
SENATE BILL 5328

State of Washington

63rd Legislature

2013 Regular Session

By Senators Litzow, Hobbs, Dammeier, Hatfield, Baumgartner, Roach, Hill, Braun, Shin, and Tom

Read first time 01/28/13. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to creating a school-grading program that relies on
2 the accountability index; and adding new sections to chapter 28A.655
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.655
6 RCW to read as follows:

7 (1) The primary purposes of a school-grading program are to enhance
8 the learning gains of all students, provide feedback to schools and
9 school districts, supply parents and community members with
10 understandable information about their schools, and provide information
11 regarding school accountability and recognition.

12 (2) Beginning with the 2013-14 school year, the state board of
13 education must implement a school-grading program that identifies
14 schools as having one of the following grades:

- 15 (a) "A" for schools making excellent progress;
16 (b) "B" for schools making above average progress;
17 (c) "C" for schools making satisfactory progress;
18 (d) "D" for schools making less than satisfactory progress; and
19 (e) "F" for schools failing to make adequate progress.

1 (3) Each school that has students who are tested using the
2 assessments administered statewide in reading, writing, mathematics,
3 and science required under RCW 28A.655.061, 28A.655.066, and
4 28A.655.070 shall earn a school grade, except as follows:

5 (a) To protect the privacy of students, schools, and districts
6 testing fewer than ten students in a grade level;

7 (b) An alternative school may choose to receive a school or a
8 school improvement rating;

9 (c) Charter schools, unless the charter school governing board
10 chooses to earn a school grade;

11 (d) A school that serves any combination of students in
12 kindergarten through grade three shall not earn a school grade based on
13 test scores because its students are not tested. Such schools shall be
14 included in the school-grading program by earning the grade designation
15 of the K-3 feeder-pattern school identified by the office of the
16 superintendent of public instruction and verified by the school
17 district. A school feeder pattern exists if at least sixty percent of
18 the students in the school serving a combination of students in
19 kindergarten through grade three are scheduled to be assigned to the
20 graded school. The school with students in kindergarten through grade
21 three will earn the grade earned by its feeder-pattern school. These
22 schools are eligible for the same school recognition under section 2 of
23 this act as their feeder-pattern schools.

24 (4)(a) A school's grade shall be determined by the state board of
25 education using the accountability index, cooperatively developed under
26 RCW 28A.657.110 by the state board of education and the office of the
27 superintendent of public instruction. The index must measure the
28 increase in student achievement on the statewide administered
29 assessments in reading, writing, mathematics, and science; and the
30 reduction in student achievement gaps. The index may include other
31 student outcome measurements.

32 (b) For schools with any combination of grades nine, ten, eleven,
33 and twelve, at least fifty percent of a school's grade shall be
34 determined using the accountability index and the remaining percentage
35 shall be based on the following factors, if the factors are not already
36 included in the accountability index:

37 (i) The high school graduation rate of the school as calculated by
38 the office of the superintendent of public instruction;

1 (ii) As valid data becomes available, the performance and
2 participation of the school's students in AP courses, international
3 baccalaureate courses, and dual enrollment courses; and student
4 achievement of national industry certification;

5 (iii) Postsecondary readiness of all of the school's on-time
6 graduates as measured by the SAT, the ACT, or a placement test; and

7 (iv) The high school graduation rate of at-risk students.

8 (5)(a) The state board of education shall adopt appropriate
9 criteria for each school grade.

10 (b) The criteria must give added weight to student achievement in
11 reading.

12 (c) Schools earning a grade of "C," or higher must demonstrate that
13 at least half of the students in the school who are in the lowest
14 twenty-fifth percentile in reading and mathematics on the statewide
15 administered assessments are making adequate progress; if not, the
16 school letter grade is decreased by one letter.

17 (d) For schools with any combination of grades nine, ten, eleven,
18 and twelve, the criteria for school grades must also give added weight
19 to the graduation rate of all eligible at-risk students. In order for
20 a high school to earn a grade of "A," the school must demonstrate that
21 its at-risk students are making adequate progress.

22 (6) The office of the superintendent of public instruction must
23 annually report each school district's grade to the governor and the
24 legislature. A school district's grade must be calculated using
25 student performance and learning gains data on statewide assessments
26 used for determining school grades under subsection (4) of this section
27 for each eligible student enrolled for a full school year in the
28 district. This calculation methodology captures information describing
29 each eligible student in the district who may have transferred among
30 schools within the district or who is enrolled in a school that does
31 not earn a grade.

32 (7) The office of the superintendent of public instruction shall
33 adapt the model school performance report and the agency web site
34 originally developed under RCW 28A.655.110 to include each school
35 district's grade and each school's grade. Each school district's and
36 school's report card shall be published annually, with the school and
37 district grade history, by the agency on its web site.

1 (8) Each school district must include in its annual school
2 performance report required under RCW 28A.655.110 each school's grade
3 and must also include the school district's grade.

4 (9) For the purposes of this section, "at-risk students" means
5 students scoring at level one or level two on the eighth grade
6 statewide administered reading and mathematics assessment.

7 (10) The state board of education and the office of the
8 superintendent of public instruction shall adopt rules, as necessary,
9 to administer this section.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.655
11 RCW to read as follows:

12 (1) The legislature finds that there is a need for a performance
13 incentive program for outstanding faculty and staff in highly
14 productive schools. The legislature further finds that performance-
15 based incentives are commonplace in the private sector and should be
16 infused into the public sector as a reward for productivity.

17 (2) The Washington school recognition program is created to provide
18 financial awards to public schools that:

19 (a) Sustain high performance by earning a school grade of "A" under
20 section 1 of this act, making excellent progress; or

21 (b) Demonstrate exemplary improvement due to innovation and effort
22 by improving at least one letter grade or by improving more than one
23 letter grade and sustaining the improvement the following school year.

24 (3) All public schools, including alternative and charter schools,
25 earning a school grade under section 1 of this act are eligible to
26 participate in the program.

27 (4) All selected schools shall receive financial awards depending
28 on the availability of funds appropriated and the number and size of
29 schools selected to receive an award. Funds must be distributed by the
30 office of the superintendent of public instruction to the school's
31 fiscal agent and placed in the school's account and must be used for
32 purposes listed in subsection (5) of this section as determined jointly
33 by the school's staff and school advisory council, if the school has an
34 advisory council. If school staff and the school advisory council
35 cannot reach agreement by February 1st, the awards must be equally
36 distributed to all classroom teachers currently teaching in the school.
37 If a school selected to receive a school recognition award is no longer

1 in existence at the time the award is paid, the district school
2 superintendent shall distribute the funds to teachers who taught at the
3 school in the previous year in the form of a bonus.

4 (5) School recognition awards must be used for the following:

5 (a) Nonrecurring bonuses to the faculty and staff;

6 (b) Nonrecurring expenditures for educational equipment or
7 materials to assist in maintaining and improving student performance;
8 or

9 (c) Temporary personnel for the school to assist in maintaining and
10 improving student performance.

11 (6) Notwithstanding statutory provisions to the contrary, school
12 recognition awards are not subject to collective bargaining.

13 (7) Each school that earns a grade of "A" under section 1 of this
14 act or improves at least two letter grades shall have greater authority
15 over the allocation of the school's total state budget including
16 apportionment funds and state categorical funds, as specified in rules
17 adopted by the office of the superintendent of public instruction. The
18 rules must provide that the increased budget authority remain in effect
19 until the school's grade declines.

20 (8) The legislature may factor in the performance of schools in
21 calculating any performance-based funding policy that is provided for
22 in the biennial appropriations act.

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