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HOUSE BILL 1610

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Anderson, Priest, Haler and Strow

Read first time 01/24/2007. Referred to Committee on Education.

1            AN ACT Relating to creating a school and school district  
2            accountability system that provides for progressive interventions for  
3            schools and school districts that fail to meet academic standards;  
4            amending RCW 28A.305.130; and adding new sections to chapter 28A.305  
5            RCW.

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

7            NEW SECTION.    **Sec. 1.** A new section is added to chapter 28A.305  
8            RCW to read as follows:

9            (1) The state board of education shall adopt:

10            (a) A comprehensive set of objective improvement standards that  
11            schools and school districts must meet annually that are in addition to  
12            the standards established by the federal no child left behind act of  
13            2001;

14            (b) An objective, systematic set of criteria to identify  
15            consistently high performing schools that show exemplary progress with  
16            respect to meeting state and federal academic standards and a system of  
17            monetary and nonmonetary rewards for such schools; and

18            (c) A program of progressive interventions for schools or school

1 districts that fail to meet the annual improvement standards adopted by  
2 the board pursuant to (a) of this subsection.

3 (2) By December 1, 2007, the board shall report to the K-12  
4 education committees of the house of representatives and the senate  
5 regarding the objective improvement standards, criteria for  
6 consistently high performing schools, monetary and nonmonetary rewards,  
7 and program of progressive interventions the board has adopted as  
8 required by subsection (1) of this section.

9 (3) If approved by the legislature, the board shall implement the  
10 objective improvement standards, criteria for consistently high  
11 performing schools, rewards, and program of progressive interventions  
12 no later than September 1st following the legislature's approval.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.305  
14 RCW to read as follows:

15 (1) The program of progressive interventions adopted by the board  
16 under section 1 of this act shall require that if a school or school  
17 district fails for six consecutive years to meet federal academic  
18 standards or fails for four consecutive years to meet state academic  
19 standards adopted by the board, the educational service district within  
20 which the school or school district is located shall take control of  
21 all functions of the school or school district. For purposes of this  
22 section, such a school or school district shall be referred to as an  
23 "annexed school" or an "annexed school district."

24 (a) The educational service district shall retain control of the  
25 annexed school or annexed school district until the school or school  
26 district meets state and federal standards for six consecutive years.

27 (b) The board's program of progressive interventions shall include  
28 a plan for reinstating local control of the annexed school or annexed  
29 school district when the school or school district meets state and  
30 federal standards for six consecutive years.

31 (2) The program of progress interventions adopted by the board  
32 shall provide the educational service district with broad powers to  
33 manage and operate an annexed school or annexed school district placed  
34 under the educational service district's control pursuant to subsection  
35 (1) of this section. Such powers include but are not limited to:

36 (a) Modifying existing budgets and creating new budgets;

1 (b) Adopting, deleting, and modifying curricula, standards, and  
2 assessments, to the extent allowed by law; and

3 (c) Entering into, terminating, and amending existing and new  
4 contracts, including employment contracts, to the extent allowed by  
5 law.

6 (3) An educational service district that takes control of an  
7 annexed school or annexed school district pursuant to subsection (1) of  
8 this section is, to the extent allowed by law, exempt from all state  
9 statutes and rules applicable to schools, school districts, and school  
10 district boards of directors, including but not limited to statutes and  
11 rules regarding expenditure of state allocations, except for:

12 (a) Health, safety, and civil rights requirements for school  
13 districts or schools; and

14 (b) Those statutes and rules made specifically applicable to  
15 educational service districts that take control of a school or school  
16 district.

17 (4) The board's program of progressive interventions applies  
18 retroactively from the date the board first implements the program. For  
19 purposes of this section, a school or school district is considered to  
20 have failed to meet state academic standards for the total number of  
21 consecutive years that the superintendent of public instruction has  
22 identified the school or school district as failing to make adequate  
23 yearly progress immediately preceding implementation of the board's  
24 program.

25 (5) In its report required under section 1 of this act, the state  
26 board of education shall identify:

27 (a) What additional resources the board anticipates an educational  
28 service district will require to effectively take control of and manage  
29 an annexed school or annexed school district; and

30 (b) A process for the educational service district that takes  
31 control of an annexed school or annexed school district:

32 (i) To identify what additional resources, if any, the educational  
33 service district needs in a particular situation to bring the annexed  
34 school or annexed school district to state and federal academic  
35 standards; and

36 (ii) To request funding for such resources from the state.

1       **Sec. 3.** RCW 28A.305.130 and 2006 c 263 s 102 are each amended to  
2 read as follows:

3       The purpose of the state board of education is to provide advocacy  
4 and strategic oversight of public education; implement a standards-  
5 based accountability system to improve student academic achievement and  
6 to improve school and school district performance; provide leadership  
7 in the creation of a system that personalizes education for each  
8 student and respects diverse cultures, abilities, and learning styles;  
9 and promote achievement of the goals of RCW 28A.150.210. In addition  
10 to any other powers and duties as provided by law, the state board of  
11 education shall:

12       (1) Hold regularly scheduled meetings at such time and place within  
13 the state as the board shall determine and may hold such special  
14 meetings as may be deemed necessary for the transaction of public  
15 business;

16       (2) Form committees as necessary to effectively and efficiently  
17 conduct the work of the board;

18       (3) Seek advice from the public and interested parties regarding  
19 the work of the board;

20       (4) For purposes of statewide accountability:

21       (a) Adopt and revise performance improvement goals in reading,  
22 writing, science, and mathematics, by subject and grade level, once  
23 assessments in these subjects are required statewide; academic and  
24 technical skills, as appropriate, in secondary career and technical  
25 education programs; and student attendance, as the board deems  
26 appropriate to improve student learning. The goals shall be consistent  
27 with student privacy protection provisions of RCW 28A.655.090(7) and  
28 shall not conflict with requirements contained in Title I of the  
29 federal elementary and secondary education act of 1965, or the  
30 requirements of the Carl D. Perkins vocational education act of 1998,  
31 each as amended. The goals may be established for all students,  
32 economically disadvantaged students, limited English proficient  
33 students, students with disabilities, and students from  
34 disproportionately academically underachieving racial and ethnic  
35 backgrounds. The board may establish school and school district goals  
36 addressing high school graduation rates and dropout reduction goals for  
37 students in grades seven through twelve. The board shall adopt the  
38 goals by rule. However, before each goal is implemented, the board

1 shall present the goal to the education committees of the house of  
2 representatives and the senate for the committees' review and comment  
3 in a time frame that will permit the legislature to take statutory  
4 action on the goal if such action is deemed warranted by the  
5 legislature;

6 (b) Identify the scores students must achieve in order to meet the  
7 standard on the Washington assessment of student learning and, for high  
8 school students, to obtain a certificate of academic achievement. The  
9 board shall also determine student scores that identify levels of  
10 student performance below and beyond the standard. The board shall  
11 consider the incorporation of the standard error of measurement into  
12 the decision regarding the award of the certificates. The board shall  
13 set such performance standards and levels in consultation with the  
14 superintendent of public instruction and after consideration of any  
15 recommendations that may be developed by any advisory committees that  
16 may be established for this purpose. The initial performance standards  
17 and any changes recommended by the board in the performance standards  
18 for the tenth grade assessment shall be presented to the education  
19 committees of the house of representatives and the senate by November  
20 30th of the school year in which the changes will take place to permit  
21 the legislature to take statutory action before the changes are  
22 implemented if such action is deemed warranted by the legislature. The  
23 legislature shall be advised of the initial performance standards and  
24 any changes made to the elementary level performance standards and the  
25 middle school level performance standards;

26 (c) Adopt objective, systematic criteria to identify successful  
27 schools and school districts and recommend to the superintendent of  
28 public instruction schools and districts to be recognized for two types  
29 of accomplishments, student achievement and improvements in student  
30 achievement. Recognition for improvements in student achievement shall  
31 include consideration of one or more of the following accomplishments:

32 (i) An increase in the percent of students meeting standards. The  
33 level of achievement required for recognition may be based on the  
34 achievement goals established by the legislature and by the board under  
35 (a) of this subsection;

36 (ii) Positive progress on an improvement index that measures  
37 improvement in all levels of the assessment; and

1 (iii) Improvements despite challenges such as high levels of  
2 mobility, poverty, English as a second language learners, and large  
3 numbers of students in special populations as measured by either the  
4 percent of students meeting the standard, or the improvement index.  
5 When determining the baseline year or years for recognizing individual  
6 schools, the board may use the assessment results from the initial  
7 years the assessments were administered, if doing so with individual  
8 schools would be appropriate;

9 (d) Adopt objective, systematic criteria to identify schools and  
10 school districts in need of assistance and those in which significant  
11 numbers of students persistently fail to meet state standards. In its  
12 deliberations, the board shall consider the use of all statewide  
13 mandated criterion-referenced and norm-referenced standardized tests;

14 (e) Adopt a system of progressive interventions as required by  
15 section 1 of this act and, after the legislature has authorized a set  
16 of interventions, identify on a continuing basis schools and school  
17 districts in which state intervention measures (~~((will be))~~) are needed  
18 (~~((and a range of appropriate intervention strategies after the~~  
19 ~~legislature has authorized a set of intervention strategies. After the~~  
20 ~~legislature has authorized a set of intervention strategies, at the~~  
21 ~~request of the board, the superintendent shall intervene in the school~~  
22 ~~or school district and take corrective actions))~~). This chapter does  
23 not provide additional authority for the board or the superintendent of  
24 public instruction, beyond that authority specifically provided by this  
25 section or section 1 or 2 of this act, to intervene in a school or  
26 school district;

27 (f) Identify performance incentive systems that have improved or  
28 have the potential to improve student achievement;

29 (g) Adopt a system of monetary and nonmonetary rewards for schools  
30 that show exemplary progress with respect to meeting state and federal  
31 academic standards and, if the system is approved by the legislature,  
32 identify on a continuing basis schools and school districts for which  
33 such rewards are warranted;

34 (h) Annually review the assessment reporting system to ensure  
35 fairness, accuracy, timeliness, and equity of opportunity, especially  
36 with regard to schools with special circumstances and unique  
37 populations of students, and a recommendation to the superintendent of  
38 public instruction of any improvements needed to the system; and

1       (~~(h)~~) (i) Include in the biennial report required under RCW  
2 28A.305.035, information on the progress that has been made in  
3 achieving goals adopted by the board;

4       (5) Accredite, subject to such accreditation standards and  
5 procedures as may be established by the state board of education, all  
6 private schools that apply for accreditation, and approve, subject to  
7 the provisions of RCW 28A.195.010, private schools carrying out a  
8 program for any or all of the grades kindergarten through twelve:  
9 PROVIDED, That no private school may be approved that operates a  
10 kindergarten program only: PROVIDED FURTHER, That no private schools  
11 shall be placed upon the list of accredited schools so long as secret  
12 societies are knowingly allowed to exist among its students by school  
13 officials;

14       (6) Articulate with the institutions of higher education, work  
15 force representatives, and early learning policymakers and providers to  
16 coordinate and unify the work of the public school system;

17       (7) Hire an executive director and an administrative assistant to  
18 reside in the office of the superintendent of public instruction for  
19 administrative purposes. Any other personnel of the board shall be  
20 appointed as provided by RCW 28A.300.020. The executive director,  
21 administrative assistant, and all but one of the other personnel of the  
22 board are exempt from civil service, together with other staff as now  
23 or hereafter designated as exempt in accordance with chapter 41.06 RCW;  
24 and

25       (8) Adopt a seal that shall be kept in the office of the  
26 superintendent of public instruction.

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