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**SUBSTITUTE HOUSE BILL 1541**

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**State of Washington                      64th Legislature                      2015 Regular Session**

**By** House Education (originally sponsored by Representatives Santos, Ortiz-Self, Tharinger, Moscoso, Orwall, and Gregerson)

READ FIRST TIME 02/20/15.

1            AN ACT Relating to implementing strategies to close the  
2 educational opportunity gap, based on the recommendations of the  
3 educational opportunity gap oversight and accountability committee;  
4 amending RCW 28A.600.490, 28A.600.015, 28A.600.020, 28A.600.022,  
5 28A.600.460, 43.41.400, 28A.405.106, 28A.405.120, 28A.660.045,  
6 28A.660.050, 28A.180.040, 28A.180.090, 28A.300.042, 28A.300.505,  
7 28A.300.507, 28A.165.035, and 28A.165.055; reenacting and amending  
8 RCW 13.50.010; adding a new section to chapter 28A.600 RCW; adding  
9 new sections to chapter 28A.345 RCW; adding new sections to chapter  
10 28A.415 RCW; adding new sections to chapter 28A.657 RCW; adding a new  
11 section to chapter 28A.300 RCW; adding a new section to chapter  
12 43.215 RCW; creating new sections; and providing expiration dates.

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

14            NEW SECTION.            **Sec. 1.**            (1) The legislature has already  
15 established that it is a goal of the state to provide for a public  
16 school system that gives all students the opportunity to achieve  
17 personal and academic success. This goal contains within it a promise  
18 of excellence and opportunity for all students, not just some  
19 students. In 2012, in *McCleary v. State of Washington*, the Washington  
20 supreme court reaffirmed the positive constitutional right of every  
21 student by noting, "No child is excluded." In establishing the

1 educational opportunity gap oversight and accountability committee in  
2 2009, the legislature recognized that additional work was needed to  
3 fulfill the promise of excellence and opportunity for students of  
4 certain demographic groups, including English language learners.

5 (2) In its 2015 report to the legislature, the educational  
6 opportunity gap oversight and accountability committee made the  
7 following recommendations in keeping with its statutory purpose,  
8 which is to recommend specific policies and strategies to close the  
9 educational opportunity gap:

10 (a) Reduce the length of time students of color are excluded from  
11 school due to suspension and expulsion and provide students support  
12 for reengagement plans;

13 (b) Enhance the cultural competence of current and future  
14 educators and classified staff;

15 (c) Endorse all educators in English language learner and second  
16 language acquisition;

17 (d) Account for the transitional bilingual instruction program  
18 instructional services provided to English language learner students;

19 (e) Analyze the opportunity gap through deeper disaggregation of  
20 student demographic data;

21 (f) Invest in the recruitment, hiring, and retention of educators  
22 of color;

23 (g) Incorporate integrated student services and family  
24 engagement; and

25 (h) Strengthen student transitions at each stage of the education  
26 development pathway: Early learning to elementary, elementary to  
27 secondary, secondary to college and career.

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

1 (4) Therefore, the legislature intends to adopt policies and  
2 programs to implement the six recommendations of the educational  
3 opportunity gap oversight and accountability committee and fulfill  
4 its promise of excellence and opportunity for all students.

5 **PART I**

6 **DISPROPORTIONALITY IN STUDENT DISCIPLINE**

7 **Sec. 101.** RCW 28A.600.490 and 2013 2nd sp.s. c 18 s 301 are each  
8 amended to read as follows:

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

21 (2) The discipline task force shall include representatives from  
22 the K-12 data governance group, the educational opportunity gap  
23 oversight and accountability committee, the state ethnic commissions,  
24 the governor's office of Indian affairs, the office of the education  
25 (~~(ombudsman—[ombuds])~~) ombuds, school districts, tribal  
26 representatives, and other education and advocacy organizations.

27 (3) The office of the superintendent of public instruction and  
28 the K-12 data governance group shall revise the statewide student  
29 data system to incorporate the student discipline data collection  
30 standards recommended by the discipline task force, and begin  
31 collecting data based on the revised standards in the 2015-16 school  
32 year.

33 NEW SECTION. **Sec. 102.** A new section is added to chapter  
34 28A.600 RCW to read as follows:

35 School districts shall annually disseminate any changes in school  
36 discipline policies and procedures to students, families, and the  
37 community.

1        NEW SECTION.     **Sec. 103.**     A new section is added to chapter  
2 28A.345 RCW to read as follows:

3        (1) The Washington state school directors' association shall  
4 create model school district discipline policies and procedures and  
5 post these models publicly by December 1, 2015. In developing these  
6 model policies and procedures, the association shall request  
7 technical assistance and guidance from the equity and civil rights  
8 office within the office of the superintendent of public instruction  
9 and the Washington state human rights commission. The model policies  
10 and procedures shall be updated as necessary.

11        (2) School districts shall adopt discipline policies and  
12 procedures consistent with the model policy by April 1, 2016.

13        NEW SECTION.     **Sec. 104.**     A new section is added to chapter  
14 28A.415 RCW to read as follows:

15        (1) The office of the superintendent of public instruction shall  
16 develop a training program to support the implementation of  
17 discipline policies and procedures under chapter 28A.600 RCW.

18        (2) The trainings must be provided annually to all school and  
19 district staff interacting with students, including instructional  
20 staff and noninstructional staff, as well as within a reasonable time  
21 following any substantive change to school discipline policies or  
22 procedures.

23        (3) To the maximum extent feasible, the trainings must  
24 incorporate or adapt existing online training or curriculum,  
25 including securing materials or curriculum under contract or purchase  
26 agreements within available funds.

27        (4) The trainings must be developed in modules that allow:

28        (a) Access to material over a reasonable number of training  
29 sessions;

30        (b) Delivery in person or online; and

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

32        **Sec. 105.**     RCW 28A.600.015 and 2013 2nd sp.s. c 18 s 302 are each  
33 amended to read as follows:

34        (1) The superintendent of public instruction shall adopt and  
35 distribute to all school districts lawful and reasonable rules  
36 prescribing the substantive and procedural due process guarantees of  
37 pupils in the common schools. Such rules shall authorize a school  
38 district to use informal due process procedures in connection with

1 the short-term suspension of students to the extent constitutionally  
2 permissible: PROVIDED, That the superintendent of public instruction  
3 deems the interest of students to be adequately protected. When a  
4 student suspension or expulsion is appealed, the rules shall  
5 authorize a school district to impose the suspension or expulsion  
6 temporarily after an initial hearing for no more than ten consecutive  
7 school days or until the appeal is decided, whichever is earlier. Any  
8 days that the student is temporarily suspended or expelled before the  
9 appeal is decided shall be applied to the term of the student  
10 suspension or expulsion and shall not limit or extend the term of the  
11 student suspension or expulsion. An expulsion or suspension of a  
12 student may not be for an indefinite period of time.

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

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

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

30 **Sec. 106.** RCW 28A.600.020 and 2013 2nd sp.s. c 18 s 303 are each  
31 amended to read as follows:

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

37 (2) Any student who creates a disruption of the educational  
38 process in violation of the building disciplinary standards while  
39 under a teacher's immediate supervision may be excluded by the

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

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

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

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

35 (i) Engages in two or more violations within a three-year period  
36 of RCW 9A.46.120, (~~(28A.320.135)~~) 28A.600.455, 28A.600.460,  
37 28A.635.020, 28A.600.020, 28A.635.060, or 9.41.280(~~(, — or~~  
38 ~~28A.320.140)~~); or

39 (ii) Engages in one or more of the offenses listed in RCW  
40 13.04.155.

1 (b) The principal shall communicate the disciplinary action taken  
2 by the principal to the school personnel who referred the student to  
3 the principal for disciplinary action.

4 (6) Any corrective action involving a suspension or expulsion  
5 from school for more than ten days must have an end date of not more  
6 than one (~~calendar year~~) semester or quarter from the time of  
7 corrective action. Districts shall make reasonable efforts to assist  
8 students and parents in returning to an educational setting prior to  
9 and no later than the end date of the corrective action. Where  
10 warranted based on public health or safety, a school may petition the  
11 superintendent of the school district, pursuant to policies and  
12 procedures adopted by the office of the superintendent of public  
13 instruction, for authorization to exceed the one (~~calendar year~~)  
14 semester or quarter limitation provided in this subsection. The  
15 superintendent of public instruction shall adopt rules outlining the  
16 limited circumstances in which a school may petition to exceed the  
17 one (~~calendar year~~) semester or quarter limitation, including  
18 safeguards to ensure that the school district has made every effort  
19 to plan for the student's return to school. School districts shall  
20 report to the office of the superintendent of public instruction the  
21 number of petitions made to the school board and the number of  
22 petitions granted on an annual basis.

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

27 (8) Nothing in this section prevents a public school district,  
28 educational service district, the Washington state center for  
29 childhood deafness and hearing loss, or the state school for the  
30 blind if it has suspended or expelled a student from the student's  
31 regular school setting from providing educational services to the  
32 student in an alternative setting or modifying the suspension or  
33 expulsion on a case-by-case basis. An alternative setting should be  
34 comparable, equitable, and appropriate to the regular education  
35 services a student would have received without the exclusionary  
36 discipline. Example alternative settings include alternative high  
37 schools, one-on-one tutoring, and online learning.

38 **Sec. 107.** RCW 28A.600.022 and 2013 2nd sp.s. c 18 s 308 are each  
39 amended to read as follows:

1 (1) School districts should make efforts to have suspended or  
2 expelled students return to an educational setting as soon as  
3 possible. School districts (~~should~~) must convene a meeting with the  
4 student and the student's parents or guardians within twenty days of  
5 the student's long-term suspension or expulsion, but no later than  
6 five days before the student's enrollment, to discuss a plan to  
7 reengage the student in a school program. Families must have access  
8 to, provide meaningful input on, and participate in a culturally  
9 sensitive and culturally responsive reengagement plan.

10 (2) In developing a reengagement plan, school districts should  
11 consider shortening the length of time that the student is suspended  
12 or expelled, other forms of corrective action, and supportive  
13 interventions that aid in the student's academic success and keep the  
14 student engaged and on track to graduate. School districts must  
15 create a reengagement plan tailored to the student's individual  
16 circumstances, including consideration of the incident that led to  
17 the student's long-term suspension or expulsion. The plan should aid  
18 the student in taking the necessary steps to remedy the situation  
19 that led to the student's suspension or expulsion.

20 (3) Any reengagement meetings conducted by the school district  
21 involving the suspended or expelled student and his or her parents or  
22 guardians are not intended to replace a petition for readmission.

23 **Sec. 108.** RCW 28A.600.460 and 2013 2nd sp.s. c 18 s 305 are each  
24 amended to read as follows:

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

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

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

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

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

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

25 **Sec. 109.** RCW 43.41.400 and 2012 c 229 s 585 are each amended to  
26 read as follows:

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

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

8 (2) The education data center shall:

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

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

19 (c) Collaborate with the legislative evaluation and  
20 accountability program committee and the education and fiscal  
21 committees of the legislature in identifying the data to be compiled  
22 and analyzed to ensure that legislative interests are served;

23 (d) Annually provide to the K-12 data governance group a list of  
24 data elements and data quality improvements that are necessary to  
25 answer the research and policy questions identified by the education  
26 data center and have been identified by the legislative committees in  
27 (c) of this subsection. Within three months of receiving the list,  
28 the K-12 data governance group shall develop and transmit to the  
29 education data center a feasibility analysis of obtaining or  
30 improving the data, including the steps required, estimated time  
31 frame, and the financial and other resources that would be required.  
32 Based on the analysis, the education data center shall submit, if  
33 necessary, a recommendation to the legislature regarding any  
34 statutory changes or resources that would be needed to collect or  
35 improve the data;

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

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

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

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

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

11 (i) Prepare a regular report on the educational and workforce  
12 outcomes of youth in the juvenile justice system, using data  
13 disaggregated by age, and by ethnic categories and racial subgroups  
14 in accordance with RCW 28A.300.042; and

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

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

1 security and confidentiality requirements applicable to the data of  
2 each contributing agency or institution.

3 **Sec. 110.** RCW 13.50.010 and 2014 c 175 s 2 and 2014 c 117 s 5  
4 are each reenacted and amended to read as follows:

5 (1) For purposes of this chapter:

6 (a) "Juvenile justice or care agency" means any of the following:  
7 Police, diversion units, court, prosecuting attorney, defense  
8 attorney, detention center, attorney general, the legislative  
9 children's oversight committee, the office of the family and  
10 children's ombuds, the department of social and health services and  
11 its contracting agencies, schools; persons or public or private  
12 agencies having children committed to their custody; and any  
13 placement oversight committee created under RCW 72.05.415;

14 (b) "Official juvenile court file" means the legal file of the  
15 juvenile court containing the petition or information, motions,  
16 memorandums, briefs, findings of the court, and court orders;

17 (c) "Records" means the official juvenile court file, the social  
18 file, and records of any other juvenile justice or care agency in the  
19 case;

20 (d) "Social file" means the juvenile court file containing the  
21 records and reports of the probation counselor.

22 (2) Each petition or information filed with the court may include  
23 only one juvenile and each petition or information shall be filed  
24 under a separate docket number. The social file shall be filed  
25 separately from the official juvenile court file.

26 (3) It is the duty of any juvenile justice or care agency to  
27 maintain accurate records. To this end:

28 (a) The agency may never knowingly record inaccurate information.  
29 Any information in records maintained by the department of social and  
30 health services relating to a petition filed pursuant to chapter  
31 13.34 RCW that is found by the court to be false or inaccurate shall  
32 be corrected or expunged from such records by the agency;

33 (b) An agency shall take reasonable steps to assure the security  
34 of its records and prevent tampering with them; and

35 (c) An agency shall make reasonable efforts to insure the  
36 completeness of its records, including action taken by other agencies  
37 with respect to matters in its files.

1 (4) Each juvenile justice or care agency shall implement  
2 procedures consistent with the provisions of this chapter to  
3 facilitate inquiries concerning records.

4 (5) Any person who has reasonable cause to believe information  
5 concerning that person is included in the records of a juvenile  
6 justice or care agency and who has been denied access to those  
7 records by the agency may make a motion to the court for an order  
8 authorizing that person to inspect the juvenile justice or care  
9 agency record concerning that person. The court shall grant the  
10 motion to examine records unless it finds that in the interests of  
11 justice or in the best interests of the juvenile the records or parts  
12 of them should remain confidential.

13 (6) A juvenile, or his or her parents, or any person who has  
14 reasonable cause to believe information concerning that person is  
15 included in the records of a juvenile justice or care agency may make  
16 a motion to the court challenging the accuracy of any information  
17 concerning the moving party in the record or challenging the  
18 continued possession of the record by the agency. If the court grants  
19 the motion, it shall order the record or information to be corrected  
20 or destroyed.

21 (7) The person making a motion under subsection (5) or (6) of  
22 this section shall give reasonable notice of the motion to all  
23 parties to the original action and to any agency whose records will  
24 be affected by the motion.

25 (8) The court may permit inspection of records by, or release of  
26 information to, any clinic, hospital, or agency which has the subject  
27 person under care or treatment. The court may also permit inspection  
28 by or release to individuals or agencies, including juvenile justice  
29 advisory committees of county law and justice councils, engaged in  
30 legitimate research for educational, scientific, or public purposes.  
31 Each person granted permission to inspect juvenile justice or care  
32 agency records for research purposes shall present a notarized  
33 statement to the court stating that the names of juveniles and  
34 parents will remain confidential.

35 (9) The court shall release to the caseload forecast council the  
36 records needed for its research and data-gathering functions. Access  
37 to caseload forecast data may be permitted by the council for  
38 research purposes only if the anonymity of all persons mentioned in  
39 the records or information will be preserved.

1 (10) Juvenile detention facilities shall release records to the  
2 caseload forecast council upon request. The commission shall not  
3 disclose the names of any juveniles or parents mentioned in the  
4 records without the named individual's written permission.

5 (11) Requirements in this chapter relating to the court's  
6 authority to compel disclosure shall not apply to the legislative  
7 children's oversight committee or the office of the family and  
8 children's ombuds.

9 (12) For the purpose of research only, the administrative office  
10 of the courts shall maintain an electronic research copy of all  
11 records in the judicial information system related to juveniles.  
12 Access to the research copy is restricted to the (~~Washington state~~  
13 ~~center for court research~~) administrative office of the courts for  
14 research purposes as authorized by the supreme court or by state  
15 statute. The (~~Washington state center for court research~~)  
16 administrative office of the courts shall maintain the  
17 confidentiality of all confidential records and shall preserve the  
18 anonymity of all persons identified in the research copy. Data  
19 contained in the research copy may be shared with other governmental  
20 agencies as authorized by state statute, pursuant to data-sharing and  
21 research agreements, and consistent with applicable security and  
22 confidentiality requirements. The research copy may not be subject to  
23 any records retention schedule and must include records destroyed or  
24 removed from the judicial information system pursuant to RCW  
25 13.50.270 and 13.50.100(3).

26 (13) The court shall release to the Washington state office of  
27 public defense records needed to implement the agency's oversight,  
28 technical assistance, and other functions as required by RCW  
29 2.70.020. Access to the records used as a basis for oversight,  
30 technical assistance, or other agency functions is restricted to the  
31 Washington state office of public defense. The Washington state  
32 office of public defense shall maintain the confidentiality of all  
33 confidential information included in the records.

34 **PART II**

35 **EDUCATOR CULTURAL COMPETENCE**

36 NEW SECTION. **Sec. 201.** A new section is added to chapter  
37 28A.345 RCW to read as follows:

1 The Washington state school directors' association, in  
2 consultation with the office of the superintendent of public  
3 instruction, the professional educator standards board, the steering  
4 committee established in RCW 28A.405.100, and the educational  
5 opportunity gap oversight and accountability committee, must develop  
6 a plan for the creation and delivery of cultural competency training  
7 for school board directors and superintendents. The training program  
8 must also include the foundational elements of cultural competence,  
9 focusing on multicultural education and principles of English  
10 language acquisition, including information regarding best practices  
11 to implement the tribal history and culture curriculum. The content  
12 of the training must be aligned with the standards for cultural  
13 competence developed by the professional educator standards board  
14 under RCW 28A.410.270.

15 **Sec. 202.** RCW 28A.405.106 and 2012 c 35 s 5 are each amended to  
16 read as follows:

17 (1) Subject to funds appropriated for this purpose, the office of  
18 the superintendent of public instruction must develop and make  
19 available a professional development program to support the  
20 implementation of the evaluation systems required by RCW 28A.405.100.  
21 The program components may be organized into professional development  
22 modules for principals, administrators, and teachers. The  
23 professional development program shall include a comprehensive online  
24 training package.

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

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

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

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

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

34 (e) Strategies for achieving maximum rater agreement;

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

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

37 (h) Methods to link the evaluation process to ongoing educator  
38 professional development.

1           (3) The training program must also include the foundational  
2 elements of cultural competence, focusing on multicultural education  
3 and principles of English language acquisition, including information  
4 regarding best practices to implement the tribal history and culture  
5 curriculum. The content of the training must be aligned with the  
6 standards for cultural competence developed by the professional  
7 educator standards board under RCW 28A.410.270. The office of the  
8 superintendent of public instruction, in consultation with the  
9 professional educator standards board, the steering committee  
10 established in RCW 28A.405.100, and the educational opportunity gap  
11 oversight and accountability committee, must integrate the content  
12 for cultural competence into the overall training for principals,  
13 administrators, and teachers to support the revised evaluation  
14 systems.

15           (4) To the maximum extent feasible, the professional development  
16 program must incorporate or adapt existing online training or  
17 curriculum, including securing materials or curriculum under contract  
18 or purchase agreements within available funds. Multiple modes of  
19 instruction should be incorporated including videos of classroom  
20 teaching, participatory exercises, and other engaging combinations of  
21 online audio, video, and print presentation.

22           ~~((+4))~~ (5) The professional development program must be  
23 developed in modules that allow:

24           (a) Access to material over a reasonable number of training  
25 sessions;

26           (b) Delivery in person or online; and

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

28           ~~((+5))~~ (6) The office of the superintendent of public  
29 instruction must maintain a web site that includes the online  
30 professional development materials along with sample evaluation forms  
31 and templates, links to relevant research on evaluation and on high  
32 quality teaching and leadership, samples of contract and collective  
33 bargaining language on key topics, examples of multiple measures of  
34 teacher and principal performance, suggestions for data to measure  
35 student growth, and other tools that will assist school districts in  
36 implementing the revised evaluation systems.

37           ~~((+6))~~ (7) The office of the superintendent of public  
38 instruction must identify the number of in-service training hours  
39 associated with each professional development module and develop a  
40 way for users to document their completion of the training.

1 Documented completion of the training under this section is  
2 considered approved in-service training for the purposes of RCW  
3 28A.415.020.

4 ~~((7))~~ (8) The office of the superintendent of public  
5 instruction shall periodically update the modules to reflect new  
6 topics and research on performance evaluation so that the training  
7 serves as an ongoing source of continuing education and professional  
8 development.

9 ~~((8))~~ (9) The office of the superintendent of public  
10 instruction shall work with the educational service districts to  
11 provide clearinghouse services for the identification and publication  
12 of professional development opportunities for teachers and principals  
13 that align with performance evaluation criteria.

14 **Sec. 203.** RCW 28A.405.120 and 2012 c 35 s 2 are each amended to  
15 read as follows:

16 (1) School districts shall require each administrator, each  
17 principal, or other supervisory personnel who has responsibility for  
18 evaluating classroom teachers or principals to have training in  
19 evaluation procedures.

20 (2) Before school district implementation of the revised  
21 evaluation systems required under RCW 28A.405.100, principals and  
22 administrators who have evaluation responsibilities must engage in  
23 professional development designed to implement the revised systems  
24 and maximize rater agreement. The professional development to support  
25 the revised evaluation systems must also include foundational  
26 elements of cultural competence, focusing on multicultural education  
27 and principles of English language acquisition.

28 NEW SECTION. **Sec. 204.** A new section is added to chapter  
29 28A.415 RCW to read as follows:

30 (1) The office of the superintendent of public instruction, in  
31 collaboration with the educational opportunity gap oversight and  
32 accountability committee, the professional educator standards board,  
33 colleges of education, and representatives from diverse communities  
34 and community-based organizations, must develop a content outline for  
35 professional development and training in cultural competence for  
36 school staff.

37 (2) The content of the cultural competence professional  
38 development and training must be aligned with the standards developed

1 by the professional educator standards board under RCW 28A.410.270.  
2 The training program must also include the foundational elements of  
3 cultural competence, focusing on multicultural education and  
4 principles of English language acquisition, including information  
5 regarding best practices to implement the tribal history and culture  
6 curriculum.

7 (3) The cultural competence professional development and training  
8 must contain components that are appropriate for classified school  
9 staff and district administrators as well as certificated  
10 instructional staff and principals at the building level. The  
11 professional development and training must also contain components  
12 suitable for delivery by individuals from the local community or  
13 community-based organizations with appropriate expertise.

14 (4) The legislature encourages educational service districts and  
15 school districts to use the cultural competence professional  
16 development and training developed under this section and provide  
17 opportunities for all school and school district staff to gain  
18 knowledge and skills in cultural competence, including in partnership  
19 with their local communities.

20 NEW SECTION. **Sec. 205.** A new section is added to chapter  
21 28A.657 RCW to read as follows:

22 Schools that are required under state or federal accountability  
23 measures to implement a plan for improvement must provide the  
24 cultural competence professional development and training developed  
25 under RCW 28A.405.106, 28A.405.120, and section 204 of this act for  
26 classified, certificated instructional, and administrative staff of  
27 the school. The professional development and training may be  
28 delivered by an educational service district, through district in-  
29 service, or by another qualified provider, including in partnership  
30 with the local community.

31 **PART III**  
32 **INSTRUCTING ENGLISH LANGUAGE LEARNERS**

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

35 (1) The educator retooling (~~to teach mathematics and science~~)  
36 conditional scholarship program is created. Participation is limited  
37 to current K-12 teachers and individuals having an elementary

1 education certificate but who are not employed in positions requiring  
2 an elementary education certificate. It is anticipated that  
3 candidates enrolled in this program will complete the requirements  
4 for a mathematics ~~((or))~~, science, special education, bilingual  
5 education, or English language learner endorsement(~~(, or both,)~~) in  
6 two years or less.

7 (2) Entry requirements for candidates include:

8 (a) Current K-12 teachers shall pursue a middle level mathematics  
9 or science, ~~((or))~~ secondary mathematics or science, special  
10 education, bilingual education, or English language learner  
11 endorsement.

12 (b) Individuals having an elementary education certificate but  
13 who are not employed in positions requiring an elementary education  
14 certificate shall pursue an endorsement only in middle level  
15 mathematics or science ~~((only))~~, special education, bilingual  
16 education, or English language learner.

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

19 Subject to the availability of amounts appropriated for these  
20 purposes, the conditional scholarship programs in this chapter are  
21 created under the following guidelines:

22 (1) The programs shall be administered by the student achievement  
23 council. In administering the programs, the council has the following  
24 powers and duties:

25 (a) To adopt necessary rules and develop guidelines to administer  
26 the programs;

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

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

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

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

1 (i) Be accepted and maintain enrollment in alternative  
2 certification routes through a professional educator standards board-  
3 approved program;

4 (ii) Continue to make satisfactory progress toward completion of  
5 the alternative route certification program and receipt of a  
6 residency teaching certificate; and

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

14 (b) The pipeline for paraeducators conditional scholarship  
15 program is limited to qualified paraeducators as provided by RCW  
16 28A.660.042. In order to receive conditional scholarship awards,  
17 recipients shall:

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

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

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

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

36 (i) Individuals currently employed as teachers shall pursue a  
37 middle level mathematics or science, ~~((or))~~ secondary mathematics or  
38 science, special education, bilingual education, or English language  
39 learner endorsement; or

1 (ii) Individuals who are certificated with an elementary  
2 education endorsement shall pursue an endorsement in middle level  
3 mathematics or science, (~~or both~~) special education, bilingual  
4 education, or English language learner; and

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

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

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

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

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

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

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

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

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

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

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

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

22 (i) The receiving school shall determine whether the district's  
23 program is a like program when compared to the sending school's  
24 program; and

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

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

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

36 (g) Make available a program of instructional support for up to  
37 two years immediately after pupils exit from the program, for exited  
38 pupils who need assistance in reaching grade-level performance in

1 academic subjects even though they have achieved English proficiency  
2 for purposes of the transitional bilingual instructional program.

3 (2) Beginning in the 2019-20 school year, all classroom teachers  
4 assigned using funds for the transitional bilingual instruction  
5 program to provide supplemental instruction for eligible pupils must  
6 hold an endorsement in bilingual education or English language  
7 learner, or both.

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

10 **PART IV**

11 **ENGLISH LANGUAGE LEARNER ACCOUNTABILITY**

12 **Sec. 401.** RCW 28A.180.090 and 2001 1st sp.s. c 6 s 2 are each  
13 amended to read as follows:

14 The superintendent of public instruction shall develop an  
15 evaluation system designed to measure increases in the English and  
16 academic proficiency of eligible pupils. When developing the system,  
17 the superintendent shall:

18 (1) Require school districts to assess potentially eligible  
19 pupils within ten days of registration using an English proficiency  
20 assessment or assessments as specified by the superintendent of  
21 public instruction. Results of these assessments shall be made  
22 available to both the superintendent of public instruction and the  
23 school district;

24 (2) Require school districts to annually assess all eligible  
25 pupils at the end of the school year using an English proficiency  
26 assessment or assessments as specified by the superintendent of  
27 public instruction. Results of these assessments shall be made  
28 available to both the superintendent of public instruction and the  
29 school district;

30 (3) Develop a system to evaluate increases in the English and  
31 academic proficiency of students who are, or were, eligible pupils.  
32 This evaluation shall include students when they are in the program  
33 and after they exit the program until they finish their K-12 career  
34 or transfer from the school district. The purpose of the evaluation  
35 system is to inform schools, school districts, parents, and the state  
36 of the effectiveness of the transitional bilingual programs in school  
37 and school districts in teaching these students English and other  
38 content areas, such as mathematics and writing; and



1 student-level data using the United States department of education  
2 2007 race and ethnicity reporting guidelines, including the subracial  
3 and subethnic categories within those guidelines, with the following  
4 modifications:

5 (a) Further disaggregation of the Black category to differentiate  
6 students of African origin and students native to the United States  
7 with African ancestors;

8 (b) Further disaggregation of countries of origin for Asian  
9 students;

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

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

15 (2) All student data-related reports required of the  
16 superintendent of public instruction in this title must be  
17 disaggregated by at least the following subgroups of students: White,  
18 Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific  
19 Islander/Hawaiian Native, low income, transitional bilingual,  
20 migrant, special education, and students covered by section 504 of  
21 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.  
22 794).

23 ((+2)) (3) All student data-related reports ((required of))  
24 prepared by the superintendent of public instruction regarding  
25 student suspensions and expulsions as required ((in RCW 28A.300.046))  
26 under this title are subject to disaggregation by subgroups  
27 including:

28 (a) Gender;

29 (b) Foster care;

30 (c) Homeless, if known;

31 (d) School district;

32 (e) School;

33 (f) Grade level;

34 (g) Behavior infraction code, including:

35 (i) Bullying;

36 (ii) Tobacco;

37 (iii) Alcohol;

38 (iv) Illicit drug;

39 (v) Fighting without major injury;

40 (vi) Violence without major injury;

- 1 (vii) Violence with major injury;  
2 (viii) Possession of a weapon; and  
3 (ix) Other behavior resulting from a short-term or long-term  
4 suspension, expulsion, or interim alternative education setting  
5 intervention;  
6 (h) Intervention applied, including:  
7 (i) Short-term suspension;  
8 (ii) Long-term suspension;  
9 (iii) Emergency expulsion;  
10 (iv) Expulsion;  
11 (v) Interim alternative education settings;  
12 (vi) No intervention applied; and  
13 (vii) Other intervention applied that is not described in this  
14 subsection (2)(h);  
15 (i) Number of days a student is suspended or expelled, to be  
16 counted in half or full days; and  
17 (j) Any other categories added at a future date by the data  
18 governance group.

19 ~~((+3))~~ (4) All student data-related reports required of the  
20 superintendent of public instruction regarding student suspensions  
21 and expulsions as required in RCW 28A.300.046 are subject to cross-  
22 tabulation at a minimum by the following:

- 23 (a) School and district;  
24 (b) Race, low income, special education, transitional bilingual,  
25 migrant, foster care, homeless, students covered by section 504 of  
26 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.  
27 794), and categories to be added in the future;  
28 (c) Behavior infraction code; and  
29 (d) Intervention applied.

30 (5) The K-12 data governance group shall develop the data  
31 protocols and guidance for school districts in the collection of data  
32 as required under this section, and the office of the superintendent  
33 of public instruction shall modify the statewide student data system  
34 as needed. The office of the superintendent of public instruction  
35 shall also incorporate training for school staff on best practices  
36 for collection of data on student race and ethnicity in other  
37 training or professional development related to data provided by the  
38 office.

1        NEW SECTION.    **Sec. 502.**    The office of the superintendent of  
2 public instruction shall convene a task force to review the United  
3 States department of education 2007 race and ethnicity reporting  
4 guidelines and develop race and ethnicity guidance for the state. The  
5 task force must include representatives from the educational  
6 opportunity gap oversight and accountability committee, the ethnic  
7 commissions, the governor's office of Indian affairs, and a diverse  
8 group of parents. The guidance must clarify for students and families  
9 why information about race and ethnicity is collected and how  
10 students and families can help school administrators properly  
11 identify them. The guidance must also describe the best practices for  
12 school administrators to use when identifying the race and ethnicity  
13 of students and families. The task force must use the United States  
14 census and the American community survey in the development of the  
15 guidance.

16        **Sec. 503.**    RCW 28A.300.505 and 2007 c 401 s 5 are each amended to  
17 read as follows:

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

23        (a) Date validation;

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

26        (c) Decimal and integer validation; and

27        (d) Required field validation as defined by state and federal  
28 requirements.

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

35        NEW SECTION.    **Sec. 504.**    (1) To increase the visibility of the  
36 opportunity gap in schools with small subgroups of students and to  
37 hold schools accountable to individual student-level support, by July  
38 1, 2016, the office of the superintendent of public instruction, in

1 cooperation with the K-12 data governance group established within  
2 the office of the superintendent of public instruction, the education  
3 data center established within the office of financial management,  
4 and the state board of education, shall adopt a rule that the only  
5 student data that should not be reported for public reporting and  
6 accountability is data where the school or district has fewer than  
7 ten students in a grade level or student subgroup.

8 (2) This section expires August 1, 2017.

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  
13 shall convene a work group to revise and update the model framework  
14 and curriculum, as well as the program of study, for high school  
15 career and technical education courses related to careers in  
16 education.

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

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

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

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

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

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

28 **Sec. 602.** RCW 28A.300.507 and 2009 c 548 s 203 are each amended  
29 to read as follows:

30 (1) A K-12 data governance group shall be established within the  
31 office of the superintendent of public instruction to assist in the  
32 design and implementation of a K-12 education data improvement system  
33 for financial, student, and educator data. It is the intent that the  
34 data system reporting specifically serve requirements for teachers,  
35 parents, superintendents, school boards, the office of the  
36 superintendent of public instruction, the legislature, and the  
37 public.

1 (2) The K-12 data governance group shall include representatives  
2 of the education data center, the office of the superintendent of  
3 public instruction, the legislative evaluation and accountability  
4 program committee, the professional educator standards board, the  
5 state board of education, and school district staff, including  
6 information technology staff. Additional entities with expertise in  
7 education data may be included in the K-12 data governance group.

8 (3) The K-12 data governance group shall:

9 (a) Identify the critical research and policy questions that need  
10 to be addressed by the K-12 education data improvement system;

11 (b) Identify reports and other information that should be made  
12 available on the internet in addition to the reports identified in  
13 subsection (5) of this section;

14 (c) Create a comprehensive needs requirement document detailing  
15 the specific information and technical capacity needed by school  
16 districts and the state to meet the legislature's expectations for a  
17 comprehensive K-12 education data improvement system as described  
18 under RCW 28A.655.210;

19 (d) Conduct a gap analysis of current and planned information  
20 compared to the needs requirement document, including an analysis of  
21 the strengths and limitations of an education data system and  
22 programs currently used by school districts and the state, and  
23 specifically the gap analysis must look at the extent to which the  
24 existing data can be transformed into canonical form and where  
25 existing software can be used to meet the needs requirement document;

26 (e) Focus on financial and cost data necessary to support the new  
27 K-12 financial models and funding formulas, including any necessary  
28 changes to school district budgeting and accounting, and on assuring  
29 the capacity to link data across financial, student, and educator  
30 systems; and

31 (f) Define the operating rules and governance structure for K-12  
32 data collections, ensuring that data systems are flexible and able to  
33 adapt to evolving needs for information, within an objective and  
34 orderly data governance process for determining when changes are  
35 needed and how to implement them. Strong consideration must be made  
36 to the current practice and cost of migration to new requirements.  
37 The operating rules should delineate the coordination, delegation,  
38 and escalation authority for data collection issues, business rules,  
39 and performance goals for each K-12 data collection system,  
40 including:

1 (i) Defining and maintaining standards for privacy and  
2 confidentiality;  
3 (ii) Setting data collection priorities;  
4 (iii) Defining and updating a standard data dictionary;  
5 (iv) Ensuring data compliance with the data dictionary;  
6 (v) Ensuring data accuracy; and  
7 (vi) Establishing minimum standards for school, student,  
8 financial, and teacher data systems. Data elements may be specified  
9 "to the extent feasible" or "to the extent available" to collect more  
10 and better data sets from districts with more flexible software.  
11 Nothing in RCW 43.41.400, this section, or RCW 28A.655.210 should be  
12 construed to require that a data dictionary or reporting should be  
13 hobbled to the lowest common set. The work of the K-12 data  
14 governance group must specify which data are desirable. Districts  
15 that can meet these requirements shall report the desirable data.  
16 Funding from the legislature must establish which subset data are  
17 absolutely required.

18 (4)(a) The K-12 data governance group shall provide updates on  
19 its work as requested by the education data center and the  
20 legislative evaluation and accountability program committee.

21 (b) The work of the K-12 data governance group shall be  
22 periodically reviewed and monitored by the educational data center  
23 and the legislative evaluation and accountability program committee.

24 (5) To the extent data is available, the office of the  
25 superintendent of public instruction shall make the following minimum  
26 reports available on the internet. The reports must either be run on  
27 demand against current data, or, if a static report, must have been  
28 run against the most recent data:

29 (a) The percentage of data compliance and data accuracy by school  
30 district;

31 (b) The magnitude of spending per student, by student estimated  
32 by the following algorithm and reported as the detailed summation of  
33 the following components:

34 (i) An approximate, prorated fraction of each teacher or human  
35 resource element that directly serves the student. Each human  
36 resource element must be listed or accessible through online  
37 tunneling in the report;

38 (ii) An approximate, prorated fraction of classroom or building  
39 costs used by the student;

1 (iii) An approximate, prorated fraction of transportation costs  
2 used by the student; and

3 (iv) An approximate, prorated fraction of all other resources  
4 within the district. District-wide components should be disaggregated  
5 to the extent that it is sensible and economical;

6 (c) The cost of K-12 basic education, per student, by student, by  
7 school district, estimated by the algorithm in (b) of this  
8 subsection, and reported in the same manner as required in (b) of  
9 this subsection;

10 (d) The cost of K-12 special education services per student, by  
11 student receiving those services, by school district, estimated by  
12 the algorithm in (b) of this subsection, and reported in the same  
13 manner as required in (b) of this subsection;

14 (e) Improvement on the statewide assessments computed as both a  
15 percentage change and absolute change on a scale score metric by  
16 district, by school, and by teacher that can also be filtered by a  
17 student's length of full-time enrollment within the school district;

18 (f) Number of K-12 students per classroom teacher on a per  
19 teacher basis;

20 (g) Number of K-12 classroom teachers per student on a per  
21 student basis;

22 (h) Percentage of a classroom teacher per student on a per  
23 student basis; ((and))

24 (i) Percentage of classroom teachers of color per school district  
25 and per school;

26 (j) Average length of service of classroom teachers of color per  
27 school district and per school; and

28 (k) The cost of K-12 education per student by school district  
29 sorted by federal, state, and local dollars.

30 (6) The superintendent of public instruction shall submit a  
31 preliminary report to the legislature by November 15, 2009, including  
32 the analyses by the K-12 data governance group under subsection (3)  
33 of this section and preliminary options for addressing identified  
34 gaps. A final report, including a proposed phase-in plan and  
35 preliminary cost estimates for implementation of a comprehensive data  
36 improvement system for financial, student, and educator data shall be  
37 submitted to the legislature by September 1, 2010.

38 (7) All reports and data referenced in this section and RCW  
39 43.41.400 and 28A.655.210 shall be made available in a manner  
40 consistent with the technical requirements of the legislative

1 evaluation and accountability program committee and the education  
2 data center so that selected data can be provided to the legislature,  
3 governor, school districts, and the public.

4 (8) Reports shall contain data to the extent it is available. All  
5 reports must include documentation of which data are not available or  
6 are estimated. Reports must not be suppressed because of poor data  
7 accuracy or completeness. Reports may be accompanied with  
8 documentation to inform the reader of why some data are missing or  
9 inaccurate or estimated.

10 **PART VII**

11 **INTEGRATED STUDENT SERVICES AND FAMILY ENGAGEMENT**

12 NEW SECTION. **Sec. 701.** A new section is added to chapter  
13 28A.300 RCW to read as follows:

14 (1) The Washington integrated student supports program is  
15 established. The program shall be developed by the office of the  
16 superintendent of public instruction based on the framework described  
17 in this section. The purposes of the program include:

18 (a) Supporting a school-based approach to promoting the success  
19 of all students by coordinating academic and nonacademic supports to  
20 reduce barriers to academic achievement and educational attainment;

21 (b) Fulfilling a vision of public education where educators focus  
22 on education, students focus on learning, and auxiliary supports  
23 enable teaching and learning to occur unimpeded;

24 (c) Encouraging the creation, expansion, and quality improvement  
25 of community-based supports that can be integrated into the academic  
26 environment of schools and school districts;

27 (d) Increasing public awareness of the evidence showing that  
28 academic outcomes are a result of both academic and nonacademic  
29 factors; and

30 (e) Supporting statewide and local organizations in their efforts  
31 to provide leadership, coordination, technical assistance,  
32 professional development, and advocacy to implement high-quality,  
33 evidence-based, student-centered, coordinated approaches throughout  
34 the state.

35 (2)(a) The Washington integrated student supports program must be  
36 sufficiently flexible to adapt to the unique needs of schools and  
37 districts across the state, yet sufficiently structured to provide

1 all students with the individual support they need for academic  
2 success.

3 (b) The essential framework of the Washington integrated student  
4 supports program includes:

5 (i) Needs assessments: The integrated student support staff must  
6 conduct a needs assessment for all at-risk students, develop or  
7 identify needed academic and nonacademic supports in the school and  
8 in the community, and work with providers to coordinate these  
9 supports to provide students with a package of mutually reinforcing  
10 supports designed to meet the individual needs of each student.

11 (ii) Integration and coordination: The integrated student support  
12 staff must develop close relationships with school and district  
13 leadership and staff to enhance the effectiveness of the program;  
14 basing the integrated student support staff within a school or  
15 district allows the integration and coordination of academic and  
16 nonacademic supports.

17 (iii) Community partnerships: The integrated student support  
18 staff must work with community partners to offer nonacademic supports  
19 to reduce barriers to students' academic success, including supports  
20 to students' families.

21 (iv) Data driven: The integrated student support staff must track  
22 students' needs and outcomes over time to determine whether the  
23 program is working, and how it could be more successful.

24 (c) The framework must facilitate the ability of any academic or  
25 nonacademic provider to support the needs of at-risk students,  
26 including: Mental health counselors, social emotional learning  
27 experts, physicians, dentists, speech therapists, and audiologists.

28 NEW SECTION. **Sec. 702.** (1) The office of the superintendent of  
29 public instruction shall create a work group to determine how to best  
30 implement the framework described in section 701 of this act  
31 throughout the state.

32 (2) The work group must be composed of the following members, who  
33 must reflect the geographic diversity across the state:

34 (a) The superintendent of public instruction or the  
35 superintendent's designee;

36 (b) Three principals and three superintendents representing  
37 districts with diverse characteristics, selected by state  
38 associations of principals and superintendents, respectively;

1 (c) A representative from a statewide organization specializing  
2 in out-of-school learning;

3 (d) A representative from an organization with expertise in the  
4 needs of homeless students;

5 (e) A school counselor from an elementary school, a middle  
6 school, and a high school, selected by a state association of school  
7 counselors;

8 (f) A representative of an organization that is an expert on a  
9 multitiered system of supports; and

10 (g) A representative from a career and technical student  
11 organization.

12 (3) The superintendent of public instruction shall consult and  
13 may contract for services with a national nonpartisan, nonprofit  
14 research center that provides data and analyses to improve policies  
15 and programs serving children and youth for over thirty-five years.

16 (4) The work group must submit to the appropriate committee of  
17 the legislature a report recommending policies that need to be  
18 adopted or revised to implement the framework described in section  
19 701 of this act throughout the state by October 1, 2016. The work  
20 group must submit a preliminary report by October 1, 2015, and a  
21 final report by October 1, 2016.

22 (5) This section expires August 1, 2017.

23 **Sec. 703.** RCW 28A.165.035 and 2013 2nd sp.s. c 18 s 203 are each  
24 amended to read as follows:

25 (1) ~~((Beginning in the 2015-16 school year, expenditure of funds~~  
26 ~~from the learning assistance program must be consistent with the~~  
27 ~~provisions of RCW 28A.655.235.~~

28 (+2)) Use of best practices that have been demonstrated through  
29 research to be associated with increased student achievement  
30 magnifies the opportunities for student success. To the extent they  
31 are included as a best practice or strategy in one of the state menus  
32 or an approved alternative under this section or RCW 28A.655.235, the  
33 following are services and activities that may be supported by the  
34 learning assistance program:

35 (a) Extended learning time opportunities occurring:

36 (i) Before or after the regular school day;

37 (ii) On Saturday; and

38 (iii) Beyond the regular school year;

39 (b) Services under RCW 28A.320.190;

1 (c) Integrated student support programs and services under  
2 section 701 of this act;

3 (d) Professional development for certificated and classified  
4 staff that focuses on:

5 (i) The needs of a diverse student population;

6 (ii) Specific literacy and mathematics content and instructional  
7 strategies; and

8 (iii) The use of student work to guide effective instruction and  
9 appropriate assistance;

10 ~~((d))~~ (e) Consultant teachers to assist in implementing  
11 effective instructional practices by teachers serving participating  
12 students;

13 ~~((e))~~ (f) Tutoring support for participating students;

14 ~~((f))~~ (g) Outreach activities and support for parents of  
15 participating students, including employing parent and family  
16 engagement coordinators; and

17 ~~((g))~~ (h) Up to five percent of a district's learning  
18 assistance program allocation may be used for development of  
19 partnerships with community-based organizations, educational service  
20 districts, and other local agencies to deliver academic and  
21 nonacademic supports to participating students who are significantly  
22 at risk of not being successful in school to reduce barriers to  
23 learning, increase student engagement, and enhance students'  
24 readiness to learn. The ~~((office of the superintendent of public~~  
25 ~~instruction))~~ school board must approve in an open meeting any  
26 community-based organization or local agency before learning  
27 assistance funds may be expended.

28 ~~((3))~~ (2) In addition to the state menu developed under RCW  
29 28A.655.235, the office of the superintendent of public instruction  
30 shall convene a panel of experts, including the Washington state  
31 institute for public policy, to develop additional state menus of  
32 best practices and strategies for use in the learning assistance  
33 program to assist struggling students at all grade levels in English  
34 language arts and mathematics ~~((and reduce disruptive behaviors in~~  
35 ~~the classroom))~~. The office of the superintendent of public  
36 instruction shall publish the state menus by July 1, 2015, and update  
37 the state menus by each July 1st thereafter.

38 ~~((4))~~ (3)(a) Beginning in the 2016-17 school year, except as  
39 provided in (b) of this subsection, school districts must use a

1 practice or strategy that is on a state menu developed under  
2 subsection (3) of this section or RCW 28A.655.235.

3 (b) Beginning in the 2016-17 school year, school districts may  
4 use a practice or strategy that is not on a state menu developed  
5 under subsection (3) of this section for two school years initially.  
6 If the district is able to demonstrate improved outcomes for  
7 participating students over the previous two school years at a level  
8 commensurate with the best practices and strategies on the state  
9 menu, the office of the superintendent of public instruction shall  
10 approve use of the alternative practice or strategy by the district  
11 for one additional school year. Subsequent annual approval by the  
12 superintendent of public instruction to use the alternative practice  
13 or strategy is dependent on the district continuing to demonstrate  
14 increased improved outcomes for participating students.

15 (c) Beginning in the 2016-17 school year, school districts may  
16 enter cooperative agreements with state agencies, local governments,  
17 or school districts for administrative or operational costs needed to  
18 provide services in accordance with the state menus developed under  
19 this section and RCW 28A.655.235.

20 ~~((+5))~~ (4) School districts are encouraged to implement best  
21 practices and strategies from the state menus developed under this  
22 section and RCW 28A.655.235 before the use is required.

23 **Sec. 704.** RCW 28A.165.055 and 2013 2nd sp.s. c 18 s 205 are each  
24 amended to read as follows:

25 The funds for the learning assistance program shall be  
26 appropriated in accordance with RCW 28A.150.260 and the omnibus  
27 appropriations act. The distribution formula is for school district  
28 allocation purposes only, but funds appropriated for the learning  
29 assistance program must be expended for the purposes of RCW  
30 28A.165.005 through 28A.165.065 and 28A.655.235. The funds may also  
31 be appropriated for integrated student support programs and services  
32 under section 701 of this act.

33 **PART VIII**  
34 **TRANSITIONS**

35 NEW SECTION. **Sec. 801.** A new section is added to chapter 43.215  
36 RCW to read as follows:

1       The department, in collaboration with the office of the  
2 superintendent of public instruction, shall create a community  
3 information and involvement plan to inform home-based, tribal, and  
4 family early learning providers of the early achievers program under  
5 RCW 43.215.100.

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