
SENATE BILL 5832

State of Washington

58th Legislature

2003 Regular Session

By Senator Prentice

Read first time 02/14/2003. Referred to Committee on Education.

1 AN ACT Relating to abolishing the academic achievement and
2 accountability commission; amending RCW 28A.300.130, 28A.305.285,
3 28A.505.210, 28A.650.015, 28A.655.030, and 28A.655.070; adding a new
4 section to chapter 28A.655 RCW; repealing RCW 28A.655.020; providing an
5 effective date; and declaring an emergency.

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

7 **Sec. 1.** RCW 28A.300.130 and 1999 c 388 s 401 are each amended to
8 read as follows:

9 (1) Expanding activity in educational research, educational
10 restructuring, and educational improvement initiatives has produced and
11 continues to produce much valuable information. The legislature finds
12 that such information should be shared with the citizens and
13 educational community of the state as widely as possible. To
14 facilitate access to information and materials on educational
15 improvement and research, the superintendent of public instruction, to
16 the extent funds are appropriated, shall establish the center for the
17 improvement of student learning. The primary purpose of the center is
18 to provide assistance and advice to parents, school board members,
19 educators, and the public regarding strategies for assisting students

1 in learning the essential academic learning requirements pursuant to
2 RCW (~~(28A.630.885)~~) 28A.655.060. The center shall work in conjunction
3 with the (~~(academic achievement and accountability commission)~~) office
4 of the superintendent of public instruction, educational service
5 districts, institutions of higher education, and education, parent,
6 community, and business organizations.

7 (2) The center, in conjunction with other staff in the office of
8 the superintendent of public instruction, shall:

9 (~~(a) ((Serve as a clearinghouse for the completed work and~~
10 ~~activities of the academic achievement and accountability commission;~~

11 ~~(b))~~) Serve as a clearinghouse for information regarding successful
12 educational improvement and parental involvement programs in schools
13 and districts, and information about efforts within institutions of
14 higher education in the state to support educational improvement
15 initiatives in Washington schools and districts;

16 (~~(c)~~) (b) Provide best practices research and advice that can be
17 used to help schools develop and implement: Programs and practices to
18 improve instruction of the essential academic learning requirements
19 under section 701 of this act; systems to analyze student assessment
20 data, with an emphasis on systems that will combine the use of state
21 and local data to monitor the academic progress of each and every
22 student in the school district; comprehensive, school-wide improvement
23 plans; school-based shared decision-making models; programs to promote
24 lifelong learning and community involvement in education; school-to-
25 work transition programs; programs to meet the needs of highly capable
26 students; programs and practices to meet the diverse needs of students
27 based on gender, racial, ethnic, economic, and special needs status;
28 research, information, and technology systems; and other programs and
29 practices that will assist educators in helping students learn the
30 essential academic learning requirements;

31 (~~(d)~~) (c) Develop and distribute, in conjunction with the
32 (~~(academic achievement and accountability commission)~~) office of the
33 superintendent of public instruction, parental involvement materials,
34 including instructional guides developed to inform parents of the
35 essential academic learning requirements. The instructional guides
36 also shall contain actions parents may take to assist their children in
37 meeting the requirements, and should focus on reaching parents who have
38 not previously been involved with their children's education;

1 ~~((e))~~ (d) Identify obstacles to greater parent and community
2 involvement in school shared decision-making processes and recommend
3 strategies for helping parents and community members to participate
4 effectively in school shared decision-making processes, including
5 understanding and respecting the roles of school building
6 administrators and staff;

7 ~~((f))~~ (e) Develop and maintain an internet web site to increase
8 the availability of information, research, and other materials;

9 ~~((g))~~ (f) Take other actions to increase public awareness of the
10 importance of parental and community involvement in education;

11 ~~((h))~~ (g) Work with appropriate organizations to inform teachers,
12 district and school administrators, and school directors about the
13 waivers available and the broadened school board powers under RCW
14 28A.320.015;

15 ~~((i))~~ (h) Provide training and consultation services, including
16 conducting regional summer institutes;

17 ~~((j))~~ (i) Address methods for improving the success rates of
18 certain ethnic and racial student groups; and

19 ~~((k))~~ (j) Perform other functions consistent with the purpose of
20 the center as prescribed in subsection (1) of this section.

21 (3) The superintendent of public instruction(~~(, after consultation~~
22 ~~with the academic achievement and accountability commission,)~~) shall
23 select and employ a director for the center.

24 (4) The superintendent may enter into contracts with individuals or
25 organizations including but not limited to: School districts;
26 educational service districts; educational organizations; teachers;
27 higher education faculty; institutions of higher education; state
28 agencies; business or community-based organizations; and other
29 individuals and organizations to accomplish the duties and
30 responsibilities of the center. In carrying out the duties and
31 responsibilities of the center, the superintendent, whenever possible,
32 shall use practitioners to assist agency staff as well as assist
33 educators and others in schools and districts.

34 **Sec. 2.** RCW 28A.305.285 and 1997 c 222 s 3 are each amended to
35 read as follows:

36 By May 1, 1994, or as soon as possible thereafter, the higher
37 education coordinating board and the state board of education shall

1 convene a task force creating a forum for ongoing discussion of
2 curriculum issues that transect higher education and the common
3 schools. In selecting members of the task force, the boards shall
4 consult the office of the superintendent of public instruction, (~~the~~
5 ~~commission on student learning,~~) the state board for community and
6 technical colleges, the work force training and education coordinating
7 board, the Washington council on high school-college relations,
8 representatives of the four-year institutions, representatives of the
9 school directors, the school and district administrators, teachers,
10 higher education faculty, students, counselors, vocational directors,
11 parents, and other interested organizations. The process shall be
12 designed to provide advice and counsel to the appropriate boards on
13 topics that may include but are not limited to: (1) The changing
14 nature of educational instruction and crediting, and awarding
15 appropriate credit for knowledge and competencies learned in a variety
16 of ways in both institutions of higher education and high schools; (2)
17 options for students to enroll in programs and institutions that will
18 best meet the students' needs and educational goals; and (3)
19 articulation agreements between institutions of higher education and
20 high schools.

21 **Sec. 3.** RCW 28A.505.210 and 2001 c 3 s 3 are each amended to read
22 as follows:

23 School districts shall have the authority to decide the best use of
24 student achievement funds to assist students in meeting and exceeding
25 the new, higher academic standards in each district consistent with the
26 provisions of chapter 3, Laws of 2001.

27 (1) Student achievement funds shall be allocated for the following
28 uses:

29 (a) To reduce class size by hiring certificated elementary
30 classroom teachers in grades K-4 and paying nonemployee-related costs
31 associated with those new teachers;

32 (b) To make selected reductions in class size in grades 5-12, such
33 as small high school writing classes;

34 (c) To provide extended learning opportunities to improve student
35 academic achievement in grades K-12, including, but not limited to,
36 extended school year, extended school day, before-and-after-school

1 programs, special tutoring programs, weekend school programs, summer
2 school, and all-day kindergarten;

3 (d) To provide additional professional development for educators,
4 including additional paid time for curriculum and lesson redesign and
5 alignment, training to ensure that instruction is aligned with state
6 standards and student needs, reimbursement for higher education costs
7 related to enhancing teaching skills and knowledge, and mentoring
8 programs to match teachers with skilled, master teachers. The funding
9 shall not be used for salary increases or additional compensation for
10 existing teaching duties, but may be used for extended year and
11 extended day teaching contracts;

12 (e) To provide early assistance for children who need
13 prekindergarten support in order to be successful in school;

14 (f) To provide improvements or additions to school building
15 facilities which are directly related to the class size reductions and
16 extended learning opportunities under (a) through (c) of this
17 subsection.

18 (2) Annually on or before May 1st, the school district board of
19 directors shall meet at the time and place designated for the purpose
20 of a public hearing on the proposed use of these funds to improve
21 student achievement for the coming year. Any person may appear or by
22 written submission have the opportunity to comment on the proposed plan
23 for the use of these funds. No later than August 31st, as a part of
24 the process under RCW 28A.505.060, each school district shall adopt a
25 plan for the use of these funds for the upcoming school year.
26 Annually, each school district shall provide to the citizens of their
27 district a public accounting of the funds made available to the
28 district during the previous school year under chapter 3, Laws of 2001,
29 how the funds were used, and the progress the district has made in
30 increasing student achievement, as measured by required state
31 assessments and other assessments deemed appropriate by the district.
32 Copies of this report shall be provided to the superintendent of public
33 instruction (~~and to the academic achievement and accountability~~
34 ~~commission~~)).

35 **Sec. 4.** RCW 28A.650.015 and 1995 c 335 s 507 are each amended to
36 read as follows:

37 (1) The superintendent of public instruction, to the extent funds

1 are appropriated, shall develop and implement a Washington state K-12
2 education technology plan. The technology plan shall be updated on at
3 least a biennial basis, shall be developed to coordinate and expand the
4 use of education technology in the common schools of the state. The
5 plan shall be consistent with applicable provisions of chapter 43.105
6 RCW. The plan, at a minimum, shall address:

7 (a) The provision of technical assistance to schools and school
8 districts for the planning, implementation, and training of staff in
9 the use of technology in curricular and administrative functions;

10 (b) The continued development of a network to connect school
11 districts, institutions of higher learning, and other sources of on-
12 line information; and

13 (c) Methods to equitably increase the use of education technology
14 by students and school personnel throughout the state.

15 (2) The superintendent of public instruction shall appoint an
16 educational technology advisory committee to assist in the development
17 and implementation of the technology plan in subsection (1) of this
18 section. The committee shall include, but is not limited to, persons
19 representing: The state board of education, (~~the commission on~~
20 ~~student learning,~~) the department of information services, educational
21 service districts, school directors, school administrators, school
22 principals, teachers, classified staff, higher education faculty,
23 parents, students, business, labor, scientists and mathematicians, the
24 higher education coordinating board, the work force training and
25 education coordinating board, and the state library.

26 **Sec. 5.** RCW 28A.655.030 and 2002 c 37 s 1 are each amended to read
27 as follows:

28 The powers and duties of the (~~academic achievement and~~
29 ~~accountability commission~~) office of the superintendent of public
30 instruction shall include, but are not limited to the following:

31 (1) For purposes of statewide accountability, the (~~commission~~)
32 office of the superintendent of public instruction shall:

33 (a) Adopt and revise performance improvement goals in reading,
34 writing, science, and mathematics by subject and grade level as the
35 (~~commission~~) office of the superintendent of public instruction deems
36 appropriate to improve student learning, once assessments in these
37 subjects are required statewide. The goals shall be consistent with

1 student privacy protection provisions of RCW 28A.655.090(7) and shall
2 not conflict with requirements contained in Title I of the federal
3 elementary and secondary education act of 1965, as amended. The goals
4 may be established for all students, economically disadvantaged
5 students, limited English proficient students, students with
6 disabilities, and students from disproportionately academically
7 underachieving racial and ethnic backgrounds. The ((~~commission~~))
8 office of the superintendent of public instruction may establish school
9 and school district goals addressing high school graduation rates and
10 dropout reduction goals for students in grades seven through twelve.
11 (~~The goals shall be in addition to any goals adopted in RCW~~
12 ~~28A.655.050. The commission may also revise any goal adopted in RCW~~
13 ~~28A.655.050.)) The ((~~commission~~)) office of the superintendent of
14 public instruction shall adopt the goals by rule. However, before each
15 goal is implemented, the ((~~commission~~)) office of the superintendent of
16 public instruction shall present the goal to the education committees
17 of the house of representatives and the senate for the committees'
18 review and comment in a time frame that will permit the legislature to
19 take statutory action on the goal if such action is deemed warranted by
20 the legislature;~~

21 (b) Identify the scores students must achieve in order to meet the
22 standard on the Washington assessment of student learning and determine
23 student scores that identify levels of student performance below and
24 beyond the standard. The ((~~commission~~)) office of the superintendent
25 of public instruction shall set such performance standards and levels
26 (~~(in consultation with the superintendent of public instruction and)~~)
27 after consideration of any recommendations that may be developed by any
28 advisory committees that may be established for this purpose;

29 (c) Adopt objective, systematic criteria to identify successful
30 schools and school districts and recommend (~~(to the superintendent of~~
31 ~~public instruction))~~ schools and districts to be recognized for two
32 types of accomplishments, student achievement and improvements in
33 student achievement. Recognition for improvements in student
34 achievement shall include consideration of one or more of the following
35 accomplishments:

36 (i) An increase in the percent of students meeting standards. The
37 level of achievement required for recognition may be based on the

1 achievement goals established by the (~~legislature under RCW~~
2 ~~28A.655.050 and the commission~~) office of the superintendent of public
3 instruction under (a) of this subsection;

4 (ii) Positive progress on an improvement index that measures
5 improvement in all levels of the assessment; and

6 (iii) Improvements despite challenges such as high levels of
7 mobility, poverty, English as a second language learners, and large
8 numbers of students in special populations as measured by either the
9 percent of students meeting the standard, or the improvement index.

10 When determining the baseline year or years for recognizing
11 individual schools, the (~~commission~~) office of the superintendent of
12 public instruction may use the assessment results from the initial
13 years the assessments were administered, if doing so with individual
14 schools would be appropriate;

15 (d) Adopt objective, systematic criteria to identify schools and
16 school districts in need of assistance and those in which significant
17 numbers of students persistently fail to meet state standards. In its
18 deliberations, the (~~commission~~) office of the superintendent of
19 public instruction shall consider the use of all statewide mandated
20 criterion-referenced and norm-referenced standardized tests;

21 (e) Identify schools and school districts in which state
22 intervention measures will be needed and a range of appropriate
23 intervention strategies, beginning no earlier than June 30, 2001, and
24 after the legislature has authorized a set of intervention strategies.
25 Beginning no earlier than June 30, 2001, and after the legislature has
26 authorized a set of intervention strategies, (~~at the request of the~~
27 ~~commission,~~) the superintendent shall intervene in the school or
28 school district and take corrective actions. This chapter does not
29 provide additional authority for (~~the commission or~~) the
30 superintendent of public instruction to intervene in a school or school
31 district;

32 (f) Identify performance incentive systems that have improved or
33 have the potential to improve student achievement;

34 (g) Annually review the assessment reporting system to ensure
35 fairness, accuracy, timeliness, and equity of opportunity, especially
36 with regard to schools with special circumstances and unique
37 populations of students, and a recommendation (~~to the superintendent~~
38 ~~of public instruction~~) of any improvements needed to the system;

1 (h) Annually report by December 1st to the legislature, the
2 governor, (~~the superintendent of public instruction,~~) and the state
3 board of education on the progress, findings, and recommendations of
4 the (~~commission~~) office of the superintendent of public instruction.
5 The report may include recommendations of actions to help improve
6 student achievement;

7 (i) By December 1, 2000, and by December 1st annually thereafter,
8 report to the education committees of the house of representatives and
9 the senate on the progress that has been made in achieving (~~the~~
10 ~~reading goal under RCW 28A.655.050 and any additional~~) goals adopted
11 by the (~~commission~~) office of the superintendent of public
12 instruction;

13 (j) Coordinate its activities with the state board of education
14 (~~and the office of the superintendent of public instruction~~);

15 (k) Seek advice from the public and all interested educational
16 organizations in the conduct of its work; and

17 (1) Establish advisory committees, which may include persons who
18 are not members of the (~~commission~~) office of the superintendent of
19 public instruction;

20 (2) Holding meetings and public hearings, which may include
21 regional meetings and hearings;

22 (3) Hiring necessary staff and determining the staff's duties and
23 compensation. (~~However, the office of the superintendent of public~~
24 ~~instruction shall provide staff support to the commission until the~~
25 ~~commission has hired its own staff, and shall provide most of the~~
26 ~~technical assistance and logistical support needed by the commission~~
27 ~~thereafter. The office of the superintendent of public instruction~~
28 ~~shall be the fiscal agent for the commission. The commission may~~
29 ~~direct the office of~~) The superintendent of public instruction (~~to~~)
30 may enter into subcontracts, within the (~~commission's~~) office's
31 resources, with school districts, teachers, higher education faculty,
32 state agencies, business organizations, and other individuals and
33 organizations to assist the (~~commission~~) office of the superintendent
34 of public instruction in its deliberations; and

35 (4) Receiving per diem and travel allowances as permitted under RCW
36 43.03.050 and 43.03.060.

1 **Sec. 6.** RCW 28A.655.070 and 1999 c 388 s 501 are each amended to
2 read as follows:

3 (1) The superintendent of public instruction shall identify the
4 knowledge and skills all public school students need to know and be
5 able to do based on the student learning goals in RCW 28A.150.210,
6 develop student assessments, and implement ~~((the))~~ its accountability
7 recommendations and requests regarding assistance~~((τ))~~ and rewards~~((τ~~
8 ~~and recognition of the academic achievement and accountability~~
9 ~~commission))~~.

10 (2) The superintendent of public instruction shall periodically
11 revise the essential academic learning requirements, as needed, based
12 on the student learning goals in RCW 28A.150.210. Goals one and two
13 shall be considered primary. To the maximum extent possible, the
14 superintendent shall integrate goal four and the knowledge and skill
15 areas in the other goals in the essential academic learning
16 requirements.

17 (3) ~~((In consultation with the academic achievement and~~
18 ~~accountability commission,))~~ The superintendent of public instruction
19 shall maintain and continue to develop and revise a statewide academic
20 assessment system for use in the elementary, middle, and high school
21 years designed to determine if each student has mastered the essential
22 academic learning requirements identified in subsection (1) of this
23 section. The academic assessment system shall include a variety of
24 assessment methods, including criterion-referenced and performance-
25 based measures.

26 (4) The assessment system shall be designed so that the results
27 under the assessment system are used by educators as tools to evaluate
28 instructional practices, and to initiate appropriate educational
29 support for students who have not mastered the essential academic
30 learning requirements at the appropriate periods in the student's
31 educational development.

32 (5) To the maximum extent possible, the superintendent shall
33 integrate knowledge and skill areas in development of the assessments.

34 (6) Assessments for goals three and four of RCW 28A.150.210 shall
35 be integrated in the essential academic learning requirements and
36 assessments for goals one and two.

37 (7) The superintendent shall develop assessments that are directly

1 related to the essential academic learning requirements, and are not
2 biased toward persons with different learning styles, racial or ethnic
3 backgrounds, or on the basis of gender.

4 (8) The superintendent shall consider methods to address the unique
5 needs of special education students when developing the assessments
6 under this section.

7 (9) The superintendent shall consider methods to address the unique
8 needs of highly capable students when developing the assessments under
9 this section.

10 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.655
11 RCW to read as follows:

12 (1) The academic achievement and accountability commission is
13 hereby abolished and its powers, duties, and functions are hereby
14 transferred to the office of the superintendent of public instruction.
15 All references to the executive director or the academic achievement
16 and accountability commission in the Revised Code of Washington shall
17 be construed to mean the superintendent of public instruction or the
18 office of the superintendent of public instruction.

19 (2)(a) All reports, documents, surveys, books, records, files,
20 papers, or written material in the possession of the academic
21 achievement and accountability commission shall be delivered to the
22 custody of the office of the superintendent of public instruction. All
23 cabinets, furniture, office equipment, motor vehicles, and other
24 tangible property employed by the academic achievement and
25 accountability commission shall be made available to the office of the
26 superintendent of public instruction. All funds, credits, or other
27 assets held by the academic achievement and accountability commission
28 shall be assigned to the office of the superintendent of public
29 instruction.

30 (b) Any appropriations made to the academic achievement and
31 accountability commission shall, on the effective date of this section,
32 be transferred and credited to the office of the superintendent of
33 public instruction.

34 (c) If any question arises as to the transfer of any personnel,
35 funds, books, documents, records, papers, files, equipment, or other
36 tangible property used or held in the exercise of the powers and the

1 performance of the duties and functions transferred, the director of
2 financial management shall make a determination as to the proper
3 allocation and certify the same to the state agencies concerned.

4 (3) All rules and all pending business before the academic
5 achievement and accountability commission shall be continued and acted
6 upon by the office of the superintendent of public instruction. All
7 existing contracts and obligations shall remain in full force and shall
8 be performed by the office of the superintendent of public instruction.

9 (4) The transfer of the powers, duties, functions, and personnel of
10 the academic achievement and accountability commission shall not affect
11 the validity of any act performed before the effective date of this
12 section.

13 (5) If apportionments of budgeted funds are required because of the
14 transfers directed by this section, the director of financial
15 management shall certify the apportionments to the agencies affected,
16 the state auditor, and the state treasurer. Each of these shall make
17 the appropriate transfer and adjustments in funds and appropriation
18 accounts and equipment records in accordance with the certification.

19 (6) Nothing contained in this section may be construed to alter any
20 existing collective bargaining unit or the provisions of any existing
21 collective bargaining agreement until the agreement has expired or
22 until the bargaining unit has been modified by action of the personnel
23 resources board as provided by law.

24 NEW SECTION. **Sec. 8.** RCW 28A.655.020 (Academic achievement and
25 accountability commission) and 1999 c 388 s 101 are each repealed.

26 NEW SECTION. **Sec. 9.** This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and takes effect
29 July 1, 2003.

--- END ---