office shall notify the schools,
6 and school districts in which the schools are located must provide
7 the cultural competence professional development and training
8 developed under section 203 of this act for classified, certificated
9 instructional, and administrative staff of the schools. The
10 professional development and training may be delivered by an
11 educational service district, through district in-service, or by
12 another qualified provider, including in partnership with the local
13 community.

14 **PART V**

15 **DISAGGREGATED STUDENT DATA**

16 **Sec. 501.** RCW 28A.300.042 and 2013 2nd sp.s. c 18 s 307 are each
17 amended to read as follows:

18 (1) Beginning with the 2017-18 school year, the superintendent of
19 public instruction must collect and school districts must submit all
20 student-level data using the United States department of education
21 2007 race and ethnicity reporting guidelines, including the subracial
22 and subethnic categories within those guidelines, with the following
23 modifications:

24 (a) Further disaggregation of the Black category to differentiate
25 students of African origin and students native to the United States
26 with African ancestors;

27 (b) Further disaggregation of countries of origin for Asian
28 students;

29 (c) Further disaggregation of the White category to include
30 subethnic categories for Eastern European nationalities that have
31 significant populations in Washington; and

32 (d) For students who report as multiracial, collection of their
33 racial and ethnic combination of categories.

34 (2) All student data-related reports required of the
35 superintendent of public instruction in this title must be
36 disaggregated by at least the following subgroups of students: White,
37 Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific
38 Islander/Hawaiian Native, low income, transitional bilingual,

1 migrant, special education, and students covered by section 504 of
2 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.
3 794).

4 ~~((2))~~ (3) All student data-related reports ~~((required of))~~
5 prepared by the superintendent of public instruction regarding
6 student suspensions and expulsions as required ~~((in RCW 28A.300.046))~~
7 under this title are subject to disaggregation by subgroups
8 including:

- 9 (a) Gender;
- 10 (b) Foster care;
- 11 (c) Homeless, if known;
- 12 (d) School district;
- 13 (e) School;
- 14 (f) Grade level;
- 15 (g) Behavior infraction code, including:
 - 16 (i) Bullying;
 - 17 (ii) Tobacco;
 - 18 (iii) Alcohol;
 - 19 (iv) Illicit drug;
 - 20 (v) Fighting without major injury;
 - 21 (vi) Violence without major injury;
 - 22 (vii) Violence with major injury;
 - 23 (viii) Possession of a weapon; and
 - 24 (ix) Other behavior resulting from a short-term or long-term
25 suspension, expulsion, or interim alternative education setting
26 intervention;
- 27 (h) Intervention applied, including:
 - 28 (i) Short-term suspension;
 - 29 (ii) Long-term suspension;
 - 30 (iii) Emergency expulsion;
 - 31 (iv) Expulsion;
 - 32 (v) Interim alternative education settings;
 - 33 (vi) No intervention applied; and
 - 34 (vii) Other intervention applied that is not described in this
35 subsection (2)(h);
- 36 (i) Number of days a student is suspended or expelled, to be
37 counted in half or full days; and
- 38 (j) Any other categories added at a future date by the data
39 governance group.

1 ~~((3))~~ (4) All student data-related reports required of the
2 superintendent of public instruction regarding student suspensions
3 and expulsions as required in RCW 28A.300.046 are subject to cross-
4 tabulation at a minimum by the following:

5 (a) School and district;

6 (b) Race, low income, special education, transitional bilingual,
7 migrant, foster care, homeless, students covered by section 504 of
8 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.
9 794), and categories to be added in the future;

10 (c) Behavior infraction code; and

11 (d) Intervention applied.

12 (5) The K-12 data governance group shall develop the data
13 protocols and guidance for school districts in the collection of data
14 as required under this section, and the office of the superintendent
15 of public instruction shall modify the statewide student data system
16 as needed. The office of the superintendent of public instruction
17 shall also incorporate training for school staff on best practices
18 for collection of data on student race and ethnicity in other
19 training or professional development related to data provided by the
20 office.

21 **Sec. 502.** RCW 28A.300.505 and 2007 c 401 s 5 are each amended to
22 read as follows:

23 (1) The office of the superintendent of public instruction shall
24 develop standards for school data systems that focus on validation
25 and verification of data entered into the systems to ensure accuracy
26 and compatibility of data. The standards shall address but are not
27 limited to the following topics:

28 (a) Date validation;

29 (b) Code validation, which includes gender, race or ethnicity,
30 and other code elements;

31 (c) Decimal and integer validation; and

32 (d) Required field validation as defined by state and federal
33 requirements.

34 (2) The superintendent of public instruction shall develop a
35 reporting format and instructions for school districts to collect and
36 submit data on student demographics that is disaggregated (~~by~~
37 ~~distinct ethnic categories within racial subgroups so that analyses~~
38 ~~may be conducted on student achievement using the disaggregated~~
39 ~~data~~) as required under RCW 28A.300.042.

1 **PART VI**

2 **RECRUITMENT AND RETENTION OF EDUCATORS**

3 NEW SECTION. **Sec. 601.** (1) The professional educator standards
4 board and the office of the superintendent of public instruction
5 shall convene a work group to revise and update the model framework
6 and curriculum, as well as the program of study, for high school
7 career and technical education courses related to careers in
8 education.

9 (2) The revised careers in education courses must incorporate:

10 (a) Standards for cultural competence developed by the
11 professional educator standards board under RCW 28A.410.270;

12 (b) The most recent competency standards established by the
13 professional educator standards board and new research on best
14 practices for educator preparation and development; and

15 (c) Curriculum and activities used by the recruiting Washington
16 teachers program under RCW 28A.415.370.

17 (3) The revisions must be completed before the 2016-17 school
18 year.

19 (4) This section expires September 1, 2017.

20 NEW SECTION. **Sec. 602.** A new section is added to chapter
21 28A.410 RCW to read as follows:

22 (1) The professional educator standards board shall convene a
23 work group to design an articulated pathway for teacher preparation
24 and certification that has the characteristics described in this
25 section. The work group must include representatives of community and
26 technical college paraeducator apprenticeship and certificate
27 programs, colleges of education, teacher and paraeducator
28 associations, and the office of the superintendent of public
29 instruction.

30 (2) An articulated pathway for teacher preparation and
31 certification includes:

32 (a) Paraeducator certificate and apprenticeship programs that
33 offer course credits that apply to transferrable associate degrees
34 and are aligned with the standards and competencies for teachers
35 adopted by the professional educator standards board;

36 (b) Associate degree programs that build on and do not duplicate
37 the courses and competencies of paraeducator certificate programs,
38 incorporate field experiences, are aligned with the standards and

1 competencies for teachers adopted by the professional educator
2 standards board, and are transferrable to bachelor's degree in
3 education programs and teacher certification programs;

4 (c) Bachelor's degree programs that lead to teacher certification
5 that build on and do not duplicate the courses and competencies of
6 transferrable associate degrees; and

7 (d) Incorporation of the standards for cultural competence
8 developed by the professional educator standards board under RCW
9 28A.410.270 throughout the courses and curriculum of the pathway,
10 particularly focusing on multicultural education and principles of
11 language acquisition.

12 (3) The professional educator standards board must submit a
13 report to the education committees of the legislature by January 10,
14 2016, comparing the current status of pathways for teacher
15 certification to the elements of the articulated pathway. The report
16 must highlight gaps and recommend strategies to address them.

17 (4) The professional educator standards board and the state board
18 for community and technical colleges may exercise their respective
19 authorities regarding program approval to implement the articulated
20 pathway for teacher preparation and certification under this section
21 in approved teacher certification programs and certificate and degree
22 programs offered by community and technical colleges.

23 NEW SECTION. **Sec. 603.** A new section is added to chapter 28B.50
24 RCW to read as follows:

25 Beginning with the 2016-17 academic year, any community or
26 technical college that offers an apprenticeship program or
27 certificate program for paraeducators must provide candidates the
28 opportunity to earn transferrable course credits within the program.
29 The programs must also incorporate the standards for cultural
30 competence, including multicultural education and principles of
31 language acquisition, developed by the professional educator
32 standards board under RCW 28A.410.270.

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