

SUBSTITUTE HOUSE BILL 1462

State of Washington 56th Legislature 1999 Regular Session

By House Committee on Education (originally sponsored by Representatives Quall, Talcott, Haigh, Wensman, Stensen, Ogden, Santos, O'Brien, Rockefeller, Regala, Sullivan, Linville, Lantz, Lovick, Doumit, Reardon, Cooper, Scott, Dickerson, Kessler, Hatfield, Gombosky, Murray, Carlson, McIntire, Hurst, Edwards, Conway, Wood, Morris, Keiser, Fisher, Schual-Berke, Dunshee, D. Schmidt and Kenney)

Read first time 03/02/1999.

1 AN ACT Relating to K-12 accountability and assistance; amending RCW
2 28A.630.889, 28A.320.205, and 28A.630.887; adding a new chapter to
3 Title 28A RCW; creating new sections; recodifying RCW 28A.630.887;
4 repealing RCW 28A.300.138; repealing 1998 c 225 s 3 (uncodified);
5 repealing 1995 c 209 s 3 (uncodified); repealing 1995 c 209 s 2 & 1992
6 c 141 s 203 (uncodified); providing an expiration date; and declaring
7 an emergency.

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

PART 1

COMMISSION ON EDUCATIONAL ACCOUNTABILITY

11 NEW SECTION. **Sec. 101.** (1) The Washington commission on
12 educational accountability is established.

13 (2) The commission shall consist of seven members selected as
14 follows:

15 (a) One member shall be appointed by and shall represent but shall
16 not be the superintendent of public instruction;

17 (b) Two members shall be appointed by and shall represent the
18 governor;

1 (c) Two members shall represent but shall not be members of the
2 house of representatives. The two members, one nominated by each major
3 caucus, shall be appointed by the speaker of the house of
4 representatives; and

5 (d) Two members shall represent but shall not be members of the
6 senate. The two members, one nominated by each major caucus, shall be
7 appointed by the president of the senate.

8 (3) The commission shall appoint a chair from among the commission
9 members.

10 (4) Appointees shall be qualified individuals who are supportive of
11 educational improvement, who have a positive record of service, and who
12 will devote sufficient time to the responsibilities of the commission
13 to ensure that the objectives of the commission are achieved.

14 (5) Each appointing authority shall appoint its initial commission
15 members by July 1, 1999. The first meeting of the commission shall be
16 convened by the superintendent of public instruction no later than July
17 30, 1999. The office of the superintendent of public instruction shall
18 provide staff support to the commission until the commission has hired
19 its own staff.

20 (6) Members shall serve for terms of four years, with the terms
21 expiring on June 30th of the fourth year of the term. However, in the
22 case of the initial members, one of the members appointed by the
23 governor shall serve for a three-year term and both members appointed
24 by the house of representatives shall serve for two-year terms, with
25 each of the terms expiring on June 30th of the applicable year.

26 (7) Each appointing authority shall fill any vacancies in
27 appointments that may occur.

28 NEW SECTION. **Sec. 102.** By September 5, 2000, the Washington
29 commission on educational accountability shall recommend accountability
30 policies to the governor and to the education and fiscal committees of
31 the house of representatives and senate. The policies shall include,
32 but need not be limited to:

33 (1) A graduated series of increasingly intensive school district
34 and state intervention strategies for schools in which low-performance
35 persists over an identified period of time, including options for
36 budgeting and personnel.

37 (a) The strategies shall be formulated in accordance with the
38 assumption that school districts have primary responsibility for

1 intervening in schools with relatively large numbers of students who
2 are not achieving the essential academic learning requirements.
3 However, if after a period of time, school district intervention is not
4 successful, state intervention may be necessary.

5 (b) The strategies shall also be formulated in accordance with the
6 assumption that the longer low performance persists, the less control
7 and decision-making authority a school shall retain.

8 (c) In its deliberations, the commission may consider intervention
9 strategies underway in Washington and other states, such as the type of
10 graduated intervention system adopted by the Seattle school district;

11 (2) Additional assistance measures for students and schools; and

12 (3) Rewards for successful schools and school districts.

13 NEW SECTION. **Sec. 103.** The accountability duties of the
14 Washington commission on educational accountability shall include, but
15 are not limited to the following:

16 (1) The adoption of goals for Washington's educational
17 accountability system, including the establishment of timelines for
18 improving student performance for all subjects assessed in the
19 Washington assessment of student learning. However, before each goal
20 is implemented, the commission shall present the goal to the education
21 and fiscal committees of the house of representatives and the senate
22 for the committees' review and comment;

23 (2) The adoption of categories of school performance from
24 successful to failed. The definitions may include a recognition of
25 student achievement and a recognition of improvements in student
26 performance;

27 (3) The identification of objective, systematic measures for each
28 identified category;

29 (4) The identification of performance incentive systems that have
30 improved student achievement;

31 (5) The identification of schools in which state intervention
32 measures will be needed and the determination of appropriate
33 intervention strategies;

34 (6) The determination of appropriate choice options within and
35 outside the school district for students attending failed schools. The
36 options shall include, but need not be limited to vocational education
37 opportunities;

1 (7) A recommendation to the superintendent of public instruction of
2 schools to be recognized for two types of accomplishments, student
3 achievement and improvements in student achievement;

4 (8) The adoption of performance standards for determining if a
5 student has successfully completed the Washington assessment of student
6 learning. The commission shall set such performance standards in
7 consultation with the superintendent of public instruction and after
8 considering any recommendations that may be developed by such advisory
9 committees as the commission may choose to establish for the purposes
10 of this subsection.

11 NEW SECTION. **Sec. 104.** The powers and duties of the Washington
12 commission on educational accountability shall include, but need not be
13 limited to:

14 (1) The adoption of necessary rules;

15 (2) The establishment of advisory committees, which may include
16 persons who are not members of the commission;

17 (3) The hiring of necessary staff and the determination of the
18 staff's duties and compensation. However, the office of the
19 superintendent of public instruction shall provide most of the
20 technical assistance and logistical support needed by the commission;

21 (4) The receipt of per diem and travel allowances as permitted
22 under RCW 43.03.050 and 43.03.060; and

23 (5) The holding of meetings and public hearings, including hearings
24 on possible state interventions. If the commission finds that the
25 school district's efforts have failed to improve student achievement
26 over a reasonable period of time, the commission may recommend that the
27 superintendent of public instruction implement one or more intervention
28 strategies as may be authorized by law. At the direction of the
29 commission, the superintendent shall intervene in the school district
30 and take corrective actions authorized by law.

31 **PART 2**

32 **REPORTING RESULTS**

33 **Sec. 201.** RCW 28A.630.889 and 1998 c 319 s 301 are each amended to
34 read as follows:

35 (1) By September 10, 1998, and by September 10th each year
36 thereafter, the superintendent of public instruction shall:

1 (a) Report to schools, school districts, and the legislature on the
2 results of the (~~fourth-grade~~) Washington assessment of student
3 learning; and

4 (b) Post individual school results of the (~~fourth-grade~~)
5 Washington assessment of student learning on the superintendent of
6 public instruction's internet world-wide web site.

7 (2) The reports shall include the assessment results by school and
8 school district, and include changes over time. Results shall be
9 reported as follows:

10 (a) The percentage of students meeting the standards;

11 (b) The percentage of students performing at each level of the
12 assessment; and

13 (c) A learning improvement index that shows changes in student
14 performance within the different levels of student learning reported on
15 the Washington assessment of student learning.

16 (3) Data regarding the different characteristics of schools, such
17 as poverty levels, percent of English as a second language students,
18 dropout rates, attendance, percent of students in special education,
19 and student mobility shall also be reported so that districts and
20 schools can learn from the improvement efforts of other schools and
21 districts with similar characteristics.

22 (4) To protect the privacy of students, the results of schools and
23 districts that test fewer than ten students in a grade level shall not
24 be reported.

25 (5) The Washington commission on educational accountability shall
26 annually review the reporting system to ensure fairness, accuracy,
27 timeliness, and equity of opportunity, especially with regard to
28 schools with special circumstances and unique populations of students,
29 and recommend to the superintendent of public instruction needed
30 improvements.

31 (6) The superintendent of public instruction shall monitor the
32 percentage and number of special education and limited English-
33 proficient students exempted from taking the assessments by schools and
34 school districts to ensure the exemptions are in compliance with
35 exemption guidelines.

36 (~~(2) This section expires July 1, 2006.~~)

37 **Sec. 202.** RCW 28A.320.205 and 1993 c 336 s 1006 are each amended
38 to read as follows:

1 (1) Beginning with the 1994-95 school year, to provide the local
2 community and electorate with access to information on the educational
3 programs in the schools in the district, each school shall publish
4 annually a school performance report and deliver the report to each
5 parent with children enrolled in the school and make the report
6 available to the community served by the school. The annual
7 performance report shall be in a form that can be easily understood and
8 be used by parents, guardians, and other members of the community who
9 are not professional educators to make informed educational decisions.
10 As data from the assessments in RCW 28A.630.885 becomes available, the
11 annual performance report should enable parents, educators, and school
12 board members to determine whether students in the district's schools
13 are attaining mastery of the student learning goals under RCW
14 28A.150.210, and other important facts about the schools' performance
15 in assisting students to learn. The annual report shall make
16 comparisons to a school's performance in preceding years and shall
17 ~~((project goals in performance categories))~~ include school level goals
18 under RCW 28A.630.887, student performance relative to the goals and
19 the percentage of students performing at each level of the assessment,
20 a comparison of student performance at each level of the assessment to
21 the previous year's performance, and information regarding school-level
22 plans to achieve the goals.

23 (2) The annual performance report shall include, but not be limited
24 to: (a) A brief statement of the mission of the school and the school
25 district; (b) enrollment statistics including student demographics; (c)
26 expenditures per pupil for the school year; (d) a summary of student
27 scores on all mandated tests, and a comparison of those scores with
28 comparable Washington schools of similar demographic characteristics;
29 (e) a concise annual budget report; (f) student attendance, graduation,
30 and dropout rates; (g) information regarding the use and condition of
31 the school building or buildings; (h) a brief description of the
32 ~~((restructuring))~~ learning improvement plans for the school; (i) school
33 safety indicators, including but not limited to, the number of
34 suspensions and of violent incidents a year at the school and at
35 school-sponsored events; (j) information on the credentials of teachers
36 in the school, including, but not limited to, the number of teachers
37 with advanced degrees, the number teaching out of their endorsement
38 areas, the average number of years teachers in the school have been
39 teaching, and the number of teachers who have passed Washington's

1 teacher assessments; (k) the types of choice options available to
2 students at the school, including vocational education opportunities;
3 and (l) an invitation to all parents and citizens to participate in
4 school activities.

5 (3) The superintendent of public instruction shall develop by June
6 30, 1994, and update periodically, a model report form, which shall
7 also be adapted for computers, that schools may use to meet the
8 requirements of subsections (1) and (2) of this section. In order to
9 make school performance reports broadly accessible to the public, the
10 superintendent of public instruction, to the extent feasible, shall
11 make information on each school's report available on or through the
12 superintendent's internet web site.

13 **PART 3**

14 **ASSISTANCE TO SCHOOLS**

15 NEW SECTION. Sec. 301. (1) To the extent funds are appropriated,
16 the office of the superintendent of public instruction annually shall
17 allocate accountability implementation funds to school districts. The
18 purposes of the funds are to: Develop and update student learning
19 improvement plans; implement curriculum materials and instructional
20 strategies; provide staff professional development to implement the
21 selected curricula and instruction; develop and implement assessment
22 strategies and training in assessment scoring; and fund other
23 activities intended to improve student learning for all students,
24 including students with diverse needs. Activities funded by the
25 allocations must be consistent with the school or district improvement
26 plan, designed to improve the ability of teachers and other
27 instructional certificated and classified staff to assist students in
28 meeting the essential academic learning requirements, and designed to
29 achieve state and local accountability goals.

30 (2) To be eligible for allocations in the 1999-2000 school year,
31 school district superintendents and principals must certify that
32 activities funded by accountability implementation funds will be in
33 accordance with the requirements of this act. To be eligible for funds
34 in the 2000-01 school year and thereafter, school district
35 superintendents and school principals must certify that they have
36 analyzed the use of state, federal, and local funds used for

1 professional development and planning and that these funds will be used
2 in an effective manner to improve student learning.

3 (3) Schools receiving funds shall develop, update as needed, and
4 keep on file a school student learning improvement plan to achieve the
5 student learning goals and essential academic learning requirements and
6 to implement the assessment system as it is developed. The plan shall
7 delineate how the accountability implementation funds will be used to
8 accomplish the requirements of this section. The plan shall be made
9 available to the public and to others upon request.

10 (4) The amount of allocations shall be determined in the omnibus
11 appropriations act.

12 (5) The state schools for the deaf and blind are eligible to
13 receive allocations under this section.

14 (6) The superintendent of public instruction may adopt timelines
15 and rules as necessary under chapter 34.05 RCW to administer the
16 program, and require that schools and districts submit reports
17 regarding the use of the funds.

18 NEW SECTION. Sec. 302. (1) In order to increase the availability
19 and quality of technical assistance state-wide, the superintendent of
20 public instruction, subject to available funding, may employ school
21 improvement coordinators and school improvement specialists to provide
22 assistance to schools and districts. The improvement specialists shall
23 serve on a rotating basis and shall not be permanent employees.

24 (2) The types of assistance provided by the improvement
25 coordinators and specialists may include, but need not be limited to:

26 (a) Assistance to schools to use student performance data and
27 develop improvement plans based on those data;

28 (b) Consultation with schools and districts concerning their
29 performance on the Washington assessment of student learning and other
30 assessments;

31 (c) Consultation concerning curricula that aligns with the
32 essential academic learning requirements and the Washington assessment
33 of student learning and that meets the needs of diverse learners;

34 (d) Assistance in the identification and implementation of
35 research-based instructional practices;

36 (e) Staff training that emphasizes effective instructional
37 strategies and classroom-based assessment;

1 (f) Assistance in developing and implementing family and community
2 involvement programs; and

3 (g) Other assistance to schools and school districts intended to
4 improve student learning.

5 (3) To the extent funds are appropriated, the superintendent of
6 public instruction shall grant funds to schools for short-term,
7 intensive, tailored assistance to develop and implement comprehensive
8 improvement plans that are based on reliable research and effective
9 practices. Recommendations regarding the criteria for granting funds
10 shall be made by the Washington commission on educational
11 accountability to the superintendent of public instruction. Priority
12 for funds shall be given to schools that need to improve student
13 achievement substantially. The funds under this section are intended
14 to stimulate comprehensive, school-wide change, rather than a
15 piecemeal, fragmented approach to school improvement. Grant funds may
16 not be awarded unless the following conditions are met:

17 (a) School districts must seek comprehensive recommendations from
18 a helping corps technical assistance team formed by the superintendent
19 of public instruction;

20 (b) Comprehensive improvement plans must be consistent with the
21 recommendations of a helping corps technical assistance team formed by
22 the superintendent of public instruction; and

23 (c) The coordinator or director of the helping corps technical
24 assistance team must certify that the comprehensive improvement plan is
25 consistent with the technical assistance team recommendations.

26 (4) To be considered comprehensive, plans must integrate, in a
27 coherent manner, the following components:

28 (a) Effective, research-based methods and strategies;

29 (b) Comprehensive design with aligned components;

30 (c) High quality and continuous teacher and staff professional
31 development and training;

32 (d) Measurable goals and benchmarks;

33 (e) Support within the school;

34 (f) Family and community involvement;

35 (g) External technical support and assistance;

36 (h) Measures to improve school security and supportive learning
37 environments;

38 (i) Evaluation strategies; and

1 (j) Coordination of available federal, state, local, and private
2 resources.

3 (5) When determining grant recipients, the following criteria shall
4 be considered:

5 (a) Results of the Washington assessment of student learning;

6 (b) Student achievement evidence from district or other state
7 assessments;

8 (c) The level of improvement in student achievement over time;

9 (d) Whether the criteria in subsection (2) of this section have
10 been met; and

11 (e) The likelihood that the proposed application will lead to a
12 plan and actions that will result in improved student achievement.

13 (6) Subject to available funding, individual grants shall be
14 awarded for a period of two years.

15 (7) Grant applications shall be approved by the school district
16 board of directors before submission of the application to the
17 superintendent of public instruction.

18 **PART 4**

19 **ACCOUNTABILITY GOALS, INCLUDING GOALS IN READING AND MATHEMATICS**

20 NEW SECTION. **Sec. 401.** The mid-term goal of the state's
21 accountability system is that eighty percent or more of all public
22 school students state-wide meet the state standards on the Washington
23 assessment of student learning within a decade after the administration
24 of each assessment is required state-wide.

25 **Sec. 402.** RCW 28A.630.887 and 1998 c 319 s 101 are each amended to
26 read as follows:

27 (1) (~~By December 15, 1998,~~) Each school district board of
28 directors shall:

29 (a) Select the reading standard results on either the 1997 or 1998
30 fourth grade Washington assessment of student learning as the school
31 district's initial baseline reading standard. Districts may select the
32 1997 results only if all of the elementary schools with fourth grade
33 students administered the assessment;

34 (b) Establish a three-year, district-wide goal to increase, by the
35 end of the 2000-01 school year, the percentage of students who meet or
36 exceed the reading standard on the fourth grade Washington assessment

1 of student learning. The (~~three-year~~) 2000-01 percentage increase
2 goal may not be less than the district's total percentage of students
3 who did not meet the baseline reading standard multiplied by twenty-
4 five percent;

5 (c) Specify the annual district-wide percentage improvement
6 increments to meet the (~~three-year~~) 2000-01 goal; and

7 (d) Direct each elementary school to establish a three-year goal
8 for its fourth grade students, subject to approval by the board. The
9 aggregate of the elementary school goals must meet or exceed the
10 district-wide goals established by the board.

11 (2) Each school district board of directors shall:

12 (a) By December 15, 2000, select the reading standard results on
13 either the 1998, 1999, or 2000 seventh grade Washington assessment of
14 student learning as the school district's seventh grade baseline
15 reading standard;

16 (b) Establish a district-wide goal to increase, by the end of the
17 2002-03 school year, the percentage of students who meet or exceed the
18 reading standard on the seventh grade Washington assessment of student
19 learning. The 2002-03 percentage increase goal may not be less than
20 the district's total percentage of students who did not meet the
21 baseline reading standard multiplied by twenty-five percent;

22 (c) Specify the annual district-wide percentage improvement
23 increments necessary to meet the seventh grade reading goal; and

24 (d) Direct each middle or junior high school, as appropriate, to
25 establish reading goals for its seventh grade students, subject to
26 approval by the board. The aggregate of the middle or junior high
27 school goals must meet or exceed the district-wide goals established by
28 the board.

29 (3) Each school district board of directors shall:

30 (a) By December 15, 2000, select the mathematics standard results
31 on either the 1998 or 1999 fourth grade Washington assessment of
32 student learning as the school district's fourth grade baseline
33 mathematics standard;

34 (b) By December 15, 2001, select the mathematics standard results
35 on either the 2000 or 2001 seventh grade Washington assessment of
36 student learning as the school district's seventh grade baseline
37 mathematics baseline. However, the district may select the 2000
38 results only if all of the middle or junior high schools with seventh
39 grade students administered the assessment;

1 (c) Establish a district-wide goal to increase, by the end of the
2 2002-03 school year, the percentage of students who meet or exceed the
3 mathematics standard on the fourth grade Washington assessment of
4 student learning. The 2002-03 percentage increase goal may not be less
5 than the district's total percentage of students who did not meet the
6 baseline mathematics standard multiplied by twenty-five percent;

7 (d) Establish a district-wide goal to increase, by the end of the
8 2003-04 school year, the percentage of students who meet or exceed the
9 mathematics standard on the seventh grade Washington assessment of
10 student learning. The 2003-04 percentage increase goal may not be less
11 than the district's total percentage of students who did not meet the
12 baseline mathematics standard multiplied by twenty-five percent;

13 (e) Specify the annual district-wide percentage improvement
14 increments necessary to meet each mathematics goal; and

15 (f) Direct each elementary and middle or junior high school, as
16 appropriate, to establish mathematics goals for its fourth grade or
17 seventh grade students, subject to approval by the board. The
18 aggregate of the goals for each grade level must meet or exceed the
19 district-wide goals established by the board for that grade level.

20 (4) Each school district board of directors shall:

21 (a) Annually report ((biannually)) to parents ((in writing)) and to
22 the community in a public meeting and twice annually report in writing
23 the following information:

24 (i) District-wide and school-level three-year goals;

25 (ii) Student performance relative to the goals; and

26 (iii) District-wide and school-level plans to achieve the reading
27 and mathematics goals in kindergarten through ((fourth)) seventh grade,
28 including ((grade-level expectations,)) curriculum and instruction,
29 parental or guardian involvement, and resources available to parents
30 and guardians to help students meet the reading and mathematics
31 standards;

32 (b) Report annually ((to the superintendent of public instruction
33 and)) in a news release to the local media the district's progress
34 toward meeting the district-wide and school-level goals; and

35 (c) Include the ((reported information)) school-level goals,
36 student performance relative to the goals, and a summary of school-
37 level plans to achieve the goals in each school's annual school
38 performance report under RCW 28A.320.205. This shall be considered one
39 of the twice-annual written reports required in (a) of this subsection.

1 (a) The nature and extent of the relationship between activities
2 that are supported by learning assistance program funds and the
3 Washington assessment of student learning;

4 (b) The degree to which activities supported by learning assistance
5 program funds help students meet the essential academic learning
6 requirements pertaining to goal one and the mathematics component of
7 goal two of RCW 28A.150.210; and

8 (c) Effective instructional programs and practices that may be used
9 with support from learning assistance program funds. The study shall
10 identify programs and practices offering the best prospects for success
11 in helping students served by learning assistance program funds to
12 achieve the essential academic learning requirements pertaining to goal
13 one and the mathematics component of goal two of RCW 28A.150.210.

14 (2) This section expires June 30, 2001.

15 NEW SECTION. **Sec. 502.** The following acts or parts of acts are
16 each repealed:

17 (1) 1998 c 225 s 3 (uncodified);

18 (2) 1995 c 209 s 3 (uncodified); and

19 (3) 1995 c 209 s 2 & 1992 c 141 s 203 (uncodified).

20 NEW SECTION. **Sec. 503.** RCW 28A.300.138 (Student learning
21 improvement grants) and 1994 c 245 s 1 & 1993 c 336 s 301 are each
22 repealed.

23 NEW SECTION. **Sec. 504.** PART HEADINGS NOT LAW. Part headings used
24 in this act are not any part of the law.

25 NEW SECTION. **Sec. 505.** Sections 101 through 104, 301, 302, and
26 401 of this act constitute a new chapter in Title 28A RCW.

27 NEW SECTION. **Sec. 506.** RCW 28A.630.887 is recodified as a new
28 section in the chapter created in section 505 of this act.

29 NEW SECTION. **Sec. 507.** Sections 101 and 502 of this act are
30 necessary for the immediate preservation of the public peace, health,

1 or safety, or support of the state government and its existing public
2 institutions, and take effect immediately.

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