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**SUBSTITUTE HOUSE BILL 1680**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** House Education (originally sponsored by Representatives Santos, Upthegrove, Maxwell, Ryu, and Bergquist)

READ FIRST TIME 02/22/13.

1       AN ACT Relating to implementing strategies to close the educational  
2 opportunity gap, based on the recommendations of the educational  
3 opportunity gap oversight and accountability committee; amending RCW  
4 28A.600.015, 28A.600.020, 28A.600.460, 43.41.400, 28A.405.106,  
5 28A.405.120, 28A.660.045, 28A.660.050, 28A.180.040, 28A.180.090,  
6 28A.300.042, and 28A.300.505; adding a new section to chapter 28A.600  
7 RCW; adding a new section to chapter 28A.415 RCW; adding new sections  
8 to chapter 28A.657 RCW; adding a new section to chapter 28A.410 RCW;  
9 adding a new section to chapter 28B.50 RCW; creating new sections; and  
10 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 established  
13 that it is a goal of the state to provide for a public school system  
14 that gives all students the opportunity to achieve personal and  
15 academic success. This goal contains within it a promise of excellence  
16 and opportunity for all students, not just some students. In  
17 establishing the educational opportunity gap oversight and  
18 accountability committee in 2009, the legislature recognized that  
19 additional work was needed to fulfill the promise of excellence and

1 opportunity for students of certain demographic groups, including  
2 English language learners and also including students with  
3 disabilities.

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

9 (a) Decrease the disproportionate representation of students of  
10 color in disciplinary actions in schools;

11 (b) Enhance the cultural competence of current and future  
12 educators;

13 (c) Provide English language learner and second language  
14 acquisition endorsements for all educators;

15 (d) Create new English language learner accountability benchmarks;

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

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

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

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

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

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

21        (3) The office of the superintendent of public instruction and the  
22   K-12 data governance group shall revise the statewide student data  
23   system to incorporate the student discipline data collection standards  
24   recommended by the discipline task force, and begin collecting data  
25   based on the revised standards in the 2015-16 school year.

26        **Sec. 102.**    RCW 28A.600.015 and 2006 c 263 s 701 are each amended to  
27   read as follows:

28        (1) The superintendent of public instruction shall adopt and  
29   distribute to all school districts lawful and reasonable rules  
30   prescribing the substantive and procedural due process guarantees of  
31   pupils in the common schools. Such rules shall authorize a school  
32   district to use informal due process procedures in connection with the  
33   short-term suspension of students to the extent constitutionally  
34   permissible: PROVIDED, That the superintendent of public instruction  
35   deems the interest of students to be adequately protected. When a  
36   student suspension or expulsion is appealed, the rules shall authorize  
37   a school district to impose the suspension or expulsion temporarily

1 after an initial hearing for no more than ten consecutive school days  
2 or until the appeal is decided, whichever is earlier. Any days that  
3 the student is temporarily suspended or expelled before the appeal is  
4 decided shall be applied to the term of the student suspension or  
5 expulsion and shall not limit or extend the term of the student  
6 suspension or expulsion. A suspension or expulsion of a student may  
7 not be for an indefinite period of time, and a school district may not  
8 suspend the provision of educational services to a student as a  
9 disciplinary measure.

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

12 (3) Emergency expulsions must end or be converted to another form  
13 of corrective action within ten school days from the date of the  
14 emergency removal from school. Notice and due process rights must be  
15 provided to students when an emergency expulsion is converted to  
16 another form of corrective action.

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

27 **Sec. 103.** RCW 28A.600.020 and 2006 c 263 s 706 are each amended to  
28 read as follows:

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

34 (2) Any student who creates a disruption of the educational process  
35 in violation of the building disciplinary standards while under a  
36 teacher's immediate supervision may be excluded by the teacher from his  
37 or her individual classroom and instructional or activity area for all

1 or any portion of the balance of the school day, or up to the following  
2 two days, or until the principal or designee and teacher have  
3 conferred, whichever occurs first. Except in emergency circumstances,  
4 the teacher first must attempt one or more alternative forms of  
5 corrective action. In no event without the consent of the teacher may  
6 an excluded student return to the class during the balance of that  
7 class or activity period or up to the following two days, or until the  
8 principal or his or her designee and the teacher have conferred.

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

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

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

32 ~~((a))~~ (i) Engages in two or more violations within a three-year  
33 period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460,  
34 28A.635.020, 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

35 ~~((b))~~ (ii) Engages in one or more of the offenses listed in RCW  
36 13.04.155.

37 (b) The principal shall communicate the disciplinary action taken

1 by the principal to the school personnel who referred the student to  
2 the principal for disciplinary action.

3 (6) As provided in RCW 28A.600.015, for any circumstance where  
4 disciplinary action is discretionary on the part of the school  
5 district, a school district may not impose disciplinary action that  
6 results in the suspension of educational services to a student.

7 **Sec. 104.** RCW 28A.600.460 and 1997 c 266 s 9 are each amended to  
8 read as follows:

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

20 (2) A student committing an offense under chapter 9A.36, 9A.40,  
21 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,  
22 shall not be assigned to that teacher's classroom for the duration of  
23 the student's attendance at that school or any other school where the  
24 teacher is assigned.

25 (3) A student who commits an offense under chapter 9A.36, 9A.40,  
26 9A.46, or 9A.48 RCW, when directed toward another student, may be  
27 removed from the classroom of the victim for the duration of the  
28 student's attendance at that school or any other school where the  
29 victim is enrolled. A student who commits an offense under one of the  
30 chapters enumerated in this section against a student or another school  
31 employee, may be expelled or suspended.

32 (4) Nothing in this section is intended to limit the authority of  
33 a school under existing law and rules to expel or suspend a student for  
34 misconduct or criminal behavior. However, as provided in RCW  
35 28A.600.015, for any circumstance where disciplinary action is  
36 discretionary on the part of the school district, a school district may

1 not impose disciplinary action that results in the suspension of  
2 educational services to a student.

3 (5) All school districts must collect data on disciplinary actions  
4 taken in each school and must record such actions using the statewide  
5 student data system, based on the data collection standards established  
6 by the office of the superintendent of public instruction and the K-12  
7 data governance group. The information shall be made available to the  
8 public upon request(~~(. This collection of)~~), but any public release of  
9 such data shall not include personally identifiable information  
10 including, but not limited to, a student's social security number,  
11 name, or address.

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

14 (1) An education data center shall be established in the office of  
15 financial management. The education data center shall jointly, with  
16 the legislative evaluation and accountability program committee,  
17 conduct collaborative analyses of early learning, K-12, and higher  
18 education programs and education issues across the P-20 system, which  
19 includes the department of early learning, the superintendent of public  
20 instruction, the professional educator standards board, the state board  
21 of education, the state board for community and technical colleges, the  
22 workforce training and education coordinating board, the student  
23 achievement council, public and private nonprofit four-year  
24 institutions of higher education, and the employment security  
25 department. The education data center shall conduct collaborative  
26 analyses under this section with the legislative evaluation and  
27 accountability program committee and provide data electronically to the  
28 legislative evaluation and accountability program committee, to the  
29 extent permitted by state and federal confidentiality requirements.  
30 The education data center shall be considered an authorized  
31 representative of the state educational agencies in this section under  
32 applicable federal and state statutes for purposes of accessing and  
33 compiling student record data for research purposes.

34 (2) The education data center shall:  
35 (a) In consultation with the legislative evaluation and  
36 accountability program committee and the agencies and organizations

1 participating in the education data center, identify the critical  
2 research and policy questions that are intended to be addressed by the  
3 education data center and the data needed to address the questions;

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

8 (c) Collaborate with the legislative evaluation and accountability  
9 program committee and the education and fiscal committees of the  
10 legislature in identifying the data to be compiled and analyzed to  
11 ensure that legislative interests are served;

12 (d) Annually provide to the K-12 data governance group a list of  
13 data elements and data quality improvements that are necessary to  
14 answer the research and policy questions identified by the education  
15 data center and have been identified by the legislative committees in  
16 (c) of this subsection. Within three months of receiving the list, the  
17 K-12 data governance group shall develop and transmit to the education  
18 data center a feasibility analysis of obtaining or improving the data,  
19 including the steps required, estimated time frame, and the financial  
20 and other resources that would be required. Based on the analysis, the  
21 education data center shall submit, if necessary, a recommendation to  
22 the legislature regarding any statutory changes or resources that would  
23 be needed to collect or improve the data;

24 (e) Monitor and evaluate the education data collection systems of  
25 the organizations and agencies represented in the education data center  
26 ensuring that data systems are flexible, able to adapt to evolving  
27 needs for information, and to the extent feasible and necessary,  
28 include data that are needed to conduct the analyses and provide  
29 answers to the research and policy questions identified in (a) of this  
30 subsection;

31 (f) Track enrollment and outcomes through the public centralized  
32 higher education enrollment system;

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

36 (h) Provide research that focuses on student transitions within and  
37 among the early learning, K-12, and higher education sectors in the P-  
38 20 system; ((and))



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

4 (j) Make recommendations to the legislature as necessary to help  
5 ensure the goals and objectives of this section and RCW 28A.655.210 and  
6 28A.300.507 are met.

7 (3) The department of early learning, superintendent of public  
8 instruction, professional educator standards board, state board of  
9 education, state board for community and technical colleges, workforce  
10 training and education coordinating board, student achievement council,  
11 public four-year institutions of higher education, department of social  
12 and health services, and employment security department shall work with  
13 the education data center to develop data-sharing and research  
14 agreements, consistent with applicable security and confidentiality  
15 requirements, to facilitate the work of the center. The education data  
16 center shall also develop data-sharing and research agreements with the  
17 administrative office of the courts to conduct research on educational  
18 and workforce outcomes using data maintained under RCW 13.50.010(11)  
19 related to juveniles. Private, nonprofit institutions of higher  
20 education that provide programs of education beyond the high school  
21 level leading at least to the baccalaureate degree and are accredited  
22 by the Northwest association of schools and colleges or their peer  
23 accreditation bodies may also develop data-sharing and research  
24 agreements with the education data center, consistent with applicable  
25 security and confidentiality requirements. The education data center  
26 shall make data from collaborative analyses available to the education  
27 agencies and institutions that contribute data to the education data  
28 center to the extent allowed by federal and state security and  
29 confidentiality requirements applicable to the data of each  
30 contributing agency or institution.

31 **PART II**

32 **EDUCATOR CULTURAL COMPETENCE**

33 **Sec. 201.** RCW 28A.405.106 and 2012 c 35 s 5 are each amended to  
34 read as follows:

35 (1) Subject to funds appropriated for this purpose, the office of  
36 the superintendent of public instruction must develop and make

1 available a professional development program to support the  
2 implementation of the evaluation systems required by RCW 28A.405.100.  
3 The program components may be organized into professional development  
4 modules for principals, administrators, and teachers. The professional  
5 development program shall include a comprehensive online training  
6 package.

7 (2) The training program must include, but not be limited to, the  
8 following topics:

9 (a) Introduction of the evaluation criteria for teachers and  
10 principals and the four-level rating system;

11 (b) Orientation to and use of instructional frameworks;

12 (c) Orientation to and use of the leadership frameworks;

13 (d) Best practices in developing and using data in the evaluation  
14 systems, including multiple measures, student growth data, classroom  
15 observations, and other measures and evidence;

16 (e) Strategies for achieving maximum rater agreement;

17 (f) Evaluator feedback protocols in the evaluation systems;

18 (g) Examples of high quality teaching and leadership; and

19 (h) Methods to link the evaluation process to ongoing educator  
20 professional development.

21 (3) The training program must also include the foundational  
22 elements of cultural competence, focusing on multicultural education  
23 and principles of English language acquisition. The content of the  
24 training must be aligned with the standards for cultural competence  
25 developed by the professional educator standards board under RCW  
26 28A.410.270. The office of the superintendent of public instruction,  
27 in consultation with the professional educator standards board, the  
28 steering committee established in RCW 28A.405.100, and the educational  
29 opportunity gap oversight and accountability committee, must integrate  
30 the content for cultural competence into the overall training for  
31 principals, administrators, and teachers to support the revised  
32 evaluation systems.

33 (4) To the maximum extent feasible, the professional development  
34 program must incorporate or adapt existing online training or  
35 curriculum, including securing materials or curriculum under contract  
36 or purchase agreements within available funds. Multiple modes of  
37 instruction should be incorporated including videos of classroom

1 teaching, participatory exercises, and other engaging combinations of  
2 online audio, video, and print presentation.

3 ~~((+4))~~ (5) The professional development program must be developed  
4 in modules that allow:

5 (a) Access to material over a reasonable number of training  
6 sessions;

7 (b) Delivery in person or online; and

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

9 ~~((+5))~~ (6) The office of the superintendent of public instruction  
10 must maintain a web site that includes the online professional  
11 development materials along with sample evaluation forms and templates,  
12 links to relevant research on evaluation and on high quality teaching  
13 and leadership, samples of contract and collective bargaining language  
14 on key topics, examples of multiple measures of teacher and principal  
15 performance, suggestions for data to measure student growth, and other  
16 tools that will assist school districts in implementing the revised  
17 evaluation systems.

18 ~~((+6))~~ (7) The office of the superintendent of public instruction  
19 must identify the number of in-service training hours associated with  
20 each professional development module and develop a way for users to  
21 document their completion of the training. Documented completion of  
22 the training under this section is considered approved in-service  
23 training for the purposes of RCW 28A.415.020.

24 ~~((+7))~~ (8) The office of the superintendent of public instruction  
25 shall periodically update the modules to reflect new topics and  
26 research on performance evaluation so that the training serves as an  
27 ongoing source of continuing education and professional development.

28 ~~((+8))~~ (9) The office of the superintendent of public instruction  
29 shall work with the educational service districts to provide  
30 clearinghouse services for the identification and publication of  
31 professional development opportunities for teachers and principals that  
32 align with performance evaluation criteria.

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

35 (1) School districts shall require each administrator, each  
36 principal, or other supervisory personnel who has responsibility for

1 evaluating classroom teachers or principals to have training in  
2 evaluation procedures.

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

11 NEW SECTION. Sec. 203. A new section is added to chapter 28A.415  
12 RCW to read as follows:

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

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

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

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

1 NEW SECTION. **Sec. 204.** A new section is added to chapter 28A.657  
2 RCW to read as follows:

3 Schools that are required under state or federal accountability  
4 measures to implement a plan for improvement must provide the cultural  
5 competence professional development and training developed under  
6 section 203 of this act for classified, certificated instructional, and  
7 administrative staff of the school. The professional development and  
8 training may be delivered by an educational service district, through  
9 district in-service, or by another qualified provider, including in  
10 partnership with the local community.

11 **PART III**

12 **INSTRUCTING ENGLISH LANGUAGE LEARNERS**

13 **Sec. 301.** RCW 28A.660.045 and 2007 c 396 s 7 are each amended to  
14 read as follows:

15 (1) The educator retooling (~~(to teach mathematics and science)~~)  
16 conditional scholarship program is created. Participation is limited  
17 to current K-12 teachers and individuals having an elementary education  
18 certificate but who are not employed in positions requiring an  
19 elementary education certificate. It is anticipated that candidates  
20 enrolled in this program will complete the requirements for a  
21 mathematics ((~~or~~)), science, special education, bilingual education, or  
22 English language learner endorsement (~~(, or both,)~~) in two years or  
23 less.

24 (2) Entry requirements for candidates include:

25 (a) Current K-12 teachers shall pursue a middle level mathematics  
26 or science, (~~((~~or~~))~~) secondary mathematics or science, special education,  
27 bilingual education, or English language learner endorsement.

28 (b) Individuals having an elementary education certificate but who  
29 are not employed in positions requiring an elementary education  
30 certificate shall pursue an endorsement only in middle level  
31 mathematics or science ((~~only~~)), special education, bilingual  
32 education, or English language learner.

33 **Sec. 302.** RCW 28A.660.050 and 2012 c 229 s 507 are each amended to  
34 read as follows:

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 sources  
12 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 to  
20 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 residency  
26 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 transportation  
30 for the alternative route certification program in which the recipient  
31 is enrolled. The council may adjust the annual award by the average  
32 rate of resident undergraduate tuition and fee increases at the state  
33 universities as defined in RCW 28B.10.016.

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

37 (i) Be accepted and maintain enrollment at a community and

1 technical college for no more than two years and attain an associate of  
2 arts degree;

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

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

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

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

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

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

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

36 (3) The Washington professional educator standards board shall  
37 select individuals to receive conditional scholarships. In selecting  
38 recipients, preference shall be given to eligible veterans or national

1 guard members. In awarding educator retooling scholarships to support  
2 additional bilingual education and English language learner  
3 endorsements, the board shall give preference to: Teachers seeking  
4 endorsements in order to be assigned to the transitional bilingual  
5 instructional program under the provisions of RCW 28A.180.040(2),  
6 teachers assigned to schools required under state or federal  
7 accountability measures to implement a plan for improvement, and  
8 teachers assigned to schools whose enrollment of English language  
9 learner students has increased an average of more than five percent per  
10 year over the previous three years.

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

20 (5) Recipients who fail to fulfill the required teaching obligation  
21 are required to repay the remaining loan principal with interest and  
22 any other applicable fees. The student achievement council shall adopt  
23 rules to define the terms for repayment, including applicable interest  
24 rates, fees, and deferments. The student achievement council must  
25 provide regular reports to the professional educator standards board  
26 that include the enrollment, employment, and repayment status of  
27 recipients of all scholarships under this section and the certificate  
28 number of recipients who have successfully completed a certification  
29 program.

30 (6) The student achievement council may deposit all appropriations,  
31 collections, and any other funds received for the program in this  
32 chapter in the future teachers conditional scholarship account  
33 authorized in RCW 28B.102.080. Funds received by the professional  
34 educator standards board for the program in this chapter may be  
35 transferred to the student achievement council for deposit in the  
36 future teachers conditional scholarship account.



1       **Sec. 303.** RCW 28A.180.040 and 2009 c 380 s 5 are each amended to  
2 read as follows:

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

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

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

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

14       (d) Ensure that a student who is a child of a military family in  
15 transition and who has been assessed as in need of, or enrolled in, a  
16 bilingual instruction program, the receiving school shall initially  
17 honor placement of the student into a like program.

18       (i) The receiving school shall determine whether the district's  
19 program is a like program when compared to the sending school's  
20 program; and

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

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

27       (f) Provide in-service training for teachers, counselors, and other  
28 staff, who are involved in the district's transitional bilingual  
29 program. Such training shall include appropriate instructional  
30 strategies for children of culturally different backgrounds, use of  
31 curriculum materials, and program models.

32       (2) Beginning in the 2017-18 school year, all classroom teachers  
33 assigned using funds for the transitional bilingual instructional  
34 program to provide supplemental instruction for eligible pupils must  
35 hold an endorsement in bilingual education or English language learner,  
36 or both.

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

1 PART IV

2 ENGLISH LANGUAGE LEARNER ACCOUNTABILITY

3 NEW SECTION. **Sec. 401.** (1) The office of the superintendent of  
4 public instruction shall convene an English language learner  
5 accountability task force to design a performance-based accountability  
6 system for the transitional bilingual instructional program. The task  
7 force must include representatives from the educational opportunity gap  
8 oversight and accountability committee, the state ethnic commissions,  
9 the governor's office of tribal affairs, the office of the education  
10 ombudsman, the civil rights office within the office of the  
11 superintendent of public instruction, parents, community  
12 representatives, and program directors and teachers from school  
13 districts of different sizes and with different English language  
14 learner student populations.

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

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

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

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

27 (4) The task force must design an accountability system for the  
28 program that includes reporting and monitoring of benchmark performance  
29 and tiered levels of support and technical assistance for schools and  
30 districts based on benchmark performance. The design of the system  
31 must also include a reduction in requirements for schools and districts  
32 to submit program applications and program plans for state approval, to  
33 be replaced with a focus on program outcomes.

34 (5) The task force must submit a report first to the educational  
35 opportunity gap oversight and accountability committee and the quality  
36 education council, and then to the education committees of the  
37 legislature, with recommendations for the design of the accountability  
38 system and any policy changes, statutory changes, or resources

1 necessary for its implementation. An interim report is due to the  
2 legislative education committees by January 15, 2014, and a final  
3 report is due by September 30, 2014.

4 (6) This section expires July 1, 2015.

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

7 The superintendent of public instruction shall develop an  
8 evaluation system designed to measure increases in the English and  
9 academic proficiency of eligible pupils. When developing the system,  
10 the superintendent shall:

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

16 (2) Require school districts to annually assess all eligible pupils  
17 at the end of the school year using an English proficiency assessment  
18 or assessments as specified by the superintendent of public  
19 instruction. Results of these assessments shall be made available to  
20 both the superintendent of public instruction and the school district;

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

30 (4) ~~((Report to the education and fiscal committees of the  
31 legislature by November 1, 2002, regarding the development of the  
32 systems described in this section and a timeline for the full  
33 implementation of those systems. The legislature shall approve and  
34 provide funding for the evaluation system in subsection (3) of this  
35 section before any implementation of the system developed under  
36 subsection (3) of this section may occur.)) Provide school districts  
37 with technical assistance and support in selecting research-based~~

1 program models, instructional materials, and professional development  
2 for program staff, including disseminating information about best  
3 practices and innovative programs. The information must include  
4 research about the differences between conversational language  
5 proficiency, academic language proficiency, and subject-specific  
6 language proficiency and the implications this research has on  
7 instructional practices and evaluation of program effectiveness.

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

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

23 **PART V**

24 **DISAGGREGATED STUDENT DATA**

25 **Sec. 501.** RCW 28A.300.042 and 2009 c 468 s 4 are each amended to  
26 read as follows:

27 (1) Beginning with the 2015-16 school year, the superintendent of  
28 public instruction must collect and school districts must submit all  
29 student-level data using the United States office of management and  
30 budget 1997 race and ethnicity reporting guidelines, including the  
31 subracial and subethnic categories within those guidelines, with the  
32 following modifications to the subracial and subethnic categories:

33 (a) Further disaggregation of the Black category to differentiate  
34 students of African origin and students native to the United States  
35 with African ancestors;

1 (b) Further disaggregation of countries of origin for Asian  
2 students;

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

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

8 (2) All student data-related reports ((required of)) prepared by  
9 the superintendent of public instruction ((in)) under this title must  
10 be disaggregated by at least the following subgroups of students:  
11 White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific  
12 Islander/Hawaiian Native, low income, transitional bilingual, migrant,  
13 special education, and students covered by section 504 of the federal  
14 rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794). Beginning  
15 with the 2015-16 school year, student data-related reports must also be  
16 prepared displaying additional disaggregation of data if analysis of  
17 the data indicates significant differences among categories of students  
18 as it pertains to the subject of the report.

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

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

29 (1) The office of the superintendent of public instruction shall  
30 develop standards for school data systems that focus on validation and  
31 verification of data entered into the systems to ensure accuracy and  
32 compatibility of data. The standards shall address but are not limited  
33 to the following topics:

34 (a) Date validation;

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

37 (c) Decimal and integer validation; and

1 (d) Required field validation as defined by state and federal  
2 requirements.

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

9 **PART VI**

10 **RECRUITMENT AND RETENTION OF EDUCATORS**

11 NEW SECTION. Sec. 601. (1) The professional educator standards  
12 board and the office of the superintendent of public instruction shall  
13 convene a work group to revise and update the model framework and  
14 curriculum, as well as the program of study, for high school career and  
15 technical education courses related to careers in education.

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

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

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

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

24 (3) The revisions must be completed before the 2014-15 school year.

25 (4) This section expires September 1, 2015.

26 NEW SECTION. Sec. 602. A new section is added to chapter 28A.410  
27 RCW to read as follows:

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

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

3 (a) Paraeducator certificate and apprenticeship programs that offer  
4 course credits that apply to transferrable associate degrees and are  
5 aligned with the standards and competencies for teachers adopted by the  
6 professional educator standards board;

7 (b) Associate degree programs that build on and do not duplicate  
8 the courses and competencies of paraeducator certificate programs,  
9 incorporate field experiences, are aligned with the standards and  
10 competencies for teachers adopted by the professional educator  
11 standards board, and are transferrable to bachelor's degree in  
12 education programs and teacher certification programs;

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

16 (d) Incorporation of the standards for cultural competence  
17 developed by the professional educator standards board under RCW  
18 28A.410.270 throughout the courses and curriculum of the pathway,  
19 particularly focusing on multicultural education and principles of  
20 language acquisition.

21 (3) The professional educator standards board must submit a report  
22 to the education committees of the legislature by January 10, 2014,  
23 comparing the current status of pathways for teacher certification to  
24 the elements of the articulated pathway. The report must highlight  
25 gaps and recommend strategies to address them.

26 (4) The professional educator standards board and the state board  
27 for community and technical colleges may exercise their respective  
28 authorities regarding program approval to implement the articulated  
29 pathway for teacher preparation and certification under this section in  
30 approved teacher certification programs and certificate and degree  
31 programs offered by community and technical colleges.

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

34 Beginning with the 2014-15 academic year, any community or  
35 technical college that offers an apprenticeship program or certificate  
36 program for paraeducators must provide candidates the opportunity to  
37 earn transferrable course credits within the program. The programs

1 must also incorporate the standards for cultural competence, including  
2 multicultural education and principles of language acquisition,  
3 developed by the professional educator standards board under RCW  
4 28A.410.270.

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