

ESHB 2586 - S COMM AMD

By Committee on Early Learning & K-12 Education

OUT OF ORDER 03/02/2012

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

3 "Sec. 1. RCW 28A.150.315 and 2011 c 340 s 1 are each amended to
4 read as follows:

5 (1) Beginning with the 2007-08 school year, funding for voluntary
6 all-day kindergarten programs shall be phased-in beginning with schools
7 with the highest poverty levels, defined as those schools with the
8 highest percentages of students qualifying for free and reduced-price
9 lunch support in the prior school year. During the 2011-2013 biennium,
10 funding shall continue to be phased-in each year until full statewide
11 implementation of all-day kindergarten is achieved in the 2017-18
12 school year. Once a school receives funding for the all-day
13 kindergarten program, that school shall remain eligible for funding in
14 subsequent school years regardless of changes in the school's
15 percentage of students eligible for free and reduced-price lunches as
16 long as other program requirements are fulfilled. Additionally,
17 schools receiving all-day kindergarten program support shall agree to
18 the following conditions:

- 19 (a) Provide at least a one thousand-hour instructional program;
20 (b) Provide a curriculum that offers a rich, varied set of
21 experiences that assist students in:
22 (i) Developing initial skills in the academic areas of reading,
23 mathematics, and writing;
24 (ii) Developing a variety of communication skills;
25 (iii) Providing experiences in science, social studies, arts,
26 health and physical education, and a world language other than English;
27 (iv) Acquiring large and small motor skills;
28 (v) Acquiring social and emotional skills including successful
29 participation in learning activities as an individual and as part of a
30 group; and

1 (vi) Learning through hands-on experiences;

2 (c) Establish learning environments that are developmentally
3 appropriate and promote creativity;

4 (d) Demonstrate strong connections and communication with early
5 learning community providers; and

6 (e) Participate in kindergarten program readiness activities with
7 early learning providers and parents.

8 (2)(a) In addition to the requirements in subsection (1) of this
9 section and to the extent funds are available, beginning with the 2011-
10 12 school year on a voluntary basis, schools must identify the skills,
11 knowledge, and characteristics of kindergarten students at the
12 beginning of the school year in order to support social-emotional,
13 physical, and cognitive growth and development of individual children;
14 support early learning provider and parent involvement; and inform
15 instruction. Kindergarten teachers shall administer the Washington
16 kindergarten inventory of developing skills, as directed by the
17 superintendent of public instruction in consultation with the
18 department of early learning and in collaboration with the
19 nongovernmental private-public partnership designated in RCW
20 43.215.070, and report the results to the superintendent. The
21 superintendent shall share the results with the director of the
22 department of early learning. Beginning with the 2012-13 school year
23 and thereafter, schools shall be subject to the provisions of section
24 2 of this act.

25 (b) School districts shall provide an opportunity for parents and
26 guardians to excuse their children from participation in the Washington
27 kindergarten inventory of developing skills.

28 ~~((c) To the extent funds are available, beginning in the 2012-13~~
29 ~~school year, the Washington kindergarten inventory of developing skills~~
30 ~~shall be administered at the beginning of the school year to all~~
31 ~~students enrolled in state-funded full-day kindergarten programs with~~
32 ~~the exception of students who have been excused from participation by~~
33 ~~their parents or guardians.~~

34 ~~(d) Until full implementation of state-funded all-day kindergarten,~~
35 ~~the superintendent of public instruction, in consultation with the~~
36 ~~director of the department of early learning, may grant annual,~~
37 ~~renewable waivers from the requirement of (c) of this subsection to~~
38 ~~administer the Washington kindergarten inventory of developing skills.~~

1 ~~A school district seeking a waiver for one or more of its schools must~~
2 ~~submit an application to the office of the superintendent of public~~
3 ~~instruction that includes:~~

4 ~~(i) A description of the kindergarten readiness assessment and~~
5 ~~transition processes that it proposes to administer instead of the~~
6 ~~Washington kindergarten inventory of developing skills;~~

7 ~~(ii) An explanation of why the administration of the Washington~~
8 ~~kindergarten inventory of developing skills would be unduly burdensome;~~
9 ~~and~~

10 ~~(iii) An explanation of how administration of the alternative~~
11 ~~kindergarten readiness assessment will support social-emotional,~~
12 ~~physical, and cognitive growth and development of individual children;~~
13 ~~support early learning provider and parent involvement; and inform~~
14 ~~instruction.)~~

15 (3) Subject to funds appropriated for this purpose, the
16 superintendent of public instruction shall designate one or more school
17 districts to serve as resources and examples of best practices in
18 designing and operating a high-quality all-day kindergarten program.
19 Designated school districts shall serve as lighthouse programs and
20 provide technical assistance to other school districts in the initial
21 stages of implementing an all-day kindergarten program. Examples of
22 topics addressed by the technical assistance include strategic
23 planning, developing the instructional program and curriculum, working
24 with early learning providers to identify students and communicate with
25 parents, and developing kindergarten program readiness activities.

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

28 (1)(a) To the extent funds are available, beginning in the 2012-13
29 school year, the Washington kindergarten inventory of developing skills
30 shall be administered at the beginning of the school year to all
31 students enrolled in state-funded full-day kindergarten programs under
32 RCW 28A.150.315 with the exception of students who have been excused
33 from participation by their parents or guardians.

34 (b) To the extent funds are available, administration of the
35 Washington kindergarten inventory of developing skills to kindergarten
36 students in addition to those under (a) of this subsection shall be
37 phased in beginning in the 2012-13 school year as directed by the

1 superintendent of public instruction in consultation with the
2 department of early learning, until the 2014-15 school year and
3 thereafter when the Washington kindergarten inventory of developing
4 skills must be administered to all students enrolled in kindergarten
5 programs in the public schools with the exception of students who have
6 been excused from participation by their parents or guardians.

7 (2)(a) The superintendent of public instruction, in consultation
8 with the department of early learning, shall convene a work group to
9 provide:

10 (i) Input and recommendations with respect to implementation of the
11 Washington kindergarten inventory of developing skills; and

12 (ii) Recommendations regarding the optimum way to administer the
13 Washington kindergarten inventory of developing skills to children in
14 half-day kindergarten while ensuring that they receive the maximum
15 instruction as required in RCW 28A.150.205.

16 (b) The work group shall include:

17 (i) One representative from the office of the superintendent of
18 public instruction;

19 (ii) One representative from the department of early learning;

20 (iii) One representative from the nongovernmental private-public
21 partnership defined in RCW 43.215.010;

22 (iv) Five representatives, including both teachers and principals,
23 from school districts that participated in the pilot project, with
24 every effort made to make sure that there is representation from across
25 the state;

26 (v) Two parents who are familiar with and participated in the
27 Washington kindergarten inventory of developing skills pilot during the
28 2010-11 school year; and

29 (vi) A representative from an independent, nonprofit children's and
30 family services organization with a main campus in North Bend,
31 Washington.

32 (3) To the extent funds are available, additional support in the
33 form of implementation grants shall be offered to schools on a schedule
34 to be determined by the office of superintendent of public instruction,
35 in consultation with the department of early learning.

36 (4) Until full statewide implementation of the Washington
37 kindergarten inventory of developing skills, the superintendent of
38 public instruction, in consultation with the director of the department

1 of early learning, may grant annual, renewable waivers from the
2 requirement of subsection (1) of this section to administer the
3 Washington kindergarten inventory of developing skills. A school
4 district seeking a waiver for one or more of its schools must submit an
5 application to the office of the superintendent of public instruction
6 that includes:

7 (a) A description of the kindergarten readiness assessment and
8 transition processes that it proposes to administer instead of the
9 Washington kindergarten inventory of developing skills;

10 (b) An explanation of why the administration of the Washington
11 kindergarten inventory of developing skills would be unduly burdensome;
12 and

13 (c) An explanation of how administration of the alternative
14 kindergarten readiness assessment will support social-emotional,
15 physical, and cognitive growth and development of individual children;
16 support early learning provider and parent involvement; and inform
17 instruction.

18 (5) A waiver from the requirement to administer the Washington
19 kindergarten inventory of developing skills obtained by a school
20 district may become an ongoing waiver if the school district can show,
21 on an annual basis:

22 (a) That the data derived from the administration of the
23 alternative kindergarten readiness assessment supports the goals of the
24 Washington kindergarten inventory of developing skills as determined by
25 the department of early learning and the office of the superintendent
26 of public instruction; and

27 (b) That the same information is reported to the superintendent as
28 required under RCW 28A.150.315(2)(a).

29 **Sec. 3.** RCW 28A.150.205 and 1992 c 141 s 502 are each amended to
30 read as follows:

31 Unless the context clearly requires otherwise, the definition in
32 this section applies throughout RCW 28A.150.200 through 28A.150.295.

33 "Instructional hours" means those hours students are provided the
34 opportunity to engage in educational activity planned by and under the
35 direction of school district staff, as directed by the administration
36 and board of directors of the district, inclusive of intermissions for
37 class changes, recess, and teacher/parent-guardian conferences that are

1 planned and scheduled by the district for the purpose of discussing
2 students' educational needs or progress, and exclusive of time actually
3 spent for meals. Until the 2017-18 school year, instructional hours
4 may include time spent by classroom teachers in half-day kindergarten
5 programs meeting with students and families as part of the Washington
6 kindergarten inventory of developing skills.

7 **Sec. 4.** RCW 28A.150.203 and 2009 c 548 s 102 are each amended to
8 read as follows:

9 The definitions in this section apply throughout this chapter
10 unless the context clearly requires otherwise.

11 (1) "Basic education goal" means the student learning goals and the
12 student knowledge and skills described under RCW 28A.150.210.

13 (2) "Certificated administrative staff" means all those persons who
14 are chief executive officers, chief administrative officers,
15 confidential employees, supervisors, principals, or assistant
16 principals within the meaning of RCW 41.59.020(4).

17 (3) "Certificated employee" as used in this chapter and RCW
18 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250,
19 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those
20 persons who hold certificates as authorized by rule of the Washington
21 professional educator standards board.

22 (4) "Certificated instructional staff" means those persons employed
23 by a school district who are nonsupervisory certificated employees
24 within the meaning of RCW 41.59.020(8).

25 (5) "Class size" means an instructional grouping of students where,
26 on average, the ratio of students to teacher is the number specified.

27 (6) "Classified employee" means a person who does not hold a
28 professional education certificate or is employed in a position that
29 does not require such a certificate.

30 (7) "Classroom teacher" means a person who holds a professional
31 education certificate and is employed in a position for which such
32 certificate is required whose primary duty is the daily educational
33 instruction of students. In exceptional cases, people of unusual
34 competence but without certification may teach students so long as a
35 certificated person exercises general supervision, but the hiring of
36 such classified employees shall not occur during a labor dispute, and

1 such classified employees shall not be hired to replace certificated
2 employees during a labor dispute.

3 (8) "Instructional program of basic education" means the minimum
4 program required to be provided by school districts and includes
5 instructional hour requirements and other components under RCW
6 28A.150.220.

7 (9) "Program of basic education" means the overall program under
8 RCW 28A.150.200 and deemed by the legislature to comply with the
9 requirements of Article IX, section 1 of the state Constitution.

10 (10) "School day" means each day of the school year on which pupils
11 enrolled in the common schools of a school district are engaged in
12 academic and career and technical instruction planned by and under the
13 direction of the school. Until the 2017-18 school year, up to three
14 school days used by classroom teachers in half-day kindergarten
15 programs to meet with students and families or otherwise administer the
16 Washington kindergarten inventory of developing skills may be
17 considered school days.

18 (11) "School year" includes the minimum number of school days
19 required under RCW 28A.150.220 and begins on the first day of September
20 and ends with the last day of August, except that any school district
21 may elect to commence the annual school term in the month of August of
22 any calendar year and in such case the operation of a school district
23 for such period in August shall be credited by the superintendent of
24 public instruction to the succeeding school year for the purpose of the
25 allocation and distribution of state funds for the support of such
26 school district.

27 (12) "Teacher planning period" means a period of a school day as
28 determined by the administration and board of ((the)) directors of the
29 district that may be used by teachers for instruction-related
30 activities including but not limited to preparing instructional
31 materials; reviewing student performance; recording student data;
32 consulting with other teachers, instructional assistants, mentors,
33 instructional coaches, administrators, and parents; or participating in
34 professional development.

35 NEW SECTION. **Sec. 5.** Sections 3 and 4 of this act expire
36 September 1, 2017.

1 NEW SECTION. **Sec. 6.** If specific funding for the purposes of this
2 act, referencing this act by bill or chapter number, is not provided by
3 June 30, 2012, in the omnibus appropriations act, this act is null and
4 void."

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OUT OF ORDER 03/02/2012

5 On page 1, line 2 of the title, after "skills;" strike the
6 remainder of the title and insert "amending RCW 28A.150.315,
7 28A.150.205, and 28A.150.203; adding a new section to chapter 28A.655
8 RCW; creating a new section; and providing an expiration date."

EFFECT: (1) Removes language from section 2 of the bill and places it in the basic education statutes, amending the definitions of "instructional hours" and "school day" to allow half-day kindergarten classroom teachers to be able to count the time they use for administering and meeting with students and families regarding WaKIDS until the 2017-18 school year. The expanded definitions expire in the 2017-18 school year when full-day kindergarten is scheduled to be fully implemented statewide.

(2) Allows a school district to obtain an ongoing waiver from the requirement to administer the WaKIDS if it can show the data from their alternative assessment supports the goals of WaKIDS as determined by DEL and OSPI and that the same information is reported to OSPI as is required for obtaining an original waiver.

(3) Requires OSPI, in consultation with DEL, to convene a work group to provide recommendations with respect to implementation of the WaKIDS and on the best way to administer WaKIDS to children in half-day kindergarten while ensuring that they receive the maximum instruction as required in the basic education provisions in the law.

(4) Provides that the work group shall include one representative from OSPI, DEL, the nongovernmental private-public partnership, five representatives from the pilot districts, two parents who participated in the WaKIDS pilot, and a representative from an independent nonprofit children's and family services organization based in North Bend, Washington.

(5) The OSPI is directed to collaborate with the nongovernmental private-public partnership when determining the administration of the

WaKIDS by kindergarten teachers.

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