

**E2SHB 1443** - S AMD  
By Senator Tom

ADOPTED AND ENGROSSED 4/12/11

1 Strike everything after the enacting clause and insert the  
2 following:

3 "PART I

4 **STRENGTHENING INSTRUCTION AND SUPPORT**

5 NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.655  
6 RCW to read as follows:

7 Before implementing revisions to the state essential academic  
8 learning requirements as authorized under RCW 28A.655.070, the  
9 superintendent of public instruction must ensure that a fairness and  
10 bias review of the revisions has been conducted, including providing an  
11 opportunity for input from the achievement gap oversight and  
12 accountability committee under RCW 28A.300.136 and from an additional  
13 diverse group of community representatives, parents, and educators to  
14 be convened by the superintendent.

15 NEW SECTION. **Sec. 102.** A new section is added to chapter 28A.230  
16 RCW to read as follows:

17 (1) By July 1, 2012, each school district board of directors that  
18 grants high school diplomas shall adopt a policy that defines a high  
19 school credit for purposes of meeting state and local graduation  
20 requirements. The Washington state school directors' association in  
21 consultation with the state board of education shall develop a model  
22 policy that districts may choose to adopt to satisfy the policy  
23 requirements. The policy may define a high school credit based on a  
24 seat-time definition, demonstrated competencies, or some combination,  
25 as long as the policy specifies the means by which the school district  
26 assures that students have gained the knowledge and skills necessary to  
27 earn a credit.

1 (2) Each school district board of directors shall submit a copy of  
2 its policy to the state board of education.

3 (3) The state board of education may adopt a rule repealing the  
4 seat-time definition of a high school credit by May 31, 2012, and shall  
5 require school districts to certify annually to the board that the  
6 district has a policy to define a high school credit.

7 NEW SECTION. **Sec. 103.** A new section is added to chapter 28A.655  
8 RCW to read as follows:

9 Within available state and federal funds for school and district  
10 improvement, the office of the superintendent of public instruction  
11 shall provide technical assistance to schools and districts  
12 specifically targeted to reduce school dropouts and improve on-time and  
13 extended high school graduation rates. The technical assistance shall  
14 be more intensive for those high schools and school districts in  
15 significant need of improvement.

16 **Sec. 104.** RCW 28A.150.260 and 2010 c 236 s 2 are each amended to  
17 read as follows:

18 The purpose of this section is to provide for the allocation of  
19 state funding that the legislature deems necessary to support school  
20 districts in offering the minimum instructional program of basic  
21 education under RCW 28A.150.220. The allocation shall be determined as  
22 follows:

23 (1) The governor shall and the superintendent of public instruction  
24 may recommend to the legislature a formula for the distribution of a  
25 basic education instructional allocation for each common school  
26 district.

27 (2) The distribution formula under this section shall be for  
28 allocation purposes only. Except as may be required under chapter  
29 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and  
30 regulations, nothing in this section requires school districts to use  
31 basic education instructional funds to implement a particular  
32 instructional approach or service. Nothing in this section requires  
33 school districts to maintain a particular classroom teacher-to-student  
34 ratio or other staff-to-student ratio or to use allocated funds to pay  
35 for particular types or classifications of staff. Nothing in this

1 section entitles an individual teacher to a particular teacher planning  
2 period.

3 (3)(a) To the extent the technical details of the formula have been  
4 adopted by the legislature and except when specifically provided as a  
5 school district allocation, the distribution formula for the basic  
6 education instructional allocation shall be based on minimum staffing  
7 and nonstaff costs the legislature deems necessary to support  
8 instruction and operations in prototypical schools serving high,  
9 middle, and elementary school students as provided in this section.  
10 The use of prototypical schools for the distribution formula does not  
11 constitute legislative intent that schools should be operated or  
12 structured in a similar fashion as the prototypes. Prototypical  
13 schools illustrate the level of resources needed to operate a school of  
14 a particular size with particular types and grade levels of students  
15 using commonly understood terms and inputs, such as class size, hours  
16 of instruction, and various categories of school staff. It is the  
17 intent that the funding allocations to school districts be adjusted  
18 from the school prototypes based on the actual number of annual average  
19 full-time equivalent students in each grade level at each school in the  
20 district and not based on the grade-level configuration of the school  
21 to the extent that data is available. The allocations shall be further  
22 adjusted from the school prototypes with minimum allocations for small  
23 schools and to reflect other factors identified in the omnibus  
24 appropriations act.

25 (b) For the purposes of this section, prototypical schools are  
26 defined as follows:

27 (i) A prototypical high school has six hundred average annual full-  
28 time equivalent students in grades nine through twelve;

29 (ii) A prototypical middle school has four hundred thirty-two  
30 average annual full-time equivalent students in grades seven and eight;  
31 and

32 (iii) A prototypical elementary school has four hundred average  
33 annual full-time equivalent students in grades kindergarten through  
34 six.

35 (4)(a) The minimum allocation for each level of prototypical school  
36 shall be based on the number of full-time equivalent classroom teachers  
37 needed to provide instruction over the minimum required annual  
38 instructional hours under RCW 28A.150.220 and provide at least one

1 teacher planning period per school day, and based on the following  
2 general education average class size of full-time equivalent students  
3 per teacher:

	General education average class size
4	
5	
6	
7 Grades K-3 . . . . .	25.23
8 Grade 4 . . . . .	27.00
9 Grades 5-6 . . . . .	27.00
10 Grades 7-8 . . . . .	28.53
11 Grades 9-12 . . . . .	28.74

12 (b) During the 2011-2013 biennium and beginning with schools with  
13 the highest percentage of students eligible for free and reduced-price  
14 meals in the prior school year, the general education average class  
15 size for grades K-3 shall be reduced until the average class size  
16 funded under this subsection (4) is no more than 17.0 full-time  
17 equivalent students per teacher beginning in the 2017-18 school year.

18 (c) The minimum allocation for each prototypical middle and high  
19 school shall also provide for full-time equivalent classroom teachers  
20 based on the following number of full-time equivalent students per  
21 teacher in career and technical education:

	Career and technical education average class size
22	
23	
24	
25 Approved career and technical education offered at	
26 the middle school and high school level . . . . .	26.57
27 Skill center programs meeting the standards established	
28 by the office of the superintendent of public	
29 instruction . . . . .	22.76

30 (d) In addition, the omnibus appropriations act shall at a minimum  
31 specify:

32 (i) A high-poverty average class size in schools where more than  
33 fifty percent of the students are eligible for free and reduced-price  
34 meals; and

35 (ii) A specialty average class size for laboratory science,  
36 advanced placement, and international baccalaureate courses.

1 (5) The minimum allocation for each level of prototypical school  
 2 shall include allocations for the following types of staff in addition  
 3 to classroom teachers:  
 4

	Elementary School	Middle School	High School
8 Principals, assistant principals, and other certificated building-level 9 administrators .....	1.253	1.353	1.880
10 Teacher librarians, a function that includes information literacy, technology, 11 and media to support school library media programs .....	0.663	0.519	0.523
12 Health and social services:			
13 School nurses .....	0.076	0.060	0.096
14 Social workers .....	0.042	0.006	0.015
15 Psychologists .....	0.017	0.002	0.007
16 Guidance counselors, a function that includes parent outreach and 17 graduation advising .....	0.493	1.116	1.909
18 Teaching assistance, including any aspect of educational instructional 19 services provided by classified employees .....	0.936	0.700	0.652
20 Office support and other noninstructional aides .....	2.012	2.325	3.269
21 Custodians .....	1.657	1.942	2.965
22 Classified staff providing student and staff safety .....	0.079	0.092	0.141
23 ((Parent involvement)) <u>Family engagement</u> coordinators .....	0.00	0.00	0.00

24 (6)(a) The minimum staffing allocation for each school district to  
 25 provide district-wide support services shall be allocated per one  
 26 thousand annual average full-time equivalent students in grades K-12 as  
 27 follows:

	Staff per 1,000 K-12 students
30 Technology . . . . .	0.628
31 Facilities, maintenance, and grounds . . . . .	1.813
32 Warehouse, laborers, and mechanics . . . . .	0.332

33 (b) The minimum allocation of staff units for each school district  
 34 to support certificated and classified staffing of central

1 administration shall be 5.30 percent of the staff units generated under  
2 subsections (4)(a) and (b) and (5) of this section and (a) of this  
3 subsection.

4 (7) The distribution formula shall include staffing allocations to  
5 school districts for career and technical education and skill center  
6 administrative and other school-level certificated staff, as specified  
7 in the omnibus appropriations act.

8 (8)(a) Except as provided in (b) of this subsection, the minimum  
9 allocation for each school district shall include allocations per  
10 annual average full-time equivalent student for the following  
11 materials, supplies, and operating costs, to be adjusted for inflation  
12 from the 2008-09 school year:

	Per annual average full-time equivalent student in grades K-12
13 Technology . . . . .	\$54.43
14 Utilities and insurance . . . . .	\$147.90
15 Curriculum and textbooks . . . . .	\$58.44
16 Other supplies and library materials . . . . .	\$124.07
17 Instructional professional development for certified and 18 classified staff . . . . .	\$9.04
19 Facilities maintenance . . . . .	\$73.27
20 Security and central office . . . . .	\$50.76

21 (b) During the 2011-2013 biennium, the minimum allocation for  
22 maintenance, supplies, and operating costs shall be increased as  
23 specified in the omnibus appropriations act. The following  
24 allocations, adjusted for inflation from the 2007-08 school year, are  
25 provided in the 2015-16 school year, after which the allocations shall  
26 be adjusted annually for inflation as specified in the omnibus  
27 appropriations act:

	Per annual average full-time equivalent student in grades K-12
28 Technology . . . . .	\$113.80
29 Utilities and insurance . . . . .	\$309.21
30 Curriculum and textbooks . . . . .	\$122.17
31 Other supplies and library materials . . . . .	\$259.39

1 Instructional professional development for certificated and  
2 classified staff . . . . . \$18.89  
3 Facilities maintenance . . . . . \$153.18  
4 Security and central office administration . . . . . \$106.12

5 (9) In addition to the amounts provided in subsection (8) of this  
6 section, the omnibus appropriations act shall provide an amount based  
7 on full-time equivalent student enrollment in each of the following:

8 (a) Exploratory career and technical education courses for students  
9 in grades seven through twelve;

10 (b) Laboratory science courses for students in grades nine through  
11 twelve;

12 (c) Preparatory career and technical education courses for students  
13 in grades nine through twelve offered in a high school; and

14 (d) Preparatory career and technical education courses for students  
15 in grades eleven and twelve offered through a skill center.

16 (10) In addition to the allocations otherwise provided under this  
17 section, amounts shall be provided to support the following programs  
18 and services:

19 (a) To provide supplemental instruction and services for  
20 underachieving students through the learning assistance program under  
21 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the  
22 district percentage of students in grades K-12 who were eligible for  
23 free or reduced-price meals in the prior school year. The minimum  
24 allocation for the program shall provide for each level of prototypical  
25 school resources to provide, on a statewide average, 1.5156 hours per  
26 week in extra instruction with a class size of fifteen learning  
27 assistance program students per teacher.

28 (b) To provide supplemental instruction and services for students  
29 whose primary language is other than English, allocations shall be  
30 based on the head count number of students in each school who are  
31 eligible for and enrolled in the transitional bilingual instruction  
32 program under RCW 28A.180.010 through 28A.180.080. The minimum  
33 allocation for each level of prototypical school shall provide  
34 resources to provide, on a statewide average, 4.7780 hours per week in  
35 extra instruction with fifteen transitional bilingual instruction  
36 program students per teacher.

37 (c) To provide additional allocations to support programs for  
38 highly capable students under RCW 28A.185.010 through 28A.185.030,

1 allocations shall be based on two and three hundred fourteen one-  
2 thousandths percent of each school district's full-time equivalent  
3 basic education enrollment. The minimum allocation for the programs  
4 shall provide resources to provide, on a statewide average, 2.1590  
5 hours per week in extra instruction with fifteen highly capable program  
6 students per teacher.

7 (11) The allocations under subsections (4)(a) and (b), (5), (6),  
8 and (8) of this section shall be enhanced as provided under RCW  
9 28A.150.390 on an excess cost basis to provide supplemental  
10 instructional resources for students with disabilities.

11 (12)(a) For the purposes of allocations for prototypical high  
12 schools and middle schools under subsections (4) and (10) of this  
13 section that are based on the percent of students in the school who are  
14 eligible for free and reduced-price meals, the actual percent of such  
15 students in a school shall be adjusted by a factor identified in the  
16 omnibus appropriations act to reflect underreporting of free and  
17 reduced-price meal eligibility among middle and high school students.

18 (b) Allocations or enhancements provided under subsections (4),  
19 (7), and (9) of this section for exploratory and preparatory career and  
20 technical education courses shall be provided only for courses approved  
21 by the office of the superintendent of public instruction under chapter  
22 28A.700 RCW.

23 (13)(a) This formula for distribution of basic education funds  
24 shall be reviewed biennially by the superintendent and governor. The  
25 recommended formula shall be subject to approval, amendment or  
26 rejection by the legislature.

27 (b) In the event the legislature rejects the distribution formula  
28 recommended by the governor, without adopting a new distribution  
29 formula, the distribution formula for the previous school year shall  
30 remain in effect.

31 (c) The enrollment of any district shall be the annual average  
32 number of full-time equivalent students and part-time students as  
33 provided in RCW 28A.150.350, enrolled on the first school day of each  
34 month, including students who are in attendance pursuant to RCW  
35 28A.335.160 and 28A.225.250 who do not reside within the servicing  
36 school district. The definition of full-time equivalent student shall  
37 be determined by rules of the superintendent of public instruction and  
38 shall be included as part of the superintendent's biennial budget



1 request. The definition shall be based on the minimum instructional  
2 hour offerings required under RCW 28A.150.220. Any revision of the  
3 present definition shall not take effect until approved by the house  
4 ways and means committee and the senate ways and means committee.

5 (d) The office of financial management shall make a monthly review  
6 of the superintendent's reported full-time equivalent students in the  
7 common schools in conjunction with RCW 43.62.050.

8 **Sec. 105.** RCW 28A.250.020 and 2009 c 542 s 3 are each amended to  
9 read as follows:

10 (1) The superintendent of public instruction, in collaboration with  
11 the state board of education, shall develop and implement approval  
12 criteria and a process for approving multidistrict online providers; a  
13 process for monitoring and if necessary rescinding the approval of  
14 courses or programs offered by an online course provider; and an  
15 appeals process. The criteria and processes shall be adopted by rule  
16 by December 1, 2009.

17 (2) When developing the approval criteria, the superintendent of  
18 public instruction shall require that providers offering online courses  
19 or programs have accreditation through the Northwest association of  
20 accredited schools or another national, regional, or state  
21 accreditation program listed by the office of the superintendent of  
22 public instruction after consultation with the Washington coalition for  
23 online learning. In addition to other criteria, the approval criteria  
24 shall include the degree of alignment with state academic standards and  
25 require that all teachers be certificated in accordance with Washington  
26 state law. When reviewing multidistrict online providers that offer  
27 high school courses, the superintendent of public instruction shall  
28 assure that the courses offered by the provider are eligible for high  
29 school credit. However, final decisions regarding the awarding of high  
30 school credit shall remain the responsibility of school districts,  
31 except as provided in RCW 28A.250.050.

32 (3) Initial approval of multidistrict online providers by the  
33 superintendent of public instruction shall be for four years. The  
34 superintendent of public instruction shall develop a process for the  
35 renewal of approvals and for rescinding approvals based on  
36 noncompliance with approval requirements. Any multidistrict online  
37 provider that was approved by the digital learning commons or

1 accredited by the Northwest association of accredited schools before  
2 July 26, 2009, and that meets the teacher certification requirements of  
3 subsection (2) of this section, is exempt from the initial approval  
4 process under this section until August 31, 2012, but must comply with  
5 the process for renewal of approvals and must comply with approval  
6 requirements.

7 (4) The superintendent of public instruction shall make the first  
8 round of decisions regarding approval of multidistrict online providers  
9 by April 1, 2010. Thereafter, the superintendent of public instruction  
10 shall make annual approval decisions no later than November 1st of each  
11 year.

12 (5) The superintendent of public instruction shall establish an  
13 online learning advisory committee within existing resources that shall  
14 provide advice to the superintendent regarding the approval criteria,  
15 major components of the web site, the model school district policy,  
16 model agreements, and other related matters. The committee shall  
17 include a representative of each of the following groups: Private and  
18 public online providers, parents of online students, accreditation  
19 organizations, educational service districts, school principals,  
20 teachers, school administrators, school board members, institutions of  
21 higher education, and other individuals as determined by the  
22 superintendent. Members of the advisory committee shall be selected by  
23 the superintendent based on nominations from statewide organizations,  
24 shall serve three-year terms, and may be reappointed. The  
25 superintendent shall select the chair of the committee.

26 **Sec. 106.** RCW 28A.250.050 and 2009 c 542 s 6 are each amended to  
27 read as follows:

28 (1) By August 31, 2010, all school district boards of directors  
29 shall develop policies and procedures regarding student access to  
30 online courses and online learning programs. The policies and  
31 procedures shall include but not be limited to: Student eligibility  
32 criteria; the types of online courses available to students through the  
33 school district; the methods districts will use to support student  
34 success, which may include a local advisor; when the school district  
35 will and will not pay course fees and other costs; the granting of high  
36 school credit; and a process for students and parents or guardians to  
37 formally acknowledge any course taken for which no credit is given.

1 The policies and procedures shall take effect beginning with the 2010-  
2 11 school year. School districts shall submit their policies to the  
3 superintendent of public instruction by September 15, 2010. By  
4 December 1, 2010, the superintendent of public instruction shall  
5 summarize the school district policies regarding student access to  
6 online courses and submit a report to the legislature.

7 (2) School districts may not prevent students from taking  
8 individual approved online courses for credit. School districts must  
9 award credit for online high school courses successfully completed by  
10 a student that meet the school district's graduation requirements and  
11 are provided by an approved multidistrict online provider.

12 (3) School districts shall provide students with information  
13 regarding online courses that are available through the school  
14 district. The information shall include the types of information  
15 described in subsection (1) of this section.

16 ((+3)) (4) When developing local or regional online learning  
17 programs, school districts shall incorporate into the program design  
18 the approval criteria developed by the superintendent of public  
19 instruction under RCW 28A.250.020.

20 **Sec. 107.** RCW 28A.150.220 and 2009 c 548 s 104 are each amended to  
21 read as follows:

22 (1) In order for students to have the opportunity to develop the  
23 basic education knowledge and skills under RCW 28A.150.210, school  
24 districts must provide instruction of sufficient quantity and quality  
25 and give students the opportunity to complete graduation requirements  
26 that are intended to prepare them for postsecondary education, gainful  
27 employment, and citizenship. The program established under this  
28 section shall be the minimum instructional program of basic education  
29 offered by school districts.

30 (2) Each school district shall make available to students the  
31 following minimum instructional offering each school year:

32 (a) For students enrolled in grades one through twelve, at least a  
33 district-wide annual average of one thousand hours, which shall be  
34 increased to at least one thousand eighty instructional hours for  
35 students enrolled in each of grades seven through twelve and at least  
36 one thousand instructional hours for students in each of grades one

1 through six according to an implementation schedule adopted by the  
2 legislature but not before the 2014-15 school year; and

3 (b) For students enrolled in kindergarten, at least four hundred  
4 fifty instructional hours, which shall be increased to at least one  
5 thousand instructional hours according to the implementation schedule  
6 under RCW 28A.150.315.

7 (3) The instructional program of basic education provided by each  
8 school district shall include:

9 (a) Instruction in the essential academic learning requirements  
10 under RCW 28A.655.070;

11 (b) Instruction that provides students the opportunity to complete  
12 twenty-four credits for high school graduation, subject to a phased-in  
13 implementation of the twenty-four credits as established by the  
14 legislature. Course distribution requirements may be established by  
15 the state board of education under RCW 28A.230.090;

16 (c) If the essential academic learning requirements include a  
17 requirement of languages other than English, the requirement may be met  
18 by students receiving instruction in one or more American Indian  
19 languages;

20 (d) Supplemental instruction and services for underachieving  
21 students through the learning assistance program under RCW 28A.165.005  
22 through 28A.165.065;

23 (e) Supplemental instruction and services for eligible and enrolled  
24 students whose primary language is other than English through the  
25 transitional bilingual instruction program under RCW 28A.180.010  
26 through 28A.180.080;

27 (f) The opportunity for an appropriate education at public expense  
28 as defined by RCW 28A.155.020 for all eligible students with  
29 disabilities as defined in RCW 28A.155.020; and

30 (g) Programs for highly capable students under RCW 28A.185.010  
31 through 28A.185.030.

32 (4) Nothing contained in this section shall be construed to require  
33 individual students to attend school for any particular number of hours  
34 per day or to take any particular courses.

35 (5) Each school district's kindergarten through twelfth grade basic  
36 educational program shall be accessible to all students who are five  
37 years of age, as provided by RCW 28A.225.160, and less than twenty-one  
38 years of age and shall consist of a minimum of one hundred eighty

1 school days per school year in such grades as are conducted by a school  
2 district, and one hundred eighty half-days of instruction, or  
3 equivalent, in kindergarten, to be increased to a minimum of one  
4 hundred eighty school days per school year according to the  
5 implementation schedule under RCW 28A.150.315. However, effective May  
6 1, 1979, a school district may schedule the last five school days of  
7 the one hundred and eighty day school year for noninstructional  
8 purposes in the case of students who are graduating from high school,  
9 including, but not limited to, the observance of graduation and early  
10 release from school upon the request of a student, and all such  
11 students may be claimed as a full-time equivalent student to the extent  
12 they could otherwise have been so claimed for the purposes of RCW  
13 28A.150.250 and 28A.150.260.

14 (6) Nothing in this section precludes a school district from  
15 enriching the instructional program of basic education, such as  
16 offering additional instruction or providing additional services,  
17 programs, or activities that the school district determines to be  
18 appropriate for the education of the school district's students.

19 (7) The state board of education shall adopt rules to implement and  
20 ensure compliance with the program requirements imposed by this  
21 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental  
22 program approval requirements as the state board may establish.

23 **Sec. 108.** RCW 28A.657.050 and 2010 c 235 s 105 are each amended to  
24 read as follows:

25 (1) The local district superintendent and local school board of a  
26 school district designated as a required action district must submit a  
27 required action plan to the state board of education for approval.  
28 Unless otherwise required by subsection (3) of this section, the plan  
29 must be submitted under a schedule as required by the state board. A  
30 required action plan must be developed in collaboration with  
31 administrators, teachers, and other staff, parents, unions representing  
32 any employees within the district, students, and other representatives  
33 of the local community. The superintendent of public instruction shall  
34 provide a district with assistance in developing its plan if requested.  
35 The school board must conduct a public hearing to allow for comment on  
36 a proposed required action plan. The local school district shall  
37 submit the plan first to the office of the superintendent of public

1 instruction to review and approve that the plan is consistent with  
2 federal guidelines. After the office of the superintendent of public  
3 instruction has approved that the plan is consistent with federal  
4 guidelines, the local school district must submit its required action  
5 plan to the state board of education for approval.

6 (2) A required action plan must include all of the following:

7 (a) Implementation of one of the four federal intervention models  
8 required for the receipt of a federal school improvement grant, for  
9 those persistently lowest-achieving schools that the district will be  
10 focusing on for required action. However, a district may not establish  
11 a charter school under a federal intervention model without express  
12 legislative authority. The intervention models are the turnaround,  
13 restart, school closure, and transformation models. The intervention  
14 model selected must address the concerns raised in the academic  
15 performance audit and be intended to improve student performance to  
16 allow a school district to be removed from the list of districts  
17 designated as a required action district by the state board of  
18 education within three years of implementation of the plan;

19 (b) Submission of an application for a federal school improvement  
20 grant or a grant from other federal funds for school improvement to the  
21 superintendent of public instruction;

22 (c) A budget that provides for adequate resources to implement the  
23 federal model selected and any other requirements of the plan;

24 (d) A description of the changes in the district's or school's  
25 existing policies, structures, agreements, processes, and practices  
26 that are intended to attain significant achievement gains for all  
27 students enrolled in the school and how the district intends to address  
28 the findings of the academic performance audit; (~~and~~)

29 (e) Use of the state kindergarten readiness assessment process if  
30 the school is an elementary school;

31 (f) Use of family engagement coordinators to build relationships  
32 between families, the school, and the community to improve student  
33 achievement; and

34 (g) Identification of the measures that the school district will  
35 use in assessing student achievement at a school identified as a  
36 persistently lowest-achieving school, which include improving  
37 mathematics and reading student achievement and graduation rates as

1 defined by the office of the superintendent of public instruction that  
2 enable the school to no longer be identified as a persistently lowest-  
3 achieving school.

4 (3)(a) For any district designated for required action, the parties  
5 to any collective bargaining agreement negotiated, renewed, or extended  
6 under chapter 41.59 or 41.56 RCW after June 10, 2010, must reopen the  
7 agreement, or negotiate an addendum, if needed, to make changes to  
8 terms and conditions of employment that are necessary to implement a  
9 required action plan.

10 (b) If the school district and the employee organizations are  
11 unable to agree on the terms of an addendum or modification to an  
12 existing collective bargaining agreement, the parties, including all  
13 labor organizations affected under the required action plan, shall  
14 request the public employment relations commission to, and the  
15 commission shall, appoint an employee of the commission to act as a  
16 mediator to assist in the resolution of a dispute between the school  
17 district and the employee organizations. Beginning in 2011, and each  
18 year thereafter, mediation shall commence no later than April 15th.  
19 All mediations held under this section shall include the employer and  
20 representatives of all affected bargaining units.

21 (c) If the executive director of the public employment relations  
22 commission, upon the recommendation of the assigned mediator, finds  
23 that the employer and any affected bargaining unit are unable to reach  
24 agreement following a reasonable period of negotiations and mediation,  
25 but by no later than May 15th of the year in which mediation occurred,  
26 the executive director shall certify any disputed issues for a decision  
27 by the superior court in the county where the school district is  
28 located. The issues for determination by the superior court must be  
29 limited to the issues certified by the executive director.

30 (d) The process for filing with the court in this subsection (3)(d)  
31 must be used in the case where the executive director certifies issues  
32 for a decision by the superior court.

33 (i) The school district shall file a petition with the superior  
34 court, by no later than May 20th of the same year in which the issues  
35 were certified, setting forth the following:

36 (A) The name, address, and telephone number of the school district  
37 and its principal representative;

1 (B) The name, address, and telephone number of the employee  
2 organizations and their principal representatives;

3 (C) A description of the bargaining units involved;

4 (D) A copy of the unresolved issues certified by the executive  
5 director for a final and binding decision by the court; and

6 (E) The academic performance audit that the office of the  
7 superintendent of public instruction completed for the school district.

8 (ii) Within seven days after the filing of the petition, each party  
9 shall file with the court the proposal it is asking the court to order  
10 be implemented in a required action plan for the district for each  
11 issue certified by the executive director. Contemporaneously with the  
12 filing of the proposal, a party must file a brief with the court  
13 setting forth the reasons why the court should order implementation of  
14 its proposal in the final plan.

15 (iii) Following receipt of the proposals and briefs of the parties,  
16 the court must schedule a date and time for a hearing on the petition.  
17 The hearing must be limited to argument of the parties or their counsel  
18 regarding the proposals submitted for the court's consideration. The  
19 parties may waive a hearing by written agreement.

20 (iv) The court must enter an order selecting the proposal for  
21 inclusion in a required action plan that best responds to the issues  
22 raised in the school district's academic performance audit, and allows  
23 for the award of a federal school improvement grant or a grant from  
24 other federal funds for school improvement to the district from the  
25 office of the superintendent of public instruction to implement one of  
26 the four federal intervention models. The court's decision must be  
27 issued no later than June 15th of the year in which the petition is  
28 filed and is final and binding on the parties; however the court's  
29 decision is subject to appeal only in the case where it does not allow  
30 the school district to implement a required action plan consistent with  
31 the requirements for the award of a federal school improvement grant or  
32 other federal funds for school improvement by the superintendent of  
33 public instruction.

34 (e) Each party shall bear its own costs and attorneys' fees  
35 incurred under this statute.

36 (f) Any party that proceeds with the process in this section after  
37 knowledge that any provision of this section has not been complied with



1 and who fails to state its objection in writing is deemed to have  
2 waived its right to object.

3 (4) All contracts entered into between a school district and an  
4 employee must be consistent with this section and allow school  
5 districts designated as required action districts to implement one of  
6 the four federal models in a required action plan.

7 NEW SECTION. **Sec. 109.** A new section is added to chapter 28A.655  
8 RCW to read as follows:

9 To the extent permitted by federal law and regulations, the office  
10 of the superintendent of public instruction may require elementary  
11 schools receiving federal school improvement grants to use the state  
12 kindergarten readiness assessment, and may require a school to use  
13 family engagement coordinators to build relationships between families,  
14 the school, and the community to improve student achievement.

15 **PART II**  
16 **CLOSING THE OPPORTUNITY GAP**

17 **Sec. 201.** RCW 28A.165.015 and 2004 c 20 s 2 are each amended to  
18 read as follows:

19 Unless the context clearly indicates otherwise the definitions in  
20 this section apply throughout this chapter.

21 (1) "Approved program" means a program submitted to and approved by  
22 the office of the superintendent of public instruction and conducted  
23 pursuant to the plan that addresses the required elements as provided  
24 for in this chapter.

25 (2) "Basic skills areas" means reading, writing, ~~((and))~~  
26 mathematics, and science as well as readiness associated with these  
27 skills.

28 (3) "Participating student" means a student in kindergarten through  
29 grade eleven who scores below standard for his or her grade level on  
30 the statewide assessments and who is identified in the approved plan to  
31 receive services. Beginning with the 2007-2008 school year,  
32 "participating student" means a student in kindergarten through grade  
33 twelve who scores below standard for his or her grade level on the  
34 statewide assessments and who is identified in the approved plan to  
35 receive services.

1 (4) "Statewide assessments" means one or more of the several basic  
2 skills assessments administered as part of the state's student  
3 assessment system, and assessments in the basic skills areas  
4 administered by local school districts.

5 (5) "Underachieving students" means students with the greatest  
6 academic deficits in basic skills as identified by the statewide  
7 assessments.

8 **Sec. 202.** RCW 28A.165.015 and 2009 c 548 s 702 are each amended to  
9 read as follows:

10 Unless the context clearly indicates otherwise the definitions in  
11 this section apply throughout this chapter.

12 (1) "Approved program" means a program submitted to and approved by  
13 the office of the superintendent of public instruction and conducted  
14 pursuant to the plan that addresses the required elements as provided  
15 for in this chapter.

16 (2) "Basic skills areas" means reading, writing, ~~((and))~~  
17 mathematics, and science as well as readiness associated with these  
18 skills.

19 (3) "Participating student" means a student in kindergarten through  
20 grade twelve who scores below standard for his or her grade level on  
21 the statewide assessments and who is identified in the approved plan to  
22 receive services.

23 (4) "Statewide assessments" means one or more of the several basic  
24 skills assessments administered as part of the state's student  
25 assessment system, and assessments in the basic skills areas  
26 administered by local school districts.

27 (5) "Underachieving students" means students with the greatest  
28 academic deficits in basic skills as identified by the statewide  
29 assessments.

30 **Sec. 203.** RCW 28A.165.025 and 2009 c 556 s 1 are each amended to  
31 read as follows:

32 (1) A participating school district shall submit the district's  
33 plan for using learning assistance funds to the office of the  
34 superintendent of public instruction for approval, to the extent  
35 required under subsection (2) of this section. The program plan must

1 identify the program activities to be implemented from RCW 28A.165.035  
2 and implement all of the elements in (a) through (h) of this  
3 subsection. The school district plan shall include the following:

4 (a) District and school-level data on reading, writing, science,  
5 and mathematics achievement as reported pursuant to chapter 28A.655 RCW  
6 and relevant federal law;

7 (b) Processes used for identifying the underachieving students to  
8 be served by the program, including the identification of school or  
9 program sites providing program activities;

10 (c) How accelerated learning plans are developed and implemented  
11 for participating students. Accelerated learning plans may be  
12 developed as part of existing student achievement plan process such as  
13 student plans for achieving state high school graduation standards,  
14 individual student academic plans, or the achievement plans for groups  
15 of students. Accelerated learning plans shall include:

16 (i) Achievement goals for the students;

17 (ii) Roles of the student, parents, or guardians and teachers in  
18 the plan;

19 (iii) Communication procedures regarding student accomplishment;

20 and

21 (iv) Plan reviews and adjustments processes;

22 (d) How state level and classroom assessments are used to inform  
23 instruction;

24 (e) How focused and intentional instructional strategies have been  
25 identified and implemented;

26 (f) How highly qualified instructional staff are developed and  
27 supported in the program and in participating schools;

28 (g) How other federal, state, district, and school resources are  
29 coordinated with school improvement plans and the district's strategic  
30 plan to support underachieving students; and

31 (h) How a program evaluation will be conducted to determine  
32 direction for the following school year.

33 (2) If a school district has received approval of its plan once, it  
34 is not required to submit a plan for approval under RCW 28A.165.045 or  
35 this section unless the district has made a significant change to the  
36 plan. If a district has made a significant change to only a portion of  
37 the plan the district need only submit a description of the changes  
38 made and not the entire plan. Plans or descriptions of changes to the

1 plan must be submitted by July 1st as required under this section. The  
2 office of the superintendent of public instruction shall establish  
3 guidelines for what a "significant change" is.

4 NEW SECTION. **Sec. 204.** A new section is added to chapter 28A.655  
5 RCW to read as follows:

6 (1) Beginning with the graduating class of 2013 and through no  
7 later than the graduating class of 2016, students may graduate from  
8 high school without earning a certificate of academic achievement or a  
9 certificate of individual achievement if they:

10 (a) Have not successfully met the science standard on the statewide  
11 high school science assessment, an approved objective alternative  
12 assessment, or an alternate assessment developed for eligible special  
13 education students;

14 (b) Have successfully met the state standard in the other content  
15 areas required for a certificate under RCW 28A.655.061 or 28A.155.045;

16 (c) Have met all other state and school district graduation  
17 requirements; and

18 (d) Successfully earn one high school science credit or career and  
19 technical course equivalent, including courses offered at skill  
20 centers, after the student's tenth grade year intended to increase the  
21 student's science proficiency toward meeting or exceeding the science  
22 standards assessed on the statewide high school science assessment of  
23 student learning.

24 (2) This section expires August 31, 2016.

25 **Sec. 205.** RCW 28A.655.061 and 2010 c 244 s 1 are each amended to  
26 read as follows:

27 (1) The high school assessment system shall include but need not be  
28 limited to the ((Washington)) statewide student assessments ((of  
29 ~~student learning~~)), opportunities for a student to retake the content  
30 areas of the assessment in which the student was not successful, and if  
31 approved by the legislature pursuant to subsection (10) of this  
32 section, one or more objective alternative assessments for a student to  
33 demonstrate achievement of state academic standards. The objective  
34 alternative assessments for each content area shall be comparable in  
35 rigor to the skills and knowledge that the student must demonstrate on

1 the (~~Washington~~) statewide student assessment (~~of student learning~~)  
2 for each content area.

3 (2) Subject to the conditions in this section, a certificate of  
4 academic achievement shall be obtained by most students at about the  
5 age of sixteen, and is evidence that the students have successfully met  
6 the state standard in the content areas included in the certificate.  
7 With the exception of students satisfying the provisions of RCW  
8 28A.155.045, section 204 of this act, or 28A.655.0611, acquisition of  
9 the certificate is required for graduation from a public high school  
10 but is not the only requirement for graduation.

11 (3) Beginning with the graduating class of 2008, with the exception  
12 of students satisfying the provisions of RCW 28A.155.045, a student who  
13 meets the state standards on the reading, writing, and mathematics  
14 content areas of the high school (~~Washington~~) statewide student  
15 assessments (~~of student learning~~) shall earn a certificate of  
16 academic achievement. If a student does not successfully meet the  
17 state standards in one or more content areas required for the  
18 certificate of academic achievement, then the student may retake the  
19 assessment in the content area up to four times at no cost to the  
20 student. If the student successfully meets the state standards on a  
21 retake of the assessment then the student shall earn a certificate of  
22 academic achievement. Once objective alternative assessments are  
23 authorized pursuant to subsection (10) of this section, a student may  
24 use the objective alternative assessments to demonstrate that the  
25 student successfully meets the state standards for that content area if  
26 the student has taken the (~~Washington~~) statewide student assessment  
27 (~~of student learning~~) at least once. If the student successfully  
28 meets the state standards on the objective alternative assessments then  
29 the student shall earn a certificate of academic achievement.

30 (4) Beginning no later than with the graduating class of 2013, a  
31 student must meet the state standards in science in addition to the  
32 other content areas required under subsection (3) of this section on  
33 the (~~Washington~~) statewide student assessment (~~of student learning~~)  
34 or the objective alternative assessments in order to earn a certificate  
35 of academic achievement. (~~The state board of education may adopt a~~  
36 ~~rule that implements the requirements of this subsection (4) beginning~~  
37 ~~with a graduating class before the graduating class of 2013, if the~~  
38 ~~state board of education adopts the rule by September 1st of the~~

1 ~~freshman school year of the graduating class to which the requirements~~  
2 ~~of this subsection (4) apply. The state board of education's authority~~  
3 ~~under this subsection (4) does not alter the requirement that any~~  
4 ~~change in performance standards for the tenth grade assessment must~~  
5 ~~comply with RCW 28A.305.130.)~~ The superintendent shall not implement  
6 any high school level science end-of-course assessments.

7 (5) The state board of education may not require the acquisition of  
8 the certificate of academic achievement for students in home-based  
9 instruction under chapter 28A.200 RCW, for students enrolled in private  
10 schools under chapter 28A.195 RCW, or for students satisfying the  
11 provisions of RCW 28A.155.045.

12 (6) A student may retain and use the highest result from each  
13 successfully completed content area of the high school assessment.

14 (7) School districts must make available to students the following  
15 options:

16 (a) To retake the (~~Washington~~) statewide student assessment (~~of~~  
17 ~~student learning~~) up to four times in the content areas in which the  
18 student did not meet the state standards if the student is enrolled in  
19 a public school; or

20 (b) To retake the (~~Washington~~) statewide student assessment (~~of~~  
21 ~~student learning~~) up to four times in the content areas in which the  
22 student did not meet the state standards if the student is enrolled in  
23 a high school completion program at a community or technical college.  
24 The superintendent of public instruction and the state board for  
25 community and technical colleges shall jointly identify means by which  
26 students in these programs can be assessed.

27 (8) Students who achieve the standard in a content area of the  
28 statewide high school assessment but who wish to improve their results  
29 shall pay for retaking the assessment, using a uniform cost determined  
30 by the superintendent of public instruction.

31 (9) Opportunities to retake the statewide assessment at least twice  
32 a year shall be available to each school district.

33 (10)(a) The office of the superintendent of public instruction  
34 shall develop options for implementing objective alternative  
35 assessments, which may include an appeals process for students' scores,  
36 for students to demonstrate achievement of the state academic  
37 standards. The objective alternative assessments shall be comparable  
38 in rigor to the skills and knowledge that the student must demonstrate

1 on the ((Washington)) statewide student assessments ((of—student  
2 learning)) and be objective in its determination of student achievement  
3 of the state standards. Before any objective alternative assessments  
4 in addition to those authorized in RCW 28A.655.065 or (b) of this  
5 subsection are used by a student to demonstrate that the student has  
6 met the state standards in a content area required to obtain a  
7 certificate, the legislature shall formally approve the use of any  
8 objective alternative assessments through the omnibus appropriations  
9 act or by statute or concurrent resolution.

10 (b)(i) A student's score on the mathematics, reading or English, or  
11 writing portion of the SAT or the ACT may be used as an objective  
12 alternative assessment under this section for demonstrating that a  
13 student has met or exceeded the state standards for the certificate of  
14 academic achievement. The state board of education shall identify the  
15 scores students must achieve on the relevant portion of the SAT or ACT  
16 to meet or exceed the state standard in the relevant content area on  
17 the ((Washington)) statewide student assessment ((of—student  
18 learning)). The state board of education shall identify the first  
19 scores by December 1, 2007. After the first scores are established,  
20 the state board may increase but not decrease the scores required for  
21 students to meet or exceed the state standards.

22 (ii) Until August 31, 2008, a student's score on the mathematics  
23 portion of the PSAT may be used as an objective alternative assessment  
24 under this section for demonstrating that a student has met or exceeded  
25 the state standard for the certificate of academic achievement. The  
26 state board of education shall identify the score students must achieve  
27 on the mathematics portion of the PSAT to meet or exceed the state  
28 standard in that content area on the Washington assessment of student  
29 learning.

30 (iii) A student who scores at least a three on the grading scale of  
31 one to five for selected AP examinations may use the score as an  
32 objective alternative assessment under this section for demonstrating  
33 that a student has met or exceeded state standards for the certificate  
34 of academic achievement. A score of three on the AP examinations in  
35 calculus or statistics may be used as an alternative assessment for the  
36 mathematics portion of the ((Washington)) statewide student assessment  
37 ((of—student—learning)). A score of three on the AP examinations in  
38 English language and composition may be used as an alternative

1 assessment for the writing portion of the (~~Washington~~) statewide  
2 student assessment (~~of student learning~~). A score of three on the AP  
3 examinations in English literature and composition, macroeconomics,  
4 microeconomics, psychology, United States history, world history,  
5 United States government and politics, or comparative government and  
6 politics may be used as an alternative assessment for the reading  
7 portion of the (~~Washington~~) statewide student assessment (~~of student~~  
8 ~~learning~~)).

9 (11) By December 15, 2004, the house of representatives and senate  
10 education committees shall obtain information and conclusions from  
11 recognized, independent, national assessment experts regarding the  
12 validity and reliability of the high school Washington assessment of  
13 student learning for making individual student high school graduation  
14 determinations.

15 (12) To help assure continued progress in academic achievement as  
16 a foundation for high school graduation and to assure that students are  
17 on track for high school graduation, each school district shall prepare  
18 plans for and notify students and their parents or legal guardians as  
19 provided in this subsection. Student learning plans are required for  
20 eighth grade students who were not successful on any or all of the  
21 content areas of the state assessment during the previous school year  
22 or who may not be on track to graduate due to credit deficiencies or  
23 absences. The parent or legal guardian shall be notified about the  
24 information in the student learning plan, preferably through a parent  
25 conference and at least annually. To the extent feasible, schools  
26 serving English language learner students and their parents shall  
27 translate the plan into the primary language of the family. The plan  
28 shall include the following information as applicable:

- 29 (a) The student's results on the state assessment;
- 30 (b) If the student is in the transitional bilingual program, the  
31 score on his or her Washington language proficiency test II;
- 32 (c) Any credit deficiencies;
- 33 (d) The student's attendance rates over the previous two years;
- 34 (e) The student's progress toward meeting state and local  
35 graduation requirements;
- 36 (f) The courses, competencies, and other steps needed to be taken  
37 by the student to meet state academic standards and stay on track for  
38 graduation;



1 (g) Remediation strategies and alternative education options  
2 available to students, including informing students of the option to  
3 continue to receive instructional services after grade twelve or until  
4 the age of twenty-one;

5 (h) The alternative assessment options available to students under  
6 this section and RCW 28A.655.065;

7 (i) School district programs, high school courses, and career and  
8 technical education options available for students to meet graduation  
9 requirements; and

10 (j) Available programs offered through skill centers or community  
11 and technical colleges, including the college high school diploma  
12 options under RCW 28B.50.535.

13 **Sec. 206.** RCW 28A.155.045 and 2007 c 354 s 3 are each amended to  
14 read as follows:

15 Beginning with the graduating class of 2008, students served under  
16 this chapter, who are not appropriately assessed by the high school  
17 Washington assessment system as defined in RCW 28A.655.061, even with  
18 accommodations, may earn a certificate of individual achievement. The  
19 certificate may be earned using multiple ways to demonstrate skills and  
20 abilities commensurate with their individual education programs. The  
21 determination of whether the high school assessment system is  
22 appropriate shall be made by the student's individual education program  
23 team. Except as provided in RCW 28A.655.0611 and section 204 of this  
24 act, for these students, the certificate of individual achievement is  
25 required for graduation from a public high school, but need not be the  
26 only requirement for graduation. When measures other than the high  
27 school assessment system as defined in RCW 28A.655.061 are used, the  
28 measures shall be in agreement with the appropriate educational  
29 opportunity provided for the student as required by this chapter. The  
30 superintendent of public instruction shall develop the guidelines for  
31 determining which students should not be required to participate in the  
32 high school assessment system and which types of assessments are  
33 appropriate to use.

34 When measures other than the high school assessment system as  
35 defined in RCW 28A.655.061 are used for high school graduation  
36 purposes, the student's high school transcript shall note whether that  
37 student has earned a certificate of individual achievement.

1 Nothing in this section shall be construed to deny a student the  
2 right to participation in the high school assessment system as defined  
3 in RCW 28A.655.061, and, upon successfully meeting the high school  
4 standard, receipt of the certificate of academic achievement.

5 **Sec. 207.** RCW 28A.320.190 and 2009 c 578 s 2 are each amended to  
6 read as follows:

7 (1) The extended learning opportunities program is created for  
8 eligible (~~eleventh and~~) ninth through twelfth grade students who are  
9 not on track to meet local or state graduation requirements as well as  
10 eighth grade students who need additional assistance in order to have  
11 the opportunity for a successful entry into high school. The program  
12 shall provide early notification of graduation status and information  
13 on education opportunities including preapprenticeship programs that  
14 are available.

15 (2) Under the extended learning opportunities program and to the  
16 extent funds are available for that purpose, districts shall make  
17 available to students in grade twelve who have failed to meet one or  
18 more local or state graduation requirements the option of continuing  
19 enrollment in the school district in accordance with RCW 28A.225.160.  
20 Districts are authorized to use basic education program funding to  
21 provide instruction to eligible students under RCW 28A.150.220(~~(+3)~~)  
22 (5).

23 (3) Under the extended learning opportunities program,  
24 instructional services for eligible students can occur during the  
25 regular school day, evenings, on weekends, or at a time and location  
26 deemed appropriate by the school district, including the educational  
27 service district, in order to meet the needs of these students.  
28 Instructional services provided under this section do not include  
29 services offered at private schools. Instructional services can  
30 include, but are not limited to, the following:

31 (a) Individual or small group instruction;

32 (b) Instruction in English language arts and/or mathematics that  
33 eligible students need to pass all or part of the (~~Washington~~) state  
34 high school assessment (~~(of student learning)~~);

35 (c) Attendance in a public high school or public alternative school  
36 classes or at a skill center;

37 (d) Inclusion in remediation programs, including summer school;

1 (e) Language development instruction for English language learners;  
2 (f) Online curriculum and instructional support, including programs  
3 for credit retrieval and ((Washington)) state assessment ((of student  
4 learning)) preparatory classes; and  
5 (g) Reading improvement specialists available at the educational  
6 service districts to serve eighth(~~, eleventh, and~~) through twelfth  
7 grade educators through professional development in accordance with RCW  
8 28A.415.350. The reading improvement specialist may also provide  
9 direct services to eligible students and those students electing to  
10 continue a fifth year in a high school program who are still struggling  
11 with basic reading skills.

12 NEW SECTION. **Sec. 208.** (1) The Washington state institute for  
13 public policy shall work with the office of the superintendent of  
14 public instruction to design and implement a research study to measure  
15 the impact on student achievement of remediation strategies funded by  
16 the learning assistance program.

17 (2) The objectives of the research study are to determine which  
18 remediation strategies are most effective and efficient in improving  
19 student achievement in reading, mathematics, and science; and identify  
20 outcome measures for use by policymakers in evaluating learning  
21 assistance program success. The study design shall include  
22 quantitative and qualitative methods; identify the data necessary for  
23 a high-quality study; and identify the extent that necessary data is  
24 being collected and, if not, how it could be collected, including  
25 through sampling if necessary.

26 (3) The institute shall submit the research study design to the  
27 quality education council and the education committees of the  
28 legislature by September 1, 2011.

29 (4) The institute shall submit the results of the research study to  
30 the quality education council and the education committees of the  
31 legislature by September 1, 2012.

32 **Sec. 209.** RCW 28A.180.090 and 2001 1st sp.s. c 6 s 2 are each  
33 amended to read as follows:

34 The superintendent of public instruction shall develop an  
35 evaluation system designed to measure increases in the English and

1 academic proficiency of eligible pupils. When developing the system,  
2 the superintendent shall:

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

8 (2) Require school districts to annually assess all eligible pupils  
9 at the end of the school year using an English proficiency assessment  
10 or assessments as specified by the superintendent of public  
11 instruction. Results of these assessments shall be made available to  
12 both the superintendent of public instruction and the school district.  
13 Aggregated results must be posted on the web site of the office of the  
14 superintendent of public instruction for each school and school  
15 district, using the Washington state report card. The report card must  
16 include the average length of time students in each school and district  
17 are enrolled in the transitional bilingual instructional program,  
18 annual change in the number and percentage of students making progress  
19 in learning English, annual change in the number and percentage of  
20 students attaining English proficiency, and the number and percentage  
21 of students meeting annual targets in reading and mathematics for state  
22 and federal accountability; and

23 (3) Develop a system to evaluate increases in the English and  
24 academic proficiency of students who are, or were, eligible pupils.  
25 This evaluation shall include students when they are in the program and  
26 after they exit the program until they finish their K-12 career or  
27 transfer from the school district. Aggregated results from the  
28 academic assessment of students who were formerly eligible pupils under  
29 the program must be reported by school and school district using the  
30 Washington state report card. The purpose of the evaluation system is  
31 to inform schools, school districts, parents, and the state of the  
32 effectiveness of the transitional bilingual programs in school and  
33 school districts in teaching these students English and other content  
34 areas, such as mathematics and writing(~~and~~

35 ~~(4) Report to the education and fiscal committees of the~~  
36 ~~legislature by November 1, 2002, regarding the development of the~~  
37 ~~systems described in this section and a timeline for the full~~  
38 ~~implementation of those systems. The legislature shall approve and~~

1 ~~provide funding for the evaluation system in subsection (3) of this~~  
2 ~~section before any implementation of the system developed under~~  
3 ~~subsection (3) of this section may occur)).~~

4 NEW SECTION. **Sec. 210.** A new section is added to chapter 28A.185  
5 RCW to read as follows:

6 For the purposes of the program for highly capable students under  
7 this chapter, a highly capable student means a student who performs, or  
8 shows potential for performing, at significantly advanced levels when  
9 compared to others of his or her age, experience, or environment.  
10 Outstanding capabilities are seen with the student's general  
11 intellectual aptitudes, specific academic abilities, creative  
12 productivities within a specific domain, or leadership skills. Highly  
13 capable students are present in all cultural and linguistic groups and  
14 across all socioeconomic strata; coexist with all manner of disabling  
15 conditions both visible and invisible; and manifest across all areas of  
16 human endeavor.

17 **Sec. 211.** RCW 28A.185.020 and 2009 c 548 s 708 are each amended to  
18 read as follows:

19 (1) The legislature finds that, for highly capable students, access  
20 to accelerated learning and enhanced instruction is access to a basic  
21 education. The education of highly capable students may include  
22 supports and services that are in addition to those ordinarily provided  
23 as part of general education.

24 (2) There are multiple definitions of highly capable, from  
25 intellectual to academic to artistic. The research literature strongly  
26 supports using multiple criteria to identify highly capable students,  
27 and therefore, the legislature does not intend to prescribe a single  
28 method. Instead, the legislature intends to allocate funding based on  
29 two and three hundred fourteen one-thousandths percent of each school  
30 district's population and authorize school districts to identify  
31 through the use of multiple, objective criteria those students most  
32 highly capable and eligible to receive accelerated learning and  
33 enhanced instruction in the program offered by the district. Access to  
34 accelerated learning and enhanced instruction through the program for  
35 highly capable students does not constitute an individual entitlement  
36 for any particular student.

1 ((+2)) (3) Supplementary funds provided by the state for the  
2 program for highly capable students under RCW 28A.150.260 shall be  
3 categorical funding to provide services to highly capable students as  
4 determined by a school district under RCW 28A.185.030.

5 **Sec. 212.** RCW 28A.185.030 and 2009 c 380 s 4 are each amended to  
6 read as follows:

7 Local school districts may establish and operate, either separately  
8 or jointly, programs for highly capable students. Such authority shall  
9 include the right to employ and pay special instructors and to operate  
10 such programs jointly with a public institution of higher education.  
11 Local school districts which establish and operate programs for highly  
12 capable students shall adopt identification procedures and provide  
13 educational opportunities as follows:

14 (1) In accordance with rules adopted by the superintendent of  
15 public instruction, school districts shall implement procedures for  
16 nomination, assessment and selection of their most highly capable  
17 students for the purposes of the highly capable program. (~~Nominations  
18 shall be based upon data from teachers, other staff, parents, students,  
19 and members of the community. Assessment shall be based upon a review  
20 of each student's capability as shown by multiple criteria intended to  
21 reveal, from a wide variety of sources and data, each student's unique  
22 needs and capabilities. Selection shall be made by a broadly based  
23 committee of professionals, after consideration of the results of the  
24 multiple criteria assessment.~~) Under the procedures, no single  
25 criterion should prevent a student's identification. However, any  
26 single criterion, if strong enough, may indicate a need for services.  
27 The rules adopted by the superintendent of public instruction must  
28 include but are not limited to consistent procedures for:

- 29 (a) Universal screening;  
30 (b) Regular public notification;  
31 (c) Use of multiple criteria;  
32 (d) Involvement of qualified professionals in the identification  
33 process;  
34 (e) Family involvement in decision making;  
35 (f) Notification of parents or legal guardians;  
36 (g) Safeguards to reduce cultural, linguistic, socioeconomic, and  
37 gender bias, and to mitigate impacts resulting from disabilities; and

1        (h) Periodic reviews, including input from families.

2        (2) When a student, who is a child of a military family in  
3 transition, has been assessed or enrolled as highly capable by a  
4 sending school, the receiving school shall initially honor placement of  
5 the student into a like program.

6        (a) The receiving school shall determine whether the district's  
7 program is a like program when compared to the sending school's  
8 program; and

9        (b) The receiving school may conduct subsequent assessments to  
10 determine appropriate placement and continued enrollment in the  
11 program.

12        (3) Students selected pursuant to procedures outlined in this  
13 section shall be provided, to the extent feasible, an educational  
14 opportunity which takes into account each student's unique needs and  
15 capabilities and the limits of the resources and program options  
16 available to the district, including those options which can be  
17 developed or provided by using funds allocated by the superintendent of  
18 public instruction for that purpose.

19        (4) The definitions in Article II of RCW 28A.705.010 apply to  
20 subsection (2) of this section.

21        **Sec. 213.** RCW 28C.18.162 and 2009 c 238 s 3 are each amended to  
22 read as follows:

23        Unless the context clearly requires otherwise, the definitions in  
24 this section apply throughout this section and RCW 28C.18.160 and  
25 28C.18.164 through 28C.18.168.

26        (1) "High-demand occupation" means an occupation with a substantial  
27 number of current or projected employment opportunities. For the  
28 purposes of opportunity internships, the teaching of mathematics,  
29 science, bilingual education, special education, or English as a second  
30 language is considered a high-demand occupation.

31        (2) "Low-income high school student" means a student who is  
32 enrolled in grade(~~s~~) ten, eleven, or twelve in a public high school  
33 and who qualifies for federal free or reduced-price meals. If a  
34 student qualifies at the time the student begins participating in the  
35 opportunity internship program, the student remains eligible even if  
36 the student does not receive free or reduced-price meals thereafter.

1 To participate in the program, the student must remain enrolled in high  
2 school until the student receives a high school diploma.

3 (3) "Opportunity internship consortium" means a local consortium  
4 formed for the purpose of participating in the opportunity internship  
5 program and which may be composed of a local workforce development  
6 council, economic development council, area high schools, community or  
7 technical colleges, apprenticeship councils, preapprenticeship programs  
8 such as running start for the trades, private vocational schools  
9 licensed under chapter 28C.10 RCW, public and private four-year  
10 institutions of higher education, employers in targeted industries, and  
11 labor organizations. Partnerships of high schools, teacher preparation  
12 programs, and community-based organizations offering the program under  
13 RCW 28A.415.370 may be considered opportunity internship consortia.

14 (4) "Opportunity internship graduate" means a low-income high  
15 school student who successfully completes an opportunity internship  
16 program and graduates from high school.

17 (5) "Postsecondary program of study" means an undergraduate or  
18 graduate certificate, apprenticeship, or degree program.

19 (6) "Preapprenticeship" means a program of at least ninety hours  
20 and not more than one hundred eighty hours in length that provides  
21 practical experience, education, preparation, and the development of  
22 skills that would be beneficial for entry into state-approved  
23 apprenticeship programs, including but not limited to construction  
24 industry structure and the construction process; orientation to state-  
25 approved apprenticeship; tools of the various trades and safe handling  
26 of power tools; and industry standards of safety, responsibility, and  
27 craft excellence.

28 (7) "Targeted industry" means a business or industry identified by  
29 a local workforce development council as having high-demand occupations  
30 that require candidates to have completed a postsecondary program of  
31 study.

32 **Sec. 214.** RCW 28A.660.042 and 2007 c 396 s 6 are each amended to  
33 read as follows:

34 (1) The pipeline for paraeducators conditional scholarship program  
35 is created.

36 (2)(a) Except as provided under subsection (3) of this section,  
37 participation is limited to paraeducators without a college degree who



1 have at least three years of classroom experience. It is anticipated  
2 that candidates enrolled in this program will complete their associate  
3 of arts degree at a community and technical college in two years or  
4 less and become eligible for a mathematics, special education, or  
5 English as a second language endorsement via route one in the  
6 alternative routes to teacher certification program provided in this  
7 chapter.

8 ~~((+2))~~ (b) Entry requirements for candidates under this subsection  
9 (2) include district or building validation of qualifications,  
10 including three years of successful student interaction and leadership  
11 as a classified instructional employee.

12 (3) Subject to the availability of funds for the pipeline for  
13 paraeducators conditional scholarship program under RCW 28A.660.050,  
14 after qualified candidates under subsection (2) of this section have  
15 been accepted, individuals who participated in one of the recruiting  
16 Washington teachers grant programs under RCW 28A.415.370 may  
17 participate in the pipeline for paraeducators conditional scholarship  
18 program if the individual meets the criteria for the scholarship under  
19 RCW 28A.660.050.

20 **Sec. 215.** RCW 28A.660.050 and 2010 c 235 s 505 are each amended to  
21 read as follows:

22 Subject to the availability of amounts appropriated for these  
23 purposes, the conditional scholarship programs in this chapter are  
24 created under the following guidelines:

25 (1) The programs shall be administered by the higher education  
26 coordinating board. In administering the programs, the higher  
27 education coordinating board has the following powers and duties:

28 (a) To adopt necessary rules and develop guidelines to administer  
29 the programs;

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

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

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

36 (a) The alternative route conditional scholarship program is  
37 limited to interns of professional educator standards board-approved

1 alternative routes to teaching programs under RCW 28A.660.040. For  
2 fiscal year 2011, priority must be given to fiscal year 2010  
3 participants in the alternative route partnership program. In order to  
4 receive conditional scholarship awards, recipients shall:

5 (i) Be accepted and maintain enrollment in alternative  
6 certification routes through a professional educator standards board-  
7 approved program;

8 (ii) Continue to make satisfactory progress toward completion of  
9 the alternative route certification program and receipt of a residency  
10 teaching certificate; and

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

18 (b) The pipeline for paraeducators conditional scholarship program  
19 is limited to qualified (~~paraeducators~~) individuals as provided by  
20 RCW 28A.660.042. Paraeducators who apply for the program under RCW  
21 28A.660.042(2) shall receive first priority in scholarship awards. In  
22 order to receive conditional scholarship awards, recipients shall:

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

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

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

1 (c) The retooling to teach mathematics and science conditional  
2 scholarship program is limited to current K-12 teachers. In order to  
3 receive conditional scholarship awards:

4 (i) Individuals currently employed as teachers shall pursue a  
5 middle level mathematics or science, or secondary mathematics or  
6 science endorsement; or

7 (ii) Individuals who are certificated with an elementary education  
8 endorsement shall pursue an endorsement in middle level mathematics or  
9 science, or both; and

10 (iii) Individuals shall use one of the pathways to endorsement  
11 processes to receive a mathematics or science endorsement, or both,  
12 which shall include passing a mathematics or science endorsement test,  
13 or both tests, plus observation and completing applicable coursework to  
14 attain the proper endorsement; and

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

19 (3) The Washington professional educator standards board shall  
20 select individuals to receive conditional scholarships. In selecting  
21 recipients, preference shall be given to eligible veterans or national  
22 guard members.

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

32 (5) Recipients who fail to fulfill the required teaching obligation  
33 are required to repay the remaining loan principal with interest and  
34 any other applicable fees. The higher education coordinating board  
35 shall adopt rules to define the terms for repayment, including  
36 applicable interest rates, fees, and deferments.

37 (6) The higher education coordinating board may deposit all

1 appropriations, collections, and any other funds received for the  
2 program in this chapter in the future teachers conditional scholarship  
3 account authorized in RCW 28B.102.080.

4 **Sec. 216.** RCW 28A.660.040 and 2010 c 235 s 504 are each amended to  
5 read as follows:

6 Alternative route programs under this chapter shall operate one to  
7 four specific route programs. Successful completion of the program  
8 shall make a candidate eligible for residency teacher certification.  
9 The mentor of the teacher candidate at the school and the supervisor of  
10 the teacher candidate from the teacher preparation program must both  
11 agree that the teacher candidate has successfully completed the  
12 program.

13 (1) Alternative route programs operating route one programs shall  
14 enroll currently employed classified instructional employees with  
15 transferable associate degrees or former participants in the recruiting  
16 Washington teachers program who enter through the pipeline for  
17 paraeducators conditional scholarship program under RCW 28A.660.042 who  
18 are seeking residency teacher certification with endorsements in  
19 mathematics, special education, bilingual education, or English as a  
20 second language. It is anticipated that candidates enrolled in this  
21 route will complete both their baccalaureate degree and requirements  
22 for residency certification in two years or less, including a mentored  
23 internship to be completed in the final year. In addition, partnership  
24 programs shall uphold entry requirements for candidates that include:

25 (a) District or building validation of qualifications, including  
26 one year of successful student interaction and leadership as a  
27 classified instructional employee;

28 (b) Successful passage of the statewide basic skills exam; and

29 (c) Meeting the age, good moral character, and personal fitness  
30 requirements adopted by rule for teachers.

31 (2) Alternative route programs operating route two programs shall  
32 enroll currently employed classified staff with baccalaureate degrees  
33 seeking residency teacher certification in subject matter shortage  
34 areas and areas with shortages due to geographic location. Candidates  
35 enrolled in this route must complete a mentored internship complemented  
36 by flexibly scheduled training and coursework offered at a local site,  
37 such as a school or educational service district, or online or via

1 video-conference over the K-20 network, in collaboration with the  
2 partnership program's higher education partner. In addition,  
3 partnership grant programs shall uphold entry requirements for  
4 candidates that include:

5 (a) District or building validation of qualifications, including  
6 one year of successful student interaction and leadership as classified  
7 staff;

8 (b) A baccalaureate degree from a regionally accredited institution  
9 of higher education. The individual's college or university grade  
10 point average may be considered as a selection factor;

11 (c) Successful completion of the subject matter assessment required  
12 by RCW 28A.410.220(3);

13 (d) Meeting the age, good moral character, and personal fitness  
14 requirements adopted by rule for teachers; and

15 (e) Successful passage of the statewide basic skills exam.

16 (3) Alternative route programs seeking funds to operate route three  
17 programs shall enroll individuals with baccalaureate degrees, who are  
18 not employed in the district at the time of application. When  
19 selecting candidates for certification through route three, districts  
20 and approved preparation program providers shall give priority to  
21 individuals who are seeking residency teacher certification in subject  
22 matter shortage areas or shortages due to geographic locations.  
23 Cohorts of candidates for this route shall attend an intensive summer  
24 teaching academy, followed by a full year employed by a district in a  
25 mentored internship, followed, if necessary, by a second summer  
26 teaching academy. In addition, partnership programs shall uphold entry  
27 requirements for candidates that include:

28 (a) A baccalaureate degree from a regionally accredited institution  
29 of higher education. The individual's grade point average may be  
30 considered as a selection factor;

31 (b) Successful completion of the subject matter assessment required  
32 by RCW 28A.410.220(3);

33 (c) External validation of qualifications, including demonstrated  
34 successful experience with students or children, such as reference  
35 letters and letters of support from previous employers;

36 (d) Meeting the age, good moral character, and personal fitness  
37 requirements adopted by rule for teachers; and

38 (e) Successful passage of statewide basic skills exam.

1 (4) Alternative route programs operating route four programs shall  
2 enroll individuals with baccalaureate degrees, who are employed in the  
3 district at the time of application, or who hold conditional teaching  
4 certificates or emergency substitute certificates. Cohorts of  
5 candidates for this route shall attend an intensive summer teaching  
6 academy, followed by a full year employed by a district in a mentored  
7 internship. If employed on a conditional certificate, the intern may  
8 serve as the teacher of record, supported by a well-trained mentor. In  
9 addition, partnership programs shall uphold entry requirements for  
10 candidates that include:

11 (a) A baccalaureate degree from a regionally accredited institution  
12 of higher education. The individual's grade point average may be  
13 considered as a selection factor;

14 (b) Successful completion of the subject matter assessment required  
15 by RCW 28A.410.220(3);

16 (c) External validation of qualifications, including demonstrated  
17 successful experience with students or children, such as reference  
18 letters and letters of support from previous employers;

19 (d) Meeting the age, good moral character, and personal fitness  
20 requirements adopted by rule for teachers; and

21 (e) Successful passage of statewide basic skills exam.

22 (5) Applicants for alternative route programs who are eligible  
23 veterans or national guard members and who meet the entry requirements  
24 for the alternative route program for which application is made shall  
25 be given preference in admission.

### 26 PART III

#### 27 SUPPORTING EDUCATION PROFESSIONALS

28 NEW SECTION. **Sec. 301.** The legislature intends to continue  
29 development and implementation of revised teacher and principal  
30 evaluation systems according to the schedule in RCW 28A.405.100,  
31 including supporting the work of those school districts developing and  
32 piloting the revised evaluation systems.

33 **Sec. 302.** RCW 28A.400.201 and 2010 c 236 s 7 are each amended to  
34 read as follows:

35 (1) The legislature recognizes that providing students with the

1 opportunity to access a world-class educational system depends on our  
2 continuing ability to provide students with access to world-class  
3 educators. The legislature also understands that continuing to attract  
4 and retain the highest quality educators will require increased  
5 investments. The legislature intends to enhance the current salary  
6 allocation model and recognizes that changes to the current model  
7 cannot be imposed without great deliberation and input from teachers,  
8 administrators, and classified employees. Therefore, it is the intent  
9 of the legislature to begin the process of developing an enhanced  
10 salary allocation model that is collaboratively designed to ensure the  
11 rationality of any conclusions regarding what constitutes adequate  
12 compensation.

13 (2) Beginning July 1, 2011, the office of the superintendent of  
14 public instruction, in collaboration with the office of financial  
15 management, shall convene a technical working group to recommend the  
16 details of an enhanced salary allocation model that aligns state  
17 expectations for educator development and certification with the  
18 compensation system and establishes recommendations for a concurrent  
19 implementation schedule. In addition to any other details the  
20 technical working group deems necessary, the technical working group  
21 shall consider how a new compensation system should reward educational  
22 attainment, years of service, performance as measured by the four-tier  
23 evaluation system described in RCW 28A.405.100, service in high-demand  
24 fields, and national board for professional teaching standards  
25 certification. The working group shall also make recommendations on  
26 the following:

27 (a) How to reduce the number of tiers within the existing salary  
28 allocation model;

29 (b) How to account for labor market adjustments;

30 (c) How to account for different geographic regions of the state  
31 where districts may encounter difficulty recruiting and retaining  
32 teachers;

33 (d) The role of and types of bonuses available;

34 (e) Ways to eliminate or phase out grandfathered salaries for  
35 certificated, classified, and administrative employees to accomplish  
36 salary equalization over a set number of years; (~~and~~)

37 (f) Initial fiscal estimates for implementing the recommendations

1 including a recognition that staff on the existing salary allocation  
2 model would have the option to grandfather in permanently to the  
3 existing schedule; and

4 (g) How to use school-based incentives to encourage and reward  
5 school-wide improvements.

6 (3) As part of its work, the technical working group shall conduct  
7 or contract for a preliminary comparative labor market analysis of  
8 salaries and other compensation for school district employees to be  
9 conducted and shall include the results in any reports to the  
10 legislature. For the purposes of this subsection, "salaries and other  
11 compensation" includes average base salaries, average total salaries,  
12 average employee basic benefits, and retirement benefits.

13 (4) The analysis required under subsection (1) of this section  
14 must:

15 (a) Examine salaries and other compensation for teachers, other  
16 certificated instructional staff, principals, and other building-level  
17 certificated administrators, and the types of classified employees for  
18 whom salaries are allocated;

19 (b) Be calculated at a statewide level that identifies labor  
20 markets in Washington through the use of data from the United States  
21 bureau of the census and the bureau of labor statistics; and

22 (c) Include a comparison of salaries and other compensation to the  
23 appropriate labor market for at least the following subgroups of  
24 educators: Beginning teachers and types of educational staff  
25 associates.

26 (5) The working group or a technical subgroup of individuals with  
27 knowledge and expertise in professional development and mentoring  
28 formed by the working group shall conduct a comprehensive analysis of  
29 educator professional development and mentoring needs for principals,  
30 teachers, educational staff associates, and classified staff. The  
31 analysis must include professional development needs in the following  
32 specific areas:

33 (a) Cultural competency;

34 (b) Competency in language acquisition; and

35 (c) Science, technology, engineering, and mathematics instruction.

36 (6) The working group shall also examine current barriers and  
37 possible strategies, including incentives, to recruit and retain



1 diverse teachers and teachers with knowledge and skills in science,  
2 technology, engineering, and mathematics.

3 (7) The working group shall include four legislators, with one  
4 member from each of the major caucuses in the house of representatives  
5 appointed by the speaker of the house of representatives; and one  
6 member from each of the major caucuses in the senate appointed by the  
7 president of the senate. Additional members shall include  
8 representatives of the department of personnel, the professional  
9 educator standards board, the office of the superintendent of public  
10 instruction, the Washington education association, the Washington  
11 association of school administrators, the association of Washington  
12 school principals, the Washington state school directors' association,  
13 the public school employees of Washington, and other interested  
14 stakeholders with appropriate expertise in compensation related  
15 matters. The working group may convene advisory subgroups on specific  
16 topics as necessary to assure participation and input from a broad  
17 array of diverse stakeholders.

18 ~~((+6+))~~ (8) The working group shall be monitored and overseen by  
19 the legislature and the quality education council created in RCW  
20 28A.290.010. The working group shall make an initial report to the  
21 legislature by June 30, 2012, and shall include in its report  
22 recommendations for whether additional further work of the group is  
23 necessary.

#### 24 PART IV

#### 25 PERFORMANCE-BASED REDUCTION IN FORCE DUE TO ENROLLMENT

#### 26 DECLINE OR REVENUE LOSS

27 NEW SECTION. Sec. 401. A new section is added to chapter 28A.405  
28 RCW to read as follows:

29 (1) When reductions in the workforce occur due to enrollment  
30 decline or revenue loss, the employment contracts of any certificated  
31 classroom teacher and principal must be nonrenewed in the following  
32 manner within each particular certification or endorsement area, unless  
33 the teacher is in an initial sixty school day probationary period  
34 established under RCW 28A.405.100. Certificated classroom teachers and  
35 principals who received the lowest evaluation rating, as described in  
36 RCW 28A.405.100 must have their contracts nonrenewed first.

1 (2) The board of directors of each school district shall adopt a  
2 written policy governing procedures for the nonrenewal of employment  
3 contracts for certificated classroom teachers and principals as  
4 provided for in subsection (1) of this section.

5 (3) Any school district whose board policies or locally bargained  
6 agreement outlines recall rights for certificated classroom teachers  
7 and principals must recall staff in the reverse order contracts were  
8 nonrenewed as provided for in subsection (1) of this section.

9 (4) All collective bargaining agreements and other contracts  
10 entered into between a school district and an employee bargaining unit  
11 or an employee after the effective date of this section, as well as  
12 bargaining agreements existing on the effective date of this section,  
13 but renewed or extended after the effective date of this section, must  
14 be consistent with this section.

15 **PART V**  
16 **STAFFING PLACEMENTS**

17 NEW SECTION. **Sec. 501.** A new section is added to chapter 28A.405  
18 RCW to read as follows:

19 Any policy adopted by a school district board of directors after  
20 the effective date of this section under RCW 28A.150.230 or in a  
21 locally bargained agreement must contain provisions that prohibit  
22 assignment of a certificated classroom teacher to a school in the  
23 lowest tier of the state board of education's accountability index,  
24 unless agreed to by the hiring principal and, if applicable to local  
25 policy, the school-based entity charged with hiring decisions.

26 **PART VI**  
27 **MISCELLANEOUS PROVISIONS**

28 NEW SECTION. **Sec. 601.** Sections 104, 107, 202, and 211 of this  
29 act take effect September 1, 2011.

30 NEW SECTION. **Sec. 602.** Sections 401 and 501 of this act are  
31 necessary for the immediate preservation of the public peace, health,  
32 or safety, or support of the state government and its existing public  
33 institutions, and take effect immediately.

1           NEW SECTION.   **Sec. 603.**   Section 201 of this act expires September  
2 1, 2011."

**E2SHB 1443** - S AMD  
By Senator Tom

**ADOPTED AND ENGROSSED 4/12/11**

3           On page 1, line 2 of the title, after "council;" strike the  
4 remainder of the title and insert "amending RCW 28A.150.260,  
5 28A.250.020, 28A.250.050, 28A.150.220, 28A.657.050, 28A.165.015,  
6 28A.165.015, 28A.165.025, 28A.655.061, 28A.155.045, 28A.320.190,  
7 28A.180.090, 28A.185.020, 28A.185.030, 28C.18.162, 28A.660.042,  
8 28A.660.050, 28A.660.040, and 28A.400.201; adding new sections to  
9 chapter 28A.655 RCW; adding a new section to chapter 28A.230 RCW;  
10 adding a new section to chapter 28A.185 RCW; adding new sections to  
11 chapter 28A.405 RCW; creating new sections; providing an effective  
12 date; providing expiration dates; and declaring an emergency."

--- END ---