
HOUSE BILL 1680

State of Washington 63rd Legislature 2013 Regular Session

By Representatives Santos, Upthegrove, Maxwell, Ryu, and Bergquist

Read first time 02/05/13. Referred to Committee on Education.

1 AN ACT Relating to implementing strategies to close the educational
2 opportunity gap, based on the recommendations of the educational
3 opportunity gap oversight and accountability committee; amending RCW
4 28A.600.015, 28A.600.020, 28A.600.460, 43.41.400, 28A.405.106,
5 28A.405.120, 28A.660.045, 28A.660.050, 28A.180.040, 28A.180.090,
6 28A.300.042, and 28A.300.505; adding a new section to chapter 28A.600
7 RCW; adding a new section to chapter 28A.415 RCW; adding new sections
8 to chapter 28A.657 RCW; adding a new section to chapter 28A.410 RCW;
9 adding a new section to chapter 28B.50 RCW; creating new sections; and
10 providing expiration dates.

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

12 NEW SECTION. **Sec. 1.** (1) The legislature has already established
13 that it is a goal of the state to provide for a public school system
14 that gives all students the opportunity to achieve personal and
15 academic success. This goal contains within it a promise of excellence
16 and opportunity for all students, not just some students. In
17 establishing the educational opportunity gap oversight and
18 accountability committee in 2009, the legislature recognized that

1 additional work was needed to fulfill the promise of excellence and
2 opportunity for students of certain demographic groups, including
3 English language learners.

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

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

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

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

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

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

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

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

31 (4) Therefore the legislature intends to adopt policies and
32 programs to implement the six recommendations of the educational
33 opportunity gap oversight and accountability committee.

34 **PART I**

35 **DISPROPORTIONALITY IN STUDENT DISCIPLINE**

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

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

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

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

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

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

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

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

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

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

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

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

31 (2) Any student who creates a disruption of the educational process
32 in violation of the building disciplinary standards while under a
33 teacher's immediate supervision may be excluded by the teacher from his
34 or her individual classroom and instructional or activity area for all
35 or any portion of the balance of the school day, or up to the following
36 two days, or until the principal or designee and teacher have
37 conferred, whichever occurs first. Except in emergency circumstances,

1 the teacher first must attempt one or more alternative forms of
2 corrective action. In no event without the consent of the teacher may
3 an excluded student return to the class during the balance of that
4 class or activity period or up to the following two days, or until the
5 principal or his or her designee and the teacher have conferred.

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

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

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

29 ((+a)) (i) Engages in two or more violations within a three-year
30 period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460,
31 28A.635.020, 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

32 ((+b)) (ii) Engages in one or more of the offenses listed in RCW
33 13.04.155.

34 (b) The principal shall communicate the disciplinary action taken
35 by the principal to the school personnel who referred the student to
36 the principal for disciplinary action.

37 (6) As provided in RCW 28A.600.015, for any circumstance where

1 disciplinary action is discretionary on the part of the school
2 district, a school district may not impose a suspension that results in
3 the exclusion of a student from school.

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

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

17 (2) A student committing an offense under chapter 9A.36, 9A.40,
18 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,
19 shall not be assigned to that teacher's classroom for the duration of
20 the student's attendance at that school or any other school where the
21 teacher is assigned.

22 (3) A student who commits an offense under chapter 9A.36, 9A.40,
23 9A.46, or 9A.48 RCW, when directed toward another student, may be
24 removed from the classroom of the victim for the duration of the
25 student's attendance at that school or any other school where the
26 victim is enrolled. A student who commits an offense under one of the
27 chapters enumerated in this section against a student or another school
28 employee, may be expelled or suspended.

29 (4) Nothing in this section is intended to limit the authority of
30 a school under existing law and rules to expel or suspend a student for
31 misconduct or criminal behavior. However, as provided in RCW
32 28A.600.015, for any circumstance where disciplinary action is
33 discretionary on the part of the school district, a school district may
34 not impose a suspension that results in the exclusion of a student from
35 school.

36 (5) All school districts must collect data on disciplinary actions
37 taken in each school and must record such actions using the statewide

1 student data system, based on the data collection standards established
2 by the office of the superintendent of public instruction and the K-12
3 data governance group. The information shall be made available to the
4 public upon request(~~(. This collection of)~~), but any public release of
5 such data shall not include personally identifiable information
6 including, but not limited to, a student's social security number,
7 name, or address.

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

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

30 (2) The education data center shall:

31 (a) In consultation with the legislative evaluation and
32 accountability program committee and the agencies and organizations
33 participating in the education data center, identify the critical
34 research and policy questions that are intended to be addressed by the
35 education data center and the data needed to address the questions;

36 (b) Coordinate with other state education agencies to compile and

1 analyze education data, including data on student demographics that is
2 disaggregated by distinct ethnic categories within racial subgroups,
3 and complete P-20 research projects;

4 (c) Collaborate with the legislative evaluation and accountability
5 program committee and the education and fiscal committees of the
6 legislature in identifying the data to be compiled and analyzed to
7 ensure that legislative interests are served;

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

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

27 (f) Track enrollment and outcomes through the public centralized
28 higher education enrollment system;

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

32 (h) Provide research that focuses on student transitions within and
33 among the early learning, K-12, and higher education sectors in the P-
34 20 system; ~~((and))~~

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

1 modules for principals, administrators, and teachers. The professional
2 development program shall include a comprehensive online training
3 package.

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

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

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

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

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

13 (e) Strategies for achieving maximum rater agreement;

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

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

16 (h) Methods to link the evaluation process to ongoing educator
17 professional development.

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

30 (4) To the maximum extent feasible, the professional development
31 program must incorporate or adapt existing online training or
32 curriculum, including securing materials or curriculum under contract
33 or purchase agreements within available funds. Multiple modes of
34 instruction should be incorporated including videos of classroom
35 teaching, participatory exercises, and other engaging combinations of
36 online audio, video, and print presentation.

37 ((+4)) (5) The professional development program must be developed
38 in modules that allow:

- 1 (a) Access to material over a reasonable number of training
- 2 sessions;
- 3 (b) Delivery in person or online; and
- 4 (c) Use in a self-directed manner.

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

14 ~~((+6))~~ (7) The office of the superintendent of public instruction
15 must identify the number of in-service training hours associated with
16 each professional development module and develop a way for users to
17 document their completion of the training. Documented completion of
18 the training under this section is considered approved in-service
19 training for the purposes of RCW 28A.415.020.

20 ~~((+7))~~ (8) The office of the superintendent of public instruction
21 shall periodically update the modules to reflect new topics and
22 research on performance evaluation so that the training serves as an
23 ongoing source of continuing education and professional development.

24 ~~((+8))~~ (9) The office of the superintendent of public instruction
25 shall work with the educational service districts to provide
26 clearinghouse services for the identification and publication of
27 professional development opportunities for teachers and principals that
28 align with performance evaluation criteria.

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

31 (1) School districts shall require each administrator, each
32 principal, or other supervisory personnel who has responsibility for
33 evaluating classroom teachers or principals to have training in
34 evaluation procedures.

35 (2) Before school district implementation of the revised evaluation
36 systems required under RCW 28A.405.100, principals and administrators
37 who have evaluation responsibilities must engage in professional

1 development designed to implement the revised systems and maximize
2 rater agreement. The professional development to support the revised
3 evaluation systems must also include foundational elements of cultural
4 competence, focusing on multicultural education and principles of
5 English language acquisition.

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

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

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

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

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

31 NEW SECTION. Sec. 204. A new section is added to chapter 28A.657
32 RCW to read as follows:

33 Schools that are required under state or federal accountability
34 measures to implement a plan for improvement must provide the cultural
35 competence professional development and training developed under
36 section 203 of this act for classified, certificated instructional, and

1 administrative staff of the school. The professional development and
2 training may be delivered by an educational service district, through
3 district in-service, or by another qualified provider, including in
4 partnership with the local community.

5 **PART III**

6 **INSTRUCTING ENGLISH LANGUAGE LEARNERS**

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

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

18 (2) Entry requirements for candidates include:

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

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

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

29 Subject to the availability of amounts appropriated for these
30 purposes, the conditional scholarship programs in this chapter are
31 created under the following guidelines:

32 (1) The programs shall be administered by the student achievement
33 council. In administering the programs, the council has the following
34 powers and duties:

- 1 (a) To adopt necessary rules and develop guidelines to administer
2 the programs;
- 3 (b) To collect and manage repayments from participants who do not
4 meet their service obligations; and
- 5 (c) To accept grants and donations from public and private sources
6 for the programs.

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

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

15 (i) Be accepted and maintain enrollment in alternative
16 certification routes through a professional educator standards board-
17 approved program;

18 (ii) Continue to make satisfactory progress toward completion of
19 the alternative route certification program and receipt of a residency
20 teaching certificate; and

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

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

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

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

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

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

11 (i) Individuals currently employed as teachers shall pursue a
12 middle level mathematics or science, (~~((or))~~) secondary mathematics or
13 science, special education, bilingual education, or English language
14 learner endorsement; or

15 (ii) Individuals who are certificated with an elementary education
16 endorsement shall pursue an endorsement in middle level mathematics or
17 science, (~~((or both))~~) special education, bilingual education, or English
18 language learner; and

19 (iii) Individuals shall use one of the pathways to endorsement
20 processes to receive (~~((a mathematics or science))~~) the endorsement, (~~((or~~
21 ~~both,))~~) which shall include passing (~~((a mathematics or science))~~) the
22 associated endorsement test(~~((r))~~) or (~~((both))~~) tests, plus observation
23 and completing applicable coursework to attain the proper endorsement;
24 and

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

29 (3) The Washington professional educator standards board shall
30 select individuals to receive conditional scholarships. In selecting
31 recipients, preference shall be given to eligible veterans or national
32 guard members. In awarding educator retooling scholarships to support
33 additional bilingual education and English language learner
34 endorsements, the board shall give preference to teachers assigned to
35 schools required under state or federal accountability measures to
36 implement a plan for improvement, and to teachers assigned to schools
37 whose enrollment of English language learner students has increased an

1 average of more than five percent per year over the previous three
2 years.

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

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

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

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

- 23 (1) Every school district board of directors shall:
- 24 (a) Make available to each eligible pupil transitional bilingual
25 instruction to achieve competency in English, in accord with rules of
26 the superintendent of public instruction;
 - 27 (b) Wherever feasible, ensure that communications to parents
28 emanating from the schools shall be appropriately bilingual for those
29 parents of pupils in the bilingual instruction program;
 - 30 (c) Determine, by administration of an English test approved by the
31 superintendent of public instruction the number of eligible pupils
32 enrolled in the school district at the beginning of a school year and
33 thereafter during the year as necessary in individual cases;
 - 34 (d) Ensure that a student who is a child of a military family in
35 transition and who has been assessed as in need of, or enrolled in, a
36 bilingual instruction program, the receiving school shall initially
37 honor placement of the student into a like program.

1 (i) The receiving school shall determine whether the district's
2 program is a like program when compared to the sending school's
3 program; and

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

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

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

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

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

22 PART IV

23 ENGLISH LANGUAGE LEARNER ACCOUNTABILITY

24 NEW SECTION. **Sec. 401.** (1) The office of the superintendent of
25 public instruction shall convene an English language learner
26 accountability task force to design a performance-based accountability
27 system for the transitional bilingual instructional program. The task
28 force must include representatives from the educational opportunity gap
29 oversight and accountability committee, the state ethnic commissions,
30 the governor's office of tribal affairs, the office of the education
31 ombudsman, the civil rights office within the office of the
32 superintendent of public instruction, parents, community
33 representatives, and program directors and teachers from school
34 districts of different sizes and with different English language
35 learner student populations.

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

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

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

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

13 (4) The task force must design an accountability system for the
14 program that includes reporting and monitoring of benchmark performance
15 and tiered levels of support and technical assistance for schools and
16 districts based on benchmark performance. The design of the system
17 must also include a reduction in requirements for schools and districts
18 to submit program applications and program plans for state approval, to
19 be replaced with a focus on program outcomes.

20 (5) The task force must submit a report first to the educational
21 opportunity gap oversight and accountability committee and the quality
22 education council, and then to the education committees of the
23 legislature, with recommendations for the design of the accountability
24 system and any policy changes, statutory changes, or resources
25 necessary for its implementation. An interim report is due to the
26 legislative education committees by January 15, 2014, and a final
27 report is due by September 30, 2015.

28 (6) This section expires July 1, 2016.

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

31 The superintendent of public instruction shall develop an
32 evaluation system designed to measure increases in the English and
33 academic proficiency of eligible pupils. When developing the system,
34 the superintendent shall:

35 (1) Require school districts to assess potentially eligible pupils
36 within ten days of registration using an English proficiency assessment

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

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

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

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

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

35 At the beginning of each school year, the office of the
36 superintendent of public instruction shall identify schools that
37 experienced a significant increase during the previous two school years

1 in enrollment of English language learner students as compared to
2 previous enrollment trends. The office shall notify the schools, and
3 school districts in which the schools are located must provide the
4 cultural competence professional development and training developed
5 under section 203 of this act for classified, certificated
6 instructional, and administrative staff of the schools. The
7 professional development and training may be delivered by an
8 educational service district, through district in-service, or by
9 another qualified provider, including in partnership with the local
10 community.

11 **PART V**

12 **DISAGGREGATED STUDENT DATA**

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

15 (1) Beginning with the 2015-16 school year, the superintendent of
16 public instruction must collect and school districts must submit all
17 student-level data using the United States department of education 2007
18 race and ethnicity reporting guidelines, including the subracial and
19 subethnic categories within those guidelines, with the following
20 modifications:

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

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

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

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

31 (2) All student data-related reports (~~required of~~) prepared by
32 the superintendent of public instruction (~~in~~) under this title must
33 be disaggregated by at least the following subgroups of students:
34 White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific
35 Islander/Hawaiian Native, low income, transitional bilingual, migrant,
36 special education, and students covered by section 504 of the federal

1 rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794). Beginning
2 with the 2015-16 school year, student data-related reports must also be
3 prepared displaying additional disaggregation of data if analysis of
4 the data indicates significant differences among categories of students
5 as it pertains to the subject of the report.

6 (3) The K-12 data governance group shall develop the data protocols
7 and guidance for school districts in the collection of data as required
8 under this section, and the office of the superintendent of public
9 instruction shall modify the statewide student data system as needed.
10 The office of the superintendent of public instruction shall also
11 incorporate training for school staff on best practices for collection
12 of data on student race and ethnicity in other training or professional
13 development related to data provided by the office.

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

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

21 (a) Date validation;

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

24 (c) Decimal and integer validation; and

25 (d) Required field validation as defined by state and federal
26 requirements.

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

33 **PART VI**

34 **RECRUITMENT AND RETENTION OF EDUCATORS**

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

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

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

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

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

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

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

16 NEW SECTION. **Sec. 602.** A new section is added to chapter 28A.410
17 RCW to read as follows:

18 (1) The professional educator standards board shall convene a work
19 group to design an articulated pathway for teacher preparation and
20 certification that has the characteristics described in this section.
21 The work group must include representatives of community and technical
22 college paraeducator apprenticeship and certificate programs, colleges
23 of education, teacher and paraeducator associations, and the office of
24 the superintendent of public instruction.

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

27 (a) Paraeducator certificate and apprenticeship programs that offer
28 course credits that apply to transferrable associate degrees and are
29 aligned with the standards and competencies for teachers adopted by the
30 professional educator standards board;

31 (b) Associate degree programs that build on and do not duplicate
32 the courses and competencies of paraeducator certificate programs,
33 incorporate field experiences, are aligned with the standards and
34 competencies for teachers adopted by the professional educator
35 standards board, and are transferrable to bachelor's degree in
36 education programs and teacher certification programs;

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

4 (d) Incorporation of the standards for cultural competence
5 developed by the professional educator standards board under RCW
6 28A.410.270 throughout the courses and curriculum of the pathway,
7 particularly focusing on multicultural education and principles of
8 language acquisition.

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

14 (4) The professional educator standards board and the state board
15 for community and technical colleges may exercise their respective
16 authorities regarding program approval to implement the articulated
17 pathway for teacher preparation and certification under this section in
18 approved teacher certification programs and certificate and degree
19 programs offered by community and technical colleges.

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

22 Beginning with the 2014-15 academic year, any community or
23 technical college that offers an apprenticeship program or certificate
24 program for paraeducators must provide candidates the opportunity to
25 earn transferrable course credits within the program. The programs
26 must also incorporate the standards for cultural competence, including
27 multicultural education and principles of language acquisition,
28 developed by the professional educator standards board under RCW
29 28A.410.270.

--- END ---