

SSB 5077 - S AMD 358

By Senators Hasegawa, McAuliffe, Jayapal, McCoy

NOT ADOPTED 04/02/2015

1 On page 120, line 5, increase the General Fund--State (FY 2016)
2 appropriation by \$349,000.

3 Adjust the total appropriation accordingly.

4

5 On page 279, after line 23, insert the following:

6

7 **"Sec. 964.** RCW 28A.660.045 and 2007 c 396 s 7 are each amended
8 to read as follows:

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

18 (2) Entry requirements for candidates include:

19 (a) Current K-12 teachers shall pursue a middle level
20 mathematics or science, (~~(or)~~) secondary mathematics or science,
21 special education, bilingual education, or English language learner
22 endorsement.

23 (b) Individuals having an elementary education certificate but
24 who are not employed in positions requiring an elementary education
25 certificate shall pursue an endorsement only in middle level
26 mathematics or science (~~(only)~~), special education, bilingual
27 education, or English language learner.

1 **Sec. 965.** RCW 28A.660.050 and 2012 c 229 s 507 are each amended
2 to read as follows:

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

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

9 (a) To adopt necessary rules and develop guidelines to
10 administer the programs;

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

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

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

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

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

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

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

3 (b) The pipeline for paraeducators conditional scholarship
4 program is limited to qualified paraeducators as provided by RCW
5 28A.660.042. In order to receive conditional scholarship awards,
6 recipients shall:

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

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

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

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

26 (i) Individuals currently employed as teachers shall pursue a
27 middle level mathematics or science, (~~((or))~~) secondary mathematics or
28 science, special education, bilingual education, or English language
29 learner endorsement; or

30 (ii) Individuals who are certificated with an elementary
31 education endorsement shall pursue an endorsement in middle level
32 mathematics or science, (~~((or both))~~) special education, bilingual
33 education, or English language learner; and

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1 (iii) Individuals shall use one of the pathways to endorsement
2 processes to receive ((~~a mathematics or science~~)) the endorsement,
3 ((~~or both~~)) which shall include passing ((~~a mathematics or~~
4 ~~science~~)) the associated endorsement test((~~7~~)) or ((~~both~~)) tests,
5 plus observation and completing applicable coursework to attain the
6 proper endorsement; and

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

12 (3) The Washington professional educator standards board shall
13 select individuals to receive conditional scholarships. In selecting
14 recipients, preference shall be given to eligible veterans or
15 national guard members. In awarding conditional scholarships to
16 support additional bilingual education or English language learner
17 endorsements, the board shall also give preference to teachers
18 assigned to schools required under state or federal accountability
19 measures to implement a plan for improvement, and to teachers
20 assigned to schools whose enrollment of English language learner
21 students has increased an average of more than five percent per year
22 over the previous three years.

23 (4) For the purpose of this chapter, a conditional scholarship
24 is a loan that is forgiven in whole or in part in exchange for
25 service as a certificated teacher employed in a Washington state K-
26 12 public school. The state shall forgive one year of loan
27 obligation for every two years a recipient teaches in a public
28 school. Recipients who fail to continue a course of study leading to
29 residency teacher certification or cease to teach in a public school
30 in the state of Washington in their endorsement area are required to
31 repay the remaining loan principal with interest.

32 (5) Recipients who fail to fulfill the required teaching
33 obligation are required to repay the remaining loan principal with
34 interest and any other applicable fees. The student achievement

1 council shall adopt rules to define the terms for repayment,
2 including applicable interest rates, fees, and deferments.

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

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8 **Sec. 966.** RCW 28A.180.040 and 2013 2nd sp.s. c 9 s 4 are each
9 amended to read as follows:

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

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

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

17 (c) Determine, by administration of an English test approved by
18 the superintendent of public instruction the number of eligible
19 pupils enrolled in the school district at the beginning of a school
20 year and thereafter during the year as necessary in individual
21 cases;

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

26 (i) The receiving school shall determine whether the district's
27 program is a like program when compared to the sending school's
28 program; and

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

32 (e) Before the conclusion of each school year, measure each
33 eligible pupil's improvement in learning the English language by

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1 means of a test approved by the superintendent of public
2 instruction;

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

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

13 (2) Beginning in the 2019-20 school year, all classroom teachers
14 assigned using funds for the transitional bilingual instruction
15 program to provide supplemental instruction for eligible pupils must
16 hold an endorsement in bilingual education or English language
17 learner, or both.

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

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21 **Sec. 967.** RCW 28A.180.090 and 2001 1st sp.s. c 6 s 2 are each
22 amended to read as follows:

23 The superintendent of public instruction shall develop an
24 evaluation system designed to measure increases in the English and
25 academic proficiency of eligible pupils. When developing the system,
26 the superintendent shall:

27 (1) Require school districts to assess potentially eligible
28 pupils within ten days of registration using an English proficiency
29 assessment or assessments as specified by the superintendent of
30 public instruction. Results of these assessments shall be made
31 available to both the superintendent of public instruction and the
32 school district;

33 (2) Require school districts to annually assess all eligible
34 pupils at the end of the school year using an English proficiency

1 assessment or assessments as specified by the superintendent of
2 public instruction. Results of these assessments shall be made
3 available to both the superintendent of public instruction and the
4 school district;

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

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

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30 NEW SECTION. Sec. 968. A new section is added to chapter
31 28A.657 RCW to read as follows:

32 At the beginning of each school year, the office of the
33 superintendent of public instruction shall identify schools in the
34 top five percent of schools with the highest percent growth during

1 the previous two school years in enrollment of English language
2 learner students as compared to previous enrollment trends. The
3 office shall notify the identified schools, and the school districts
4 in which the schools are located are strongly encouraged to provide
5 the cultural competence professional development and training
6 developed under RCW 28A.405.106, 28A.405.120, and section 204 of
7 this act for classified, certificated instructional, and
8 administrative staff of the schools. The professional development
9 and training may be delivered by an educational service district,
10 through district in-service, or by another qualified provider,
11 including in partnership with the local community.

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13 **Sec. 969.** RCW 28A.300.042 and 2013 2nd sp.s. c 18 s 307 are
14 each amended to read as follows:

15 (1) Beginning with the 2017-18 school year, and using the phase-
16 in provided in subsection (2) of this section, the superintendent of
17 public instruction must collect and school districts must submit all
18 student-level data using the United States department of education
19 2007 race and ethnicity reporting guidelines, including the
20 subracial and subethnic categories within those guidelines, with the
21 following modifications:

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

25 (b) Further disaggregation of countries of origin for Asian
26 students;

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

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

32 (2) Beginning with the 2017-18 school year, school districts
33 shall collect student-level data as provided in subsection (1) of
34 this section for all newly enrolled students, including transfer

1 students. When the students enroll in a different school within the
2 district, school districts shall resurvey the newly enrolled
3 students for whom subracial and subethnic categories were not
4 previously collected. School districts may resurvey other students.

5 (3) All student data-related reports required of the
6 superintendent of public instruction in this title must be
7 disaggregated by at least the following subgroups of students:
8 White, Black, Hispanic, American Indian/Alaskan Native, Asian,
9 Pacific Islander/Hawaiian Native, low income, transitional
10 bilingual, migrant, special education, and students covered by
11 section 504 of the federal rehabilitation act of 1973, as amended
12 (29 U.S.C. Sec. 794).

13 ((~~2~~)) (4) All student data-related reports ((~~required of~~))
14 prepared by the superintendent of public instruction regarding
15 student suspensions and expulsions as required ((~~in RCW~~
16 ~~28A.300.046~~)) under this title are subject to disaggregation by
17 subgroups including:

- 18 (a) Gender;
- 19 (b) Foster care;
- 20 (c) Homeless, if known;
- 21 (d) School district;
- 22 (e) School;
- 23 (f) Grade level;
- 24 (g) Behavior infraction code, including:
 - 25 (i) Bullying;
 - 26 (ii) Tobacco;
 - 27 (iii) Alcohol;
 - 28 (iv) Illicit drug;
 - 29 (v) Fighting without major injury;
 - 30 (vi) Violence without major injury;
 - 31 (vii) Violence with major injury;
 - 32 (viii) Possession of a weapon; and

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1 (ix) Other behavior resulting from a short-term or long-term
2 suspension, expulsion, or interim alternative education setting
3 intervention;

4 (h) Intervention applied, including:

5 (i) Short-term suspension;

6 (ii) Long-term suspension;

7 (iii) Emergency expulsion;

8 (iv) Expulsion;

9 (v) Interim alternative education settings;

10 (vi) No intervention applied; and

11 (vii) Other intervention applied that is not described in this
12 subsection (~~(+2+)~~) (4)(h);

13 (i) Number of days a student is suspended or expelled, to be
14 counted in half or full days; and

15 (j) Any other categories added at a future date by the data
16 governance group.

17 (~~(+3+)~~) (5) All student data-related reports required of the
18 superintendent of public instruction regarding student suspensions
19 and expulsions as required in RCW 28A.300.046 are subject to cross-
20 tabulation at a minimum by the following:

21 (a) School and district;

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

26 (c) Behavior infraction code; and

27 (d) Intervention applied.

28 (6) The K-12 data governance group shall develop the data
29 protocols and guidance for school districts in the collection of
30 data as required under this section, and the office of the
31 superintendent of public instruction shall modify the statewide
32 student data system as needed. The office of the superintendent of
33 public instruction shall also incorporate training for school staff
34 on best practices for collection of data on student race and

1 ethnicity in other training or professional development related to
2 data provided by the office.

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4 NEW SECTION. **Sec. 970.** The office of the superintendent of
5 public instruction shall convene a task force to review the United
6 States department of education 2007 race and ethnicity reporting
7 guidelines and develop race and ethnicity guidance for the state.
8 The task force must include representatives from the educational
9 opportunity gap oversight and accountability committee, the ethnic
10 commissions, the governor's office of Indian affairs, and a diverse
11 group of parents. The guidance must clarify for students and
12 families why information about race and ethnicity is collected and
13 how students and families can help school administrators properly
14 identify them. The guidance must also describe the best practices
15 for school administrators to use when identifying the race and
16 ethnicity of students and families. The task force must use the
17 United States census and the American community survey in the
18 development of the guidance.

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20 **Sec. 971.** RCW 28A.300.505 and 2007 c 401 s 5 are each amended
21 to read as follows:

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

- 27 (a) Date validation;
- 28 (b) Code validation, which includes gender, race or ethnicity,
29 and other code elements;
- 30 (c) Decimal and integer validation; and
- 31 (d) Required field validation as defined by state and federal
32 requirements.

33 (2) The superintendent of public instruction shall develop a
34 reporting format and instructions for school districts to collect

1 and submit data on student demographics that is disaggregated ((~~by~~
2 ~~distinct ethnic categories within racial subgroups so that analyses~~
3 ~~may be conducted on student achievement using the disaggregated~~
4 ~~data~~) as required under RCW 28A.300.042.

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6 NEW SECTION. Sec. 972. (1) To increase the visibility of the
7 opportunity gap in schools with small subgroups of students and to
8 hold schools accountable to individual student-level support, by
9 July 1, 2016, the office of the superintendent of public
10 instruction, in cooperation with the K-12 data governance group
11 established within the office of the superintendent of public
12 instruction, the education data center established within the office
13 of financial management, and the state board of education, shall
14 adopt a rule that the only student data that should not be reported
15 for public reporting and accountability is data where the school or
16 district has fewer than ten students in a grade level or student
17 subgroup.

18 (2) This section expires August 1, 2017."

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EFFECT:

- Requires OSPI to provide districts with technical assistance and support related to language proficiency.
- Requires phased-in collection and reporting of student data disaggregated by sub-racial and sub-ethnic categories beginning in 2017-18.
- Requires OSPI to convene a taskforce to review and provide race and ethnicity reporting guidance.
- Requires all teachers assigned to the Transitional Bilingual Instructional Program (TBIP) to be have a bilingual education or English language learner (ELL) endorsement beginning in 2019-20.

Fiscal Impact: \$349,000 General Fund - State

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