
HOUSE BILL 1209

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Peery, Ballard, Dorn, Jones, Brough, R. Meyers, Cothorn, Sheldon, Brumsickle, Roland, Eide, Holm, Jacobsen, Thomas, J. Kohl, Ogden, Franklin, G. Cole, Voloria, Wang, H. Myers, Horn, Scott, Karahalios, L. Johnson, Thibaudeau, Wolfe, Leonard, Locke, Basich, Orr, Kessler, Campbell, Linville, Pruitt and Wineberry; by request of Council on Education Reform and Funding

Read first time 01/20/93. Referred to Committee on Education.

1 AN ACT Relating to education; amending RCW 28A.630.884,
2 28A.630.885, and 28A.225.220; adding new sections to chapter 28A.150
3 RCW; adding a new section to chapter 28A.410 RCW; adding new sections
4 to chapter 28A.240 RCW; adding a new section to chapter 43.20A RCW;
5 adding a new section to chapter 43.105 RCW; adding new a section to
6 chapter 28B.15 RCW; creating new sections; decodifying RCW 28A.215.904;
7 repealing RCW 28A.415.250; and providing an effective date.

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

9 NEW SECTION. **Sec. 1.** This act may be known and cited as the
10 performance-based education act.

11 NEW SECTION. **Sec. 2.** The mission of Washington's K-12 education
12 system is to enable people to be responsible citizens and to contribute
13 to their own economic well-being and to that of their families and
14 communities and to enjoy productive lives. To these ends, schools,
15 together with parents and communities, shall ensure that all students
16 develop the knowledge skills, and attributes essential to function
17 effectively and lead successful lives.

1 This mission shall be accomplished through a restructured system of
2 world-class, performance-based education requiring all the elements in
3 chapter . . . , Laws of 1993 (this act). Additional improvements
4 envisioned shall be brought about through different practices at the
5 local level that bring legislative concepts to reality. The
6 legislature believes that real improvement will come to student
7 achievement when all parties responsible for education evaluate current
8 behavior and modify it according to what is best for students.
9 Students will learn more when parents take more responsibility for
10 their child's education, when businesses assume greater responsibility
11 for supporting schools, and when educators take responsibility for
12 meeting the diverse educational needs of all students.

13 It is the intent of the legislature that all children will achieve
14 at significantly higher levels. The education system, from the
15 schoolhouse to the state house, must be responsible and accountable to
16 citizens for meeting specific goals and outcomes. For all students,
17 learning shall be the constant; time spent on learning and gaining
18 competence shall be the variable. For all parents, greater involvement
19 in their child's education is critical to their child's success. It is
20 the intent of chapter . . . , Laws of 1993 (this act) that parents be
21 equal partners in the education of their children. Parents shall also
22 play a significant role in local school decision making, including
23 management, budget, personnel, and program decisions affecting
24 instruction at the school level.

25 Creating a performance-based education system will also require
26 different ways of making decisions and completing work. Collaboration
27 among parents, students, educators, community members, and elected
28 officials will be a strong part of everyday effort. The student shall
29 be responsible for his or her performance, given positive support from
30 parents and community, and instructional guidance from the schools.
31 All systems and programs shall be focused on what is best for
32 increasing student achievement. Their purpose is to ensure that all
33 students master the essential learning requirements and perform at
34 significantly higher levels than today.

35
36

PART I
COMMISSION ON STUDENT LEARNING

1 **Sec. 101.** RCW 28A.630.884 and 1992 c 141 s 201 are each amended to
2 read as follows:

3 In shifting from a highly regulated education system to a
4 substantially deregulated system that holds districts and schools
5 accountable for results, a new vocabulary to describe the education
6 system is necessary.

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout RCW 28A.630.884 ~~((and)),~~ 28A.630.885,
9 sections 201, 202, 306 through 308, 601, and 602 of this act.

10 (1) ~~(("Academic assessment system" or))~~ "Assessment system" means
11 ~~((a series of academic examinations and performance-based assessments~~
12 ~~developed by the commission on student learning to determine if~~
13 ~~students have mastered the essential academic learning requirements))~~
14 methods of assessing student and program achievement that require
15 direct demonstration of the target knowledge and skills. Methods may
16 include direct writing samples, open-ended questions, demonstrations,
17 experiments, group projects, and other methods.

18 (2) "Commission" means the commission on student learning created
19 in RCW 28A.630.885.

20 (3) "Essential ((academic)) learning requirements" means the
21 academic and technical knowledge ~~((and skills identified by the~~
22 ~~commission on student learning, as reviewed and amended by the~~
23 ~~legislature and state board of education, that students are expected to~~
24 ~~know and be able to do at specified intervals in their schooling. The~~
25 ~~essential academic learning requirements, at a minimum, shall include~~
26 ~~knowledge and skills in reading, writing, speaking, science, history,~~
27 ~~geography, mathematics, and critical thinking))~~ that students are
28 expected to know and be able to do at specified intervals in their
29 schooling. The essential learning requirements at a minimum shall
30 include knowledge and skills in reading, writing, speaking, science,
31 history, geography, mathematics, and critical thinking.

32 (4) "Outcomes" means a final consequence or result.

33 (5) "Performance-based" or "outcome-based" education means a system
34 designed to meet specific objectives or standards of what students
35 should know and be able to do, with flexibility to the process
36 necessary to achieve those objectives and standards. Students proceed
37 through a performance-based or outcome-based system by demonstrating
38 competency.

1 (6) "Site-based decision making" means an administrative system in
2 which individuals working at schools, parents, and others in the
3 community exercise shared decision making on some aspects of school
4 operations.

5 (7) "Standards" means criterion or an agreed upon level of
6 performance or achievement that serves as a basis for decision making.

7 (8) "Student learning goals" means state-wide standards for what
8 students in the K-12 education system must know and be able to do at
9 each level of their education and upon graduation from high school.

10 **Sec. 102.** RCW 28A.630.885 and 1992 c 141 s 202 are each amended to
11 read as follows:

12 ~~((2))~~ (1) The Washington commission on student learning is hereby
13 established. The primary purposes of the commission are to identify
14 what all students need to know and be able to do based on the final
15 student learning goals ~~((of))~~ and outcomes recommended by the
16 governor's council on education reform and funding, to develop student
17 assessment and school accountability systems, and to take other steps
18 necessary to develop a performance-based education system. The
19 commission shall include three members of the state board of education,
20 three members appointed by the governor before July 1, 1992, and
21 ~~((three))~~ five members appointed no later than February 1, 1993, by the
22 governor elected in the November 1992 election. The governor shall
23 appoint a chair from the commission members, and fill any vacancies
24 that may occur. In making the appointments, educators, business
25 leaders, and parents shall be represented, and nominations from state-
26 wide education, business, and parent organizations shall be requested.
27 Efforts shall be made to ensure that the commission reflects the
28 cultural diversity of the state's K-12 student population and that the
29 major geographic regions in the state are represented. Appointees
30 shall be qualified individuals who are supportive of educational
31 restructuring, who have a positive record of service, and who will
32 devote sufficient time to the responsibilities of the commission to
33 ensure that the objectives of the commission as specified in chapter
34 . . . , Laws of 1993 (this act) are achieved.

35 ~~((3) The commission shall begin its substantive work subject to~~
36 ~~subsection (1) of this section.~~

37 ~~(4))~~ (2) The commission shall establish technical advisory
38 committees as necessary. ~~((Membership of the technical advisory~~

1 committees shall include, but not necessarily be limited to,
2 professionals from the office of the superintendent of public
3 instruction and the state board of education, and other state and local
4 educational practitioners and student assessment specialists.

5 (5)) (3) The commission, with the assistance of the technical
6 advisory committees, shall:

7 (a) (~~Identify what all elementary and secondary students need to~~
8 ~~know and be able to do. At a minimum, these~~) Develop essential
9 ~~((academic))~~ learning requirements ~~((shall include reading, writing,~~
10 ~~speaking, science, history, geography, mathematics, and critical~~
11 ~~thinking. In developing these essential academic learning~~
12 ~~requirements, the commission shall incorporate the student learning~~
13 ~~goals identified by the council on education reform and funding))~~ based
14 on the student learning goals and outcomes developed by the governor's
15 council on education reform and funding. These requirements shall be
16 implemented through the development of standards. The commission shall
17 obtain student performance data from local districts and schools to
18 test the effectiveness of assessment methodologies;

19 (b) By December 1, 1995, present to the state board of education
20 and superintendent of public instruction a state-wide ~~((academic))~~
21 assessment system for use in the elementary grades designed to
22 determine if each student has mastered the essential ~~((academic))~~
23 learning requirements identified in (a) of this subsection. The
24 ~~((academic))~~ assessment system shall include a variety of
25 methodologies, including performance-based measures that are criterion-
26 referenced. The assessment system shall be designed so that the
27 results under the assessment system are used by educators as tools to
28 evaluate instructional practices, and to initiate appropriate
29 educational support for students who do not master the essential
30 ~~((academic))~~ learning requirements. Mastery of each component of the
31 essential ~~((academic))~~ learning requirements shall be required before
32 students progress in subsequent components of the essential
33 ~~((academic))~~ learning requirements. The state board of education and
34 superintendent of public instruction shall implement the elementary
35 ~~((academic))~~ assessment system beginning in the 1996-97 school year(~~(~~
36 ~~unless the legislature takes action to delay or prevent implementation~~
37 ~~of the assessment system and essential academic learning~~
38 ~~requirements)). The state board of education and superintendent of~~

1 public instruction ((may)) shall review and modify the ((academic))
2 assessment system, as needed, ((in subsequent school)) every ten years;
3 (c) By December 1, 1996, present to the state board of education
4 and superintendent of public instruction a state-wide ((academic))
5 assessment system for use in the secondary grades designed to determine
6 ((if)) that each student has mastered the essential ((academic))
7 learning requirements identified for secondary students in (a) of this
8 subsection. The ((academic)) assessment system shall use a variety of
9 methodologies, including performance-based measures, to determine if
10 students have mastered the essential ((academic)) learning
11 requirements, and shall lead to a certificate of mastery at about age
12 sixteen. The certificate of mastery shall be required for graduation.
13 The assessment system shall be designed so that the results are used
14 by educators to evaluate instructional practices, and to initiate
15 appropriate educational support for students who do not master the
16 essential ((academic)) learning requirements. The commission shall
17 recommend to the state board of education whether the certificate of
18 mastery should take the place of the graduation requirements or be
19 required for graduation in addition to graduation requirements. The
20 state board of education and superintendent of public instruction shall
21 implement the secondary ((academic)) assessment system beginning in the
22 1997-98 school year(, unless the legislature takes action to delay or
23 prevent implementation of the assessment system and essential academic
24 learning requirements. The state board of education and superintendent
25 of public instruction may modify the assessment system, as needed, in
26 subsequent school years));
27 (d) Consider methods to address the unique needs of special
28 education students when developing the assessments in (b) and (c) of
29 this subsection;
30 (e) ~~((Develop strategies that will assist educators in helping~~
31 ~~students master the essential academic learning requirements)) In~~
32 consultation with the state board of education and other professional
33 groups, develop standards for what teachers, educational staff
34 associates, and administrators (all certificated staff) should know and
35 be able to do to assist students in achieving mastery of the essential
36 learning requirements, and a new individual performance-based
37 assessment system of certification to replace the state board of
38 education's current program approval certification process used for
39 higher education institutions. The standards shall be developed by the

1 1995-96 school year for elementary schools and the 1996-97 school year
2 for secondary schools;

3 ~~(f) ((Establish a center the primary role of which is to plan,~~
4 ~~implement, and evaluate a high quality professional development~~
5 ~~process. The quality schools center shall: Have an advisory council~~
6 ~~composed of educators, parents, and community and business leaders; use~~
7 ~~best practices research regarding instruction, management, curriculum~~
8 ~~development, and assessment; coordinate its activities with the office~~
9 ~~of the superintendent of public instruction and the state board of~~
10 ~~education; employ and contract with individuals who have a commitment~~
11 ~~to quality reform; prepare a six year plan to be updated every two~~
12 ~~years; and be able to accept resources and funding from private and~~
13 ~~public sources)) By December 1994, develop alternatives for grade~~
14 designations in elementary schools;

15 (g) Develop recommendations for the repeal or amendment of federal,
16 state, and local laws, rules, budgetary language, regulations, and
17 other factors that inhibit schools from adopting strategies designed to
18 help students achieve the essential ((academic)) learning requirements;

19 ~~(h) ((Develop recommendations on the time, support, and resources,~~
20 ~~including technical assistance, needed by schools and school districts~~
21 ~~to help students achieve the essential academic learning requirements.~~
22 ~~These recommendations shall include an estimate for the legislature,~~
23 ~~superintendent of public instruction, and governor on the expected cost~~
24 ~~of implementing the elementary and secondary academic assessment~~
25 ~~systems during the 1995-97 biennium and beyond;~~

26 ~~(i))~~ Develop recommendations for consideration by the higher
27 education coordinating board for adopting college and university
28 entrance requirements that ~~((would assist schools in adopting~~
29 ~~strategies designed to help students achieve the essential academic~~
30 ~~learning requirements)) are consistent with a performance-based~~
31 education system;

32 ~~((+j))~~ (i) By December 1, 1996, recommend to the legislature,
33 state board of education, and superintendent of public instruction a
34 state-wide accountability system to evaluate accurately and fairly the
35 level of learning occurring in individual schools and school districts.
36 The commission also shall recommend to the legislature steps that
37 should be taken to assist school districts and schools in which
38 learning is significantly below expected levels of performance as

1 measured by the academic assessment systems established under this
2 section;

3 ~~((k))~~ (j) Report ~~((annually))~~ biennially by December 1st to the
4 governor, and the legislature ~~((and the state board of education))~~ on
5 the progress, findings, and recommendations of the commission; and

6 ~~((l))~~ (k) Complete other tasks, as appropriate.

7 ~~((6))~~ (4) The commission shall coordinate its activities with the
8 state board of education and the office of the superintendent of public
9 instruction.

10 ~~((7))~~ (5) The commission shall seek advice broadly from the
11 public and all interested educational organizations in the conduct of
12 its work, including holding periodic regional public hearings.

13 ~~((8))~~ (6) The commission shall select an entity to provide staff
14 support and the office of ~~((financial management))~~ the superintendent
15 of public instruction shall ~~((contract with that entity))~~ provide
16 administrative oversight and be the fiscal agent for the commission in
17 student learning. The commission may ~~((direct the office of financial~~
18 ~~management to))~~ enter into subcontracts with school districts,
19 teachers, higher education faculty, state agencies, business
20 organizations, and other individuals and organizations to assist the
21 commission in its deliberations.

22 ~~((9))~~ (7) Members of the commission shall be reimbursed for
23 travel expenses as provided in RCW 43.03.050 and 43.03.060.

24 PART II

25 STUDENT LEARNING GOALS

26 NEW SECTION. Sec. 201. The following student learning goals for
27 Washington's primary and secondary students are adopted:

28 The ultimate goal of Washington's K-12 education system is to
29 enable people to be responsible citizens, to contribute to their own
30 economic well-being and to that of their families and communities, and
31 to enjoy productive and satisfying lives. To these ends, schools,
32 together with parents and communities, shall help all students develop
33 the knowledge, skills, and attributes essential to:

34 (1) Communicate effectively and responsibly in a variety of ways
35 and settings;

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

4 (3) Think critically and creatively and integrate experience and
5 knowledge to form reasoned judgments and solve problems;

6 (4) Function as caring and responsible individuals and contributing
7 members of families, work groups, and communities.

8 NEW SECTION. **Sec. 202.** The state board of education shall adopt
9 the final student learning goals in section 201 of this act and the
10 outcomes recommended by the governor's council on education reform and
11 funding by rule and shall update the goals and outcomes at least every
12 ten years. Local school districts may add goals or outcomes to the
13 student learning goals in section 201 of this act and the outcomes
14 included in state board of education rules. No additional state
15 resources may be used to fund such additional goals or outcomes.

16 **PART III**

17 **EDUCATOR AND STUDENT COMPETENCY, PERFORMANCE, AND ASSISTANCE**

18 NEW SECTION. **Sec. 301.** The professional development account is
19 created in the state treasury. Moneys in the account may be spent only
20 after appropriation. Expenditures from the account may be used only by
21 the office of the superintendent of public instruction to provide staff
22 development program grants to local districts and schools for staff
23 development, planning, and implementation activities as local districts
24 and schools move toward a performance-based system. In addition, these
25 funds may be used to assist districts and schools to shift to school-
26 based decision making. Grants shall be for two years for activities
27 related to planning, curriculum development, assessment, evaluation,
28 the use of technology, and other approaches to restructuring. The
29 office of the superintendent of public instruction shall distribute
30 grants to local schools and districts at the direction of the
31 commission on student learning.

32 An allocation to the account of fifty-four million dollars annually
33 beginning in the 1993-94 school year and one hundred eight million
34 dollars annually beginning in the 1995-96 school year shall be provided
35 to fund two-year grants each biennium. The purpose of the grants is to

1 provide additional resources for nonstudent days for schools to design
2 and implement site-based professional development, and to design and
3 implement new site-based, higher performance delivery systems. Grant
4 allocations shall be determined by the number of certificated and
5 classified staff in each building. The allocations shall be figured on
6 two hundred dollars multiplied by five days for certificated staff and
7 one hundred twenty-five dollars multiplied by five days for classified
8 staff in the 1993-94 school year. In 1995 and beyond, grant
9 allocations shall be figured on two hundred dollars multiplied by ten
10 days for certificated staff and one hundred twenty-five dollars
11 multiplied by ten days for classified staff. The funds shall be
12 available for use in a flexible manner to support the formation and
13 operation of higher performance delivery systems through staff
14 development.

15 In addition to the allocation for professional development, an
16 additional allocation of one thousand dollars per school per year shall
17 be available to support the process. Each site council shall determine
18 how this resource is spent, and can include such things as paying for
19 transportation and child care so parents can be a part of the council,
20 and the hiring of other experts to assist the process.

21 NEW SECTION. **Sec. 302.** Beginning with the 1997 fiscal year, the
22 mentor teacher program account is created in the state treasury.
23 Moneys in the account may be spent only after appropriation.
24 Expenditures from the account may be used only by the office of the
25 superintendent of public instruction for the mentor teacher program.

26 NEW SECTION. **Sec. 303.** The commission shall develop a program to
27 provide a full-time, or two hundred sixty-day, mentor to work with
28 first-year teachers. There shall be a ratio of one full-time mentor
29 teacher to every fifteen first-year teachers. In collaboration with
30 teacher preparation program staff, educational service districts, and
31 school districts, the commission shall develop criteria for selecting
32 mentor teachers and on an appropriate compensation package for mentors.
33 Mentors may provide services in multidistrict settings. All first-year
34 teachers shall have access to a mentor teacher. Mentors may also be
35 provided for educators who are identified as having difficulty
36 performing their jobs at a satisfactory level. A specific performance
37 improvement plan shall be developed for these individuals to enable

1 them to achieve success. Mentors shall also work with principals and
2 other instructional staff. Mentor teachers are limited to three years
3 of consecutive service and remain employees of their districts with
4 salaries, benefits, and travel reimbursed to the district by the mentor
5 teacher program account, at the direction of the commission. Districts
6 shall provide mentors with the right to return to their previous or an
7 equivalent teaching job when they have completed service as a mentor.

8 NEW SECTION. **Sec. 304.** New teacher, educational staff associate,
9 and administrator certification requirements shall be developed by the
10 state board of education using the standards and performance-based
11 assessment system developed by the commission on student learning.

12 The state board of education shall ensure that its new
13 certification requirements are based on an individually assessed
14 demonstration of competency for all newly certified teachers and
15 administrators by the 1996-97 school year. All existing certificates
16 shall be grandfathered.

17 Advanced certification for teachers and educational staff
18 associates shall be optional and voluntary and shall be provided by the
19 national board for professional teaching standards after the 1996-97
20 school year. Any national board certified teacher satisfies in-state
21 certification requirements by the state board of education. The
22 commission on student learning shall examine reciprocity arrangements
23 and instruct a new set of relationships with out-of-state educators
24 consistent with Washington's new certification standards.

25 NEW SECTION. **Sec. 305.** RCW 28A.415.250 and 1991 c 116 s 19, 1990
26 c 33 s 403, 1987 c 507 s 1, & 1985 c 399 s 1 are each repealed.

27 NEW SECTION. **Sec. 306.** Beginning in the 1997-98 school year, any
28 student having difficulty meeting the certificate of mastery standard
29 shall be provided with alternative instructional opportunities and
30 strategies designed to help him or her achieve this standard.

31 NEW SECTION. **Sec. 307.** The commission on student learning shall
32 develop criteria to evaluate the performance of local districts and
33 schools in assisting students to achieve the essential learning
34 requirements. These criteria shall include: (1) The rate of
35 improvement of each district's or school's performance over its own

1 past performance; (2) the change in the percentage of students
2 attaining mastery of the essential learning requirements; (3)
3 attendance and completion rates; (4) postgraduation success; (5) the
4 use and condition of facilities; (6) the change in the rate of students
5 with special needs attaining mastery of the essential learning
6 requirements; and (7) the level of community satisfaction with the
7 school. The commission shall monitor the performance of districts and
8 schools that demonstrate performance gaps based on students' racial and
9 ethnic minority status.

10 NEW SECTION. **Sec. 308.** Beginning in the 1997 fiscal year, the
11 rewards and assistance account is created in the state treasury.
12 Moneys in the account may be spent only after appropriation.
13 Expenditures from the account may be used only by the office of the
14 superintendent of public instruction. The office of the superintendent
15 of public instruction shall distribute such funds at the direction of
16 the commission on student learning. Based on the indicators developed
17 in section 307 of this act, the office of the superintendent of public
18 instruction shall allocate funds to assist districts and schools
19 experiencing difficulty in assisting a significant percentage of their
20 students to achieve the essential learning requirements. In addition,
21 the office of the superintendent of public instruction shall provide
22 incentive awards every two years to schools where a large percentage of
23 students significantly exceed the essential learning requirements.
24 After July 1, 1998, the superintendent of public instruction shall
25 determine how funds are allocated from this account.

26 NEW SECTION. **Sec. 309.** Before December 1, 1996, the commission
27 shall develop an assistance program based on the number of students not
28 achieving the essential learning requirements in order to help schools
29 and districts that are having difficulty meeting the performance goals
30 and a system to intervene in the provision of educational services by
31 districts or schools that dramatically and persistently fail to meet
32 performance goals.

33 **PART IV**

34 **SITE-BASED DECISION-MAKING INCENTIVE PLAN**

1 NEW SECTION. **Sec. 401.** Beginning with the 1997-99 biennium, the
2 commission on student learning shall develop an incentive program to
3 provide incentives to schools meeting performance goals. Each school
4 shall be assessed individually against its own baseline for the rewards
5 program. Data shall not be used to compare one school against another.
6 Incentives shall be based on the rate of percentage change of students
7 achieving performance goals. An explicit account shall be taken of the
8 percentage change of special needs and at-risk students achieving
9 performance goals and the mobility of students. School staff shall
10 decide how to spend the reward.

11 NEW SECTION. **Sec. 402.** To be eligible for annual staff
12 development program grants beginning in fiscal year 1993-94, districts
13 shall submit an application to the commission on student learning to
14 develop a broad-based strategic restructuring plan. This plan shall
15 involve participation by everyone with a stake in the outcome and shall
16 include continuous quality improvement, performance-based assessment,
17 evaluation, technology, curriculum development, and site-based decision
18 making with site councils of parents, staff, community members, and
19 age-appropriate students who are responsible for some aspects of school
20 operations. The school board shall grant adequate and appropriate
21 authority to these councils and administrators to make management,
22 budget, personnel, and program decisions affecting instruction at the
23 school level.

24 **PART V**

25 **SITE-BASED PERFORMANCE REPORT**

26 NEW SECTION. **Sec. 501.** Beginning with the 1994-95 school year,
27 each public school shall publish an annual performance report to the
28 school board and the community. The office of the superintendent of
29 public instruction shall compile district data and report annually to
30 the governor and the legislature. Data and descriptive material
31 included in both reports should enable parents, educators, and policy
32 decision makers to determine whether students at the school are
33 attaining mastery of the essential learning requirements and other
34 important facts about the school's performance in assisting students to
35 learn. As data becomes available it shall include: (1) The change in

1 the percentage of students attaining mastery of the essential learning
2 requirements, attendance, and completion rates, (2) postgraduation
3 success, (3) the use and condition of facilities, (4) the change in the
4 rate of students with special needs attaining mastery of the essential
5 learning requirements, (5) the level of community satisfaction with the
6 school, and (6) governance council makeup, process, and strategic
7 restructuring plan.

8 **PART VI**
9 **DEREGULATION**

10 NEW SECTION. **Sec. 601.** The commission on student learning, the
11 office of the superintendent of public instruction, and the state board
12 of education shall review all laws pertaining to K-12 public education,
13 except those that protect the health, safety, and civil rights of
14 students and staff, with the intent to justify, modify, and maintain
15 only those that contribute to achievement of the new system of
16 performance-based education for all students. These laws shall be
17 reviewed using a specific timetable starting in 1993. The commission
18 on student learning, the superintendent of public instruction, and the
19 state board of education shall include a broad representation of
20 citizens, including parents, students, educators, and others, to assist
21 in the review process. Beginning in 1994, the legislature shall be
22 presented with a list of all laws reviewed during the previous year and
23 laws to be reviewed the next year. To the maximum extent possible, all
24 laws and rules inhibiting increased student performance shall be
25 repealed by July 1, 1998. Office of superintendent of public
26 instruction and state board of education rule-making authority after
27 the effective date of this section shall be limited to rules that
28 emphasize outcomes instead of inputs.

29 NEW SECTION. **Sec. 602.** (1) The legislature, in consultation with
30 the commission on student learning, the office of financial management,
31 the office of the superintendent of public instruction, and the state
32 board of education shall design a new student performance-based funding
33 system to be implemented beginning in the 1997-98 school year.

34 (2) The funding system shall enhance the new performance-based
35 education system as outlined in chapter . . . , Laws of 1993 (this act).

1 It shall allow for local control and maximum flexibility, and it shall
2 affirm the constitutional "paramount duty" of the state to provide an
3 education for all of its children. It shall emphasize student mastery
4 of the student learning goals rather than input formulas, and shall be
5 ample, flexible, stable, equitable, simple, and accountable. The
6 formula shall be structured to provide and encourage local flexibility,
7 creativity, and decision making. The formula shall support every
8 student with varying abilities and shall ensure that every student will
9 have equitable opportunities to achieve the essential learning
10 requirements. The formula shall comply with the state constitution and
11 federal law and funding requirements. The formula shall reflect the
12 state's responsibility to fully fund a basic education.

13 (3) The legislature shall determine and revise fundamental elements
14 of the school finance system. The legislature shall supply sufficient
15 resources so that students can achieve the desired learning outcomes in
16 a measurable manner.

17 (4) A capital construction formula based on providing and
18 maintaining physical structures that enhance student learning shall be
19 developed. The formula shall strive for sufficiency, equity, and
20 stability of funding. It shall reward districts for proper maintenance
21 and use of existing structures and for the creative use of structures
22 to maximize learning and use of the facility for year-round schooling,
23 joint community-school projects, and other uses. The capital
24 construction formula shall be consistent and integrated with the new
25 funding formula developed for student learning.

26 (5) Local levies may be used to enrich programs but shall not
27 substitute for state funding of basic education.

28 (6) School expenditures shall be reported to the state and to local
29 communities in a manner that demonstrates how expenditures support
30 student achievement of the student learning goals. Districts shall use
31 efficient financial and management practices; accountability indicators
32 shall be used to provide data for the legislature.

33 **Sec. 603.** RCW 28A.225.220 and 1990 1st ex.s. c 9 s 201 are each
34 amended to read as follows:

35 (1) Any board of directors may make agreements with adults choosing
36 to attend school: PROVIDED, That unless such arrangements are approved
37 by the state superintendent of public instruction, a reasonable tuition

1 charge, fixed by the state superintendent of public instruction, shall
2 be paid by such students as best may be accommodated therein.

3 (2) A district is strongly encouraged to honor the request of a
4 parent or guardian for his or her child to attend a school in another
5 district.

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

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

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

14 (c) There is a special hardship or detrimental condition.

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

18 (5) For the purpose of helping a district assess the quality of its
19 education program, a resident school district may request an optional
20 exit interview or questionnaire with the parents or guardians of a
21 child transferring to another district. No parent or guardian may be
22 forced to attend such an interview or complete the questionnaire.

23 (6) Beginning with the 1993-94 school year, school districts may
24 not establish annual transfer fees or tuition for nonresident students
25 enrolled under subsection (3) of this section and RCW 28A.225.225.
26 ~~((Until rules are adopted under section 202, chapter 9, Laws of 1990~~
27 ~~1st ex. sess. for the calculation of the transfer fee, the transfer fee~~
28 ~~shall be calculated by the same formula as the fees authorized under~~
29 ~~section 10, chapter 130, Laws of 1969. These fees, if applied, shall~~
30 ~~be applied uniformly for all such nonresident students except as~~
31 ~~provided in this section. The superintendent of public instruction,~~
32 ~~from available funds, shall pay any transfer fees for low income~~
33 ~~students assessed by districts under this section. All transfer fees~~
34 ~~must be paid over to the county treasurer within thirty days of its~~
35 ~~collection for the credit of the district in which such students~~
36 ~~attend.)) Reimbursement of a high school district for cost of~~
37 ~~educating high school pupils of a nonhigh school district shall not be~~
38 ~~deemed a transfer fee as affecting the apportionment of current state~~
39 ~~school funds.~~

1 PART VII

2 COORDINATED SOCIAL AND HEALTH SERVICES

3 NEW SECTION. **Sec. 701.** (1) The purpose of this section is to
4 enhance the quantity, quality, efficiency, and effectiveness of
5 services for children and families in order to enable children to learn
6 while in school.

7 (2) Beginning with the 1993-94 school year, the office of the
8 superintendent of public instruction shall be allocated five million
9 dollars for pilot programs in ten counties to better meet the needs of
10 children and families so that children can achieve in school.
11 Beginning with the 1994-95 school year, twenty million dollars shall
12 annually be allocated for state-wide implementation for programs that
13 assist children achieving in school. To qualify for funds, local
14 districts and schools, local service providers, local governments,
15 state agencies, and persons organized for the purpose of designing and
16 providing services for children and families, shall develop plans for
17 enhancing the flexibility, coordination, and responsiveness of social
18 and health services for students identified as most in need. Plans
19 shall address the needs of children and families in a county or
20 multicounty area.

21 (3) At a minimum, plans shall include:

22 (a) Needs assessments for services in the community;

23 (b) A description of services and funding sources;

24 (c) Strategies for reducing or eliminating regulatory and
25 administrative barriers to collaboration and enhancing the flexible use
26 of existing resources;

27 (d) Detailed responsibilities of participating agencies;

28 (e) Evidence of collaboration;

29 (f) A means to accommodate cultural diversity and changes in
30 student populations;

31 (g) A means to ensure equity, access, and relevance in providing
32 services;

33 (h) A means to ensure parental involvement in planning and the use
34 of services;

35 (i) A description of intended outcomes;

36 (j) Locally determined measures of process and student outcomes
37 that demonstrate achievement of the student learning goals;

1 (k) Evaluation systems that include self-monitoring;
2 (l) Evidence of community participation in planning that includes
3 the participation of targeted populations; and

4 (m) An identified lead agency to receive state funds allocated for
5 the purposes of this section.

6 (4) The family policy council established in chapter 70.190 RCW
7 shall coordinate the provision of technical assistance to local
8 communities for the development of coordinated services for students,
9 and shall review local plans by November 1, 1993, and the beginning of
10 every school year thereafter.

11 (5) Funds provided for the purposes of this section shall be used
12 only for those plans and services approved by the family policy
13 council.

14 **PART VIII**
15 **TECHNOLOGY**

16 NEW SECTION. **Sec. 801.** Beginning in the 1993-94 school year, the
17 office of the superintendent of public instruction shall coordinate and
18 develop a state-wide integrated two-way carrier system to tie together
19 schools, districts, educational service districts, and institutions of
20 higher education.

21 The office of the superintendent of public instruction shall
22 develop a technology initiative to assist schools in integrating
23 technology with planning, training, management, curriculum, and
24 instruction. Schools and districts shall include technology as a
25 component of their strategic plans.

26 The office of the superintendent of public instruction shall
27 distribute grants to local schools and districts for up to fifty
28 percent of the cost of computers and phones. The fifty percent local
29 match shall be adjusted based on the district's relative property tax
30 wealth.

31 **PART IX**
32 **DESERVING STUDENT SCHOLARSHIPS**

1 NEW SECTION. **Sec. 901.** By December 1, 1998, the higher education
2 coordinating board and the state board for community and technical
3 colleges shall develop a two-year scholarship plan for deserving
4 students who have achieved a certificate of mastery and have graduated
5 from high school. The program shall be coordinated with other
6 scholarships and the running start program.

7 **PART X**
8 **MISCELLANEOUS**

9 NEW SECTION. **Sec. 1001.** RCW 28A.215.904 is decodified.

10 NEW SECTION. **Sec. 1002.** Sections 1, 201, 202, 301 through 303,
11 306 through 309, 601, and 602 of this act are each added to chapter
12 28A.150 RCW.

13 NEW SECTION. **Sec. 1003.** Section 304 of this act is added to
14 chapter 28A.410 RCW.

15 NEW SECTION. **Sec. 1004.** Sections 401, 402, and 501 of this act
16 are each added to chapter 28A.240 RCW.

17 NEW SECTION. **Sec. 1005.** Section 701 of this act is added to
18 chapter 43.20A RCW.

19 NEW SECTION. **Sec. 1006.** Section 801 of this act is added to
20 chapter 43.105 RCW.

21 NEW SECTION. **Sec. 1007.** Section 901 of this act is added to
22 chapter 28B.15 RCW.

23 NEW SECTION. **Sec. 1008.** Section 602 of this act shall take effect
24 September 1, 1998.

25 NEW SECTION. **Sec. 1009.** Part headings as used in this act
26 constitute no part of the law.

--- END ---