
SENATE BILL 6696

State of Washington

61st Legislature

2010 Regular Session

By Senators McAuliffe, King, Gordon, Oemig, Hobbs, Kauffman, McDermott, Roach, Berkey, Murray, Tom, Prentice, Haugen, Fairley, Kline, Rockefeller, Keiser, Marr, Ranker, Regala, Eide, Kilmer, Hargrove, Franklin, Shin, and Kohl-Welles; by request of Governor Gregoire

Read first time 01/21/10. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to education reform; amending RCW 28A.305.225,
2 28A.150.230, 28A.405.100, 28A.405.220, 28A.400.200, 28A.660.020,
3 28B.76.230, and 28A.655.110; reenacting and amending RCW 28A.660.040
4 and 28A.660.050; adding new sections to chapter 28A.300 RCW; adding a
5 new section to chapter 28A.305 RCW; adding a new section to chapter
6 28A.320 RCW; adding new sections to chapter 28A.405 RCW; adding new
7 sections to chapter 28A.410 RCW; adding a new section to chapter 28B.76
8 RCW; adding new sections to chapter 28A.655 RCW; creating new sections;
9 and repealing RCW 28A.660.010, 28A.415.100, 28A.415.105, 28A.415.130,
10 28A.415.135, and 28A.415.140.

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

12 **PART I**

13 **ACCOUNTABILITY FRAMEWORK**

14 NEW SECTION. **Sec. 101.** The legislature finds that it is the
15 state's responsibility to create a coherent and effective
16 accountability framework for the continuous improvement for all schools
17 and districts. This system must provide an excellent and equitable
18 education for all students; an aligned federal/state accountability

1 system; and the tools necessary for schools and districts to be
2 accountable. These tools include the necessary accounting and data
3 reporting systems, assessment systems to monitor student achievement,
4 and a system of general support, targeted assistance, and if necessary,
5 intervention.

6 The office of the superintendent of public instruction is
7 responsible for developing and implementing the accountability tools to
8 build district capacity and working within federal and state
9 guidelines. The legislature assigned the state board of education
10 responsibility and oversight for creating an accountability framework.
11 This framework provides a unified system of support for challenged
12 schools that aligns with basic education, increases the level of
13 support based upon the magnitude of need, and uses data for decisions.
14 Such a system will identify schools and their districts for recognition
15 as well as for additional state support. For a specific group of
16 challenged schools, defined as persistently low-achieving schools, and
17 their districts, it is necessary to provide a required action process
18 that creates a partnership between the state and local district to
19 target funds and assistance to turn around the identified low achieving
20 schools.

21 Phase I of this accountability system will recognize schools that
22 have done an exemplary job of raising student achievement and closing
23 the achievement gaps using the state board of education's
24 accountability index. Phase I will also target the lowest five percent
25 of persistently low-achieving schools defined under federal guidelines
26 to provide federal funds and federal intervention models through a
27 voluntary option in 2010, and for those who do not volunteer and have
28 not improved student achievement, a required action process in 2011.

29 Phase II of this accountability system will work toward
30 implementing the state board of education's accountability index for
31 identification of schools in need of improvement, including those that
32 are not Title I schools, and the use of state and local intervention
33 models and state funds through a required action process beginning in
34 2013, in addition to the federal program. Federal approval of the
35 state board of education's accountability index must be obtained or
36 else the federal guidelines for persistently low-achieving schools will
37 continue to be used.

1 The expectation from implementation of this accountability system
2 is the improvement of student achievement for all students to prepare
3 them for postsecondary education, work, and global citizenship in the
4 twenty-first century.

5 NEW SECTION. **Sec. 102.** A new section is added to chapter 28A.300
6 RCW to read as follows:

7 (1) Beginning in 2010, and each year thereafter, by December 1st,
8 the superintendent of public instruction shall annually identify
9 schools that are the persistently lowest-achieving schools in the
10 state. A school shall be identified as one of the state's persistently
11 lowest-achieving schools if:

12 (a) The school is a Title I school in improvement, corrective
13 action, or restructuring that is among the lowest-achieving five
14 percent of Title I schools in improvement, corrective action, or
15 restructuring, or the lowest-achieving five Title I schools in
16 improvement, corrective action, or restructuring, whichever number of
17 schools is greater; or

18 (b) The school is a secondary school that is eligible for, but does
19 not receive Title I funds that is among the lowest-achieving five
20 percent of secondary schools, or the lowest achieving five secondary
21 schools that is eligible for but does not receive Title I funds,
22 whichever number is greater.

23 (2) The criteria for determining whether a school is among the
24 lowest-achieving five percent of Title I schools, or Title I eligible
25 schools, under subsection (1) of this section shall be established by
26 the superintendent of public instruction, meet all applicable federal
27 guidelines, and take into account both:

28 (a) The academic achievement of the "all students" group in a
29 school in terms of proficiency on the state's assessment, and any
30 alternative assessments, in reading and mathematics combined; and

31 (b) The school's lack of progress on the mathematics and reading
32 assessments over a number of years in the "all students" group.

33 NEW SECTION. **Sec. 103.** A new section is added to chapter 28A.300
34 RCW to read as follows:

35 (1) Beginning in January 2011, the superintendent of public
36 instruction shall annually recommend to the state board of education

1 school districts for designation as required action districts. A
2 district with at least one school identified as a persistently low-
3 achieving school shall be designated as a required action district
4 based on the availability of federal school improvement grants and
5 criteria developed by the superintendent. However, a school district
6 shall not be recommended for designation as a required action district
7 if the district was awarded a federal school improvement grant by the
8 superintendent in 2010 and implemented a federal school intervention
9 model at each school identified as a persistently low-achieving school
10 in the district.

11 (2) The superintendent of public instruction shall provide a school
12 district superintendent with written notice of the recommendation for
13 designation as a required action district by certified mail or personal
14 service. A school district superintendent may request reconsideration
15 of the superintendent of public instruction's recommendation. The
16 reconsideration shall be limited to a determination of whether the
17 school district met the criteria for being recommended as a required
18 action district. A request for reconsideration must be in writing and
19 served on the superintendent of public instruction within ten days of
20 service of the notice of the superintendent's recommendation.

21 (3) The state board of education shall annually designate those
22 districts recommended by the superintendent in subsection (2) of this
23 section as required action districts. A district designated as a
24 required action district shall be required to notify all parents of
25 students attending a school identified as a persistently low-achieving
26 school in the district of the state board of education's designation of
27 the district as a required action district and the process for
28 complying with the requirements set forth in sections 104 through 109
29 of this act.

30 NEW SECTION. **Sec. 104.** A new section is added to chapter 28A.300
31 RCW to read as follows:

32 The superintendent of public instruction shall contract with an
33 external review team to conduct an academic performance audit of the
34 district of each persistently low-achieving school in a required action
35 district to identify the potential reasons for the school's low
36 performance and lack of progress. The review team must consist of
37 persons under contract with the superintendent who have expertise in

1 comprehensive school and district reform and may not include staff from
2 the agency, the school district that is the subject of the audit, or
3 members or staff of the state board of education. The audit must be
4 conducted based on criteria developed by the superintendent of public
5 instruction and must include but not be limited to: Examining student
6 demographics and mobility patterns; school feeder patterns; the
7 performance of different student groups on assessments; effective
8 school leadership; strategic allocation of resources; clear and shared
9 focus on student learning; high standards and expectations for all
10 students; high level of collaboration and communication; aligned
11 curriculum, instruction, and assessment to state standards; frequency
12 of monitoring of learning and teaching; focused professional
13 development; supportive learning environment; high level of family and
14 community involvement; and alternative secondary schools best
15 practices. Audit findings must be made available to the local school
16 district, its staff, the community, and the state board of education.

17 NEW SECTION. **Sec. 105.** A new section is added to chapter 28A.300
18 RCW to read as follows:

19 (1) The superintendent and local school board of a school district
20 designated as a required action district must submit a required action
21 plan to the state board of education for approval. Unless otherwise
22 required by subsection (3) of this section, the plan must be submitted
23 under a schedule as required by the state board. A required action
24 plan must be developed in collaboration with administrators, teachers,
25 and other staff, parents, unions representing any employees within the
26 district, students, and other representatives of the local community.
27 The superintendent of public instruction shall provide a district with
28 assistance in developing its plan if requested. The school board must
29 conduct a public hearing to allow for comment on a proposed required
30 action plan. The local school district shall submit the plan first to
31 the office of the superintendent of public instruction to review and
32 approve that the plan is consistent with federal guidelines. After the
33 office of the superintendent of public instruction has approved that
34 the plan is consistent with federal guidelines, the local school
35 district must submit its required action plan to the state board of
36 education for approval.

37 (2) A required action plan must include all of the following:

1 (a) Implementation of one of the four federal intervention models
2 required for the receipt of school improvement grants under the
3 American recovery and reinvestment act of 2009 and Title I of the
4 elementary and secondary education act of 1965, as amended. However,
5 a district may not establish a charter school under a federal
6 intervention model without express legislative authority. The
7 intervention models are the turnaround, restart, school closure, and
8 transformation models. The intervention model selected must address
9 the concerns raised in the academic performance audit and be intended
10 to improve student performance to allow a school district to be removed
11 from the list of districts designated as a required action district by
12 the state board of education within three years of implementation of
13 the plan;

14 (b) Submission of an application for a federal school improvement
15 grant to the superintendent of public instruction;

16 (c) A budget that provides for adequate resources to implement the
17 federal model selected and any other requirements of the plan;

18 (d) A description of the changes in the district's or school's
19 existing policies, structures, agreements, processes, and practices
20 that are intended to attain significant achievement gains for all
21 students enrolled in the school;

22 (e) Identification of the metrics that the school district will use
23 in assessing student achievement at a school identified as a
24 persistently low achieving school, which include improving mathematics
25 and reading student achievement and graduation rates as defined by the
26 state that enable the schools to no longer be identified as one of the
27 persistently lowest achieving schools.

28 (3)(a) For any district designated for required action, the parties
29 to any collective bargaining agreement negotiated under chapter 41.59
30 or 41.56 RCW after the effective date of this section must reopen the
31 agreement, or negotiate an addendum, if needed, to make changes to
32 terms and conditions of employment that are necessary to implement an
33 appropriate required action plan.

34 (b) If the school district and the employee organizations are
35 unable to agree on the terms of an addendum or modification to an
36 existing collective bargaining agreement, the parties, including all
37 affected labor organizations, shall request the public employment
38 relations commission to, and the commission shall, appoint an employee

1 of the commission to act as a mediator to assist in the resolution of
2 a dispute between the school district and the employee organizations.
3 Beginning in 2011, and each year thereafter, mediation shall commence
4 no later than April 15th. All mediations held under this section shall
5 include the employer and representatives of all affected bargaining
6 units.

7 (c) If the executive director of the public employment relations
8 commission, upon the recommendation of the assigned mediator, finds
9 that the employer and any affected bargaining unit are unable to reach
10 agreement following a reasonable period of negotiations and mediation,
11 but by no later than May 15th of the year in which mediation occurred,
12 the executive director shall certify any disputed issues for a decision
13 by the superior court in the county where the school district is
14 located. The issues for determination by the superior court must be
15 limited to the issues certified by the executive director and must be
16 resolved by the court in the same proceeding.

17 (d) The process in this subsection (3)(d) must be used in the case
18 where the executive director certifies issues for a decision by the
19 superior court.

20 (i) The school district shall file a petition with the superior
21 court, by no later than May 20th of the same year in which the issues
22 were certified, setting forth the following:

23 (A) The name, address, and telephone number of the school district
24 and its principal representative;

25 (B) The name, address, and telephone number of the employee
26 organizations and their principal representatives;

27 (C) A description of the bargaining units involved;

28 (D) The unresolved issues certified by the executive director for
29 a final and binding decision by the court; and

30 (E) The academic performance audit that the office of the
31 superintendent of public instruction completed for the school district.

32 (ii) Within seven days after the filing of the petition, each party
33 shall file with the court the proposal it is asking the court to order
34 be implemented in a required action plan for the district for each
35 issue certified by the executive director. Contemporaneously with the
36 filing of the proposal, a party must file a brief with the court
37 setting forth the reasons why the court should order implementation of
38 its proposal in the final plan.

1 (iii) Following receipt of the proposals and briefs of the parties,
2 the court must schedule a date and time for a hearing on the petition.
3 The hearing must be limited to argument of the parties or their counsel
4 regarding the proposals submitted for the court's consideration. The
5 parties may waive a hearing by written agreement.

6 (iv) The court must enter an order selecting the proposal for
7 inclusion in a required action plan that best responds to the issues
8 raised in the school district's academic performance audit, and allows
9 for the award of a federal school improvement grant to the district
10 from the office of the superintendent of public instruction to
11 implement one of the four federal intervention models. The court's
12 decision must be issued no later than June 15th of the year in which
13 the petition is filed and is final and binding on the parties, however
14 the court's decision is subject to appeal only in the case where it
15 does not allow the school district to implement a required action plan
16 consistent with the requirements for the award of a federal school
17 improvement grant by the superintendent of public instruction.

18 (e) Each party shall bear its own costs and attorneys' fees
19 incurred under this statute.

20 (f) Any party that proceeds with the process in this section after
21 knowledge that any provision of this section has not been complied with
22 and who fails to state its objection in writing is deemed to have
23 waived its right to object.

24 (4) All contracts entered into between a school district and an
25 employee must be consistent with this chapter and allow school
26 districts designated as required action districts to implement one of
27 the four federal models in a required action plan.

28 NEW SECTION. **Sec. 106.** A new section is added to chapter 28A.300
29 RCW to read as follows:

30 A required action plan developed by a district's school board and
31 superintendent must be submitted to the state board of education for
32 approval. The state board must accept for inclusion in any required
33 action plan the final decision by the superior court on any issue
34 certified by the executive director of the public employment relations
35 commission under the process in section 105 of this act. The state
36 board of education shall approve a plan proposed by a school district
37 only if it meets the requirements set forth in section 105 of this act.

1 Any addendum or modification to an existing collective bargaining
2 agreement related to student achievement or school improvement shall
3 not go into effect until approval of a required action plan by the
4 state board of education. If the state board does not approve a
5 proposed plan, it must notify the local school board and local
6 districts' superintendent in writing with an explicit rationale for why
7 the plan was not approved. Nonapproval by the state board of education
8 of the local school district's required action plan is not intended to
9 trigger any actions under section 107 of this act. With the assistance
10 of the office of the superintendent of public instruction, the
11 superintendent and school board of the required action district shall
12 submit a new plan to the state board of education for approval within
13 forty days of notification that its plan was rejected. If federal
14 funds are not available, the plan is not required to be implemented
15 until such funding becomes available. A required action plan must be
16 implemented in the immediate school year following the district's
17 designation as a required action district.

18 NEW SECTION. **Sec. 107.** A new section is added to chapter 28A.305
19 RCW to read as follows:

20 The state board of education may direct the superintendent of
21 public instruction to require a school district that has not submitted
22 a final required action plan for approval, or has submitted but not
23 received state board of education approval of a required action plan,
24 to redirect the district's Title I funds based on the academic
25 performance audit findings.

26 NEW SECTION. **Sec. 108.** A new section is added to chapter 28A.320
27 RCW to read as follows:

28 A school district must implement a required action plan upon
29 approval by the state board of education. The office of superintendent
30 of public instruction must provide the required action district with
31 technical assistance and eligible federal school improvement grant
32 funds to implement its plan. The district must submit reports as
33 specified by the superintendent of public instruction to the
34 superintendent regarding its progress in meeting the student
35 achievement goals set forth in the required action plan.

1 NEW SECTION. **Sec. 109.** A new section is added to chapter 28A.300
2 RCW to read as follows:

3 (1) The superintendent of public instruction must provide a
4 biannual report to the state board of education regarding the progress
5 made by all school districts designated as required action districts.

6 (2) The superintendent of public instruction must recommend to the
7 state board of education that a school district be released from the
8 designation as a required action district after the district implements
9 a required action plan for a period of three years; made progress, as
10 defined by the superintendent of public instruction, in reading and
11 mathematics on the state's assessment over the past three consecutive
12 years; and no longer has a school within the district identified as
13 persistently low achieving. The state board shall release a school
14 district from the designation as a required action district upon
15 confirmation that the district has met the requirements for a release.

16 (3) If the state board of education determines that the required
17 action district has not made sufficient progress, the district remains
18 in required action.

19 **Sec. 110.** RCW 28A.305.225 and 2009 c 548 s 503 are each amended to
20 read as follows:

21 (1) The state board of education shall continue to refine the
22 development of an accountability framework that creates a unified
23 system of support for challenged schools, that aligns with basic
24 education, increases the level of support based upon the magnitude of
25 need, and uses data for decisions.

26 (2) The state board of education shall develop an accountability
27 index to identify schools and districts for recognition, for continuous
28 improvement, and for additional state support. The index shall be
29 based on criteria that are fair, consistent, and transparent.
30 Performance shall be measured using multiple outcomes and indicators
31 including, but not limited to, graduation rates and results from
32 statewide assessments. The index shall be developed in such a way as
33 to be easily understood by both employees within the schools and
34 districts, as well as parents and community members. It is the
35 legislature's intent that the index provide feedback to schools and
36 districts to self-assess their progress, and enable the identification
37 of schools with exemplary student performance and those that need

1 assistance to overcome challenges in order to achieve exemplary student
2 performance. (~~Once the accountability index has identified schools~~
3 ~~that need additional help, a more thorough analysis will be done to~~
4 ~~analyze specific conditions in the district including but not limited~~
5 ~~to the level of state resources a school or school district receives in~~
6 ~~support of the basic education system, achievement gaps for different~~
7 ~~groups of students, and community support.~~

8 ~~(3) Based on the accountability index and in consultation with the~~
9 ~~superintendent of public instruction, the state board of education~~
10 ~~shall develop a proposal and timeline for implementation of a~~
11 ~~comprehensive system of voluntary support and assistance for schools~~
12 ~~and districts. The timeline must take into account and accommodate~~
13 ~~capacity limitations of the K-12 educational system. Changes that have~~
14 ~~a fiscal impact on school districts, as identified by a fiscal analysis~~
15 ~~prepared by the office of the superintendent of public instruction,~~
16 ~~shall take effect only if formally authorized by the legislature~~
17 ~~through the omnibus appropriations act or other enacted legislation.~~

18 ~~(4)(a) The state board of education shall develop a proposal and~~
19 ~~implementation timeline for a more formalized comprehensive system~~
20 ~~improvement targeted to challenged schools and districts that have not~~
21 ~~demonstrated sufficient improvement through the voluntary system. The~~
22 ~~timeline must take into account and accommodate capacity limitations of~~
23 ~~the K-12 educational system. The proposal and timeline shall be~~
24 ~~submitted to the education committees of the legislature by December 1,~~
25 ~~2009, and shall include recommended legislation and recommended~~
26 ~~resources to implement the system according to the timeline developed.~~

27 ~~(b) The proposal shall outline a process for addressing performance~~
28 ~~challenges that will include the following features: (i) An academic~~
29 ~~performance audit using peer review teams of educators that considers~~
30 ~~school and community factors in addition to other factors in developing~~
31 ~~recommended specific corrective actions that should be undertaken to~~
32 ~~improve student learning; (ii) a requirement for the local school board~~
33 ~~plan to develop and be responsible for implementation of corrective~~
34 ~~action plan taking into account the audit findings, which plan must be~~
35 ~~approved by the state board of education at which time the plan becomes~~
36 ~~binding upon the school district to implement; and (iii) monitoring of~~
37 ~~local district progress by the office of the superintendent of public~~

1 ~~instruction. The proposal shall take effect only if formally~~
2 ~~authorized by the legislature through the omnibus appropriations act or~~
3 ~~other enacted legislation.~~

4 ~~(5))~~ (3) The state board of education, in cooperation with the
5 office of the superintendent of public instruction, shall annually
6 recognize schools for exemplary student performance as measured on the
7 state board of education accountability index.

8 (4) In coordination with the superintendent of public instruction,
9 the state board of education shall seek approval from the United States
10 department of education for use of the accountability index and the
11 state system of support, assistance, and intervention, to replace the
12 federal accountability system under P.L. 107-110, the no child left
13 behind act of 2001.

14 ((+6)) (5) The state board of education shall work with the
15 education data center established within the office of financial
16 management and the technical working group established in section 112,
17 chapter 548, Laws of 2009 to determine the feasibility of using the
18 prototypical funding allocation model as not only a tool for allocating
19 resources to schools and districts but also as a tool for schools and
20 districts to report to the state legislature and the state board of
21 education on how the state resources received are being used.

22 NEW SECTION. Sec. 111. A new section is added to chapter 28A.300
23 RCW to read as follows:

24 The definitions in this section apply throughout sections 102
25 through 106 of this act unless the context clearly requires otherwise.

26 (1) "All students group" means those students in grades three
27 through eight and high school who take the state's assessment in
28 reading and mathematics required under 20 U.S.C. Sec. 6311(b)(3).

29 (2) "Schools in improvement, corrective action, or restructuring"
30 means a school in improvement, a school in corrective action, or a
31 school in restructuring. As used in this section:

32 (a) A "school in improvement" is a public school that is identified
33 by a school district for school improvement under 34 CFR Sec. 200.32;

34 (b) A "school in corrective action" is a public school that is
35 identified by a school district for corrective action under 34 CFR Sec.
36 200.33; and

1 (c) A "school in restructuring" is a public school that is required
2 to prepare a restructuring plan for the school and make arrangements to
3 implement the plan under 34 CFR Sec. 200.34.

4 (3) "Title I" means Title I, part A of the federal elementary and
5 secondary education act of 1965 (ESEA) (20 U.S.C. Secs. 6311-6322).

6 **PART II**
7 **EVALUATIONS**

8 **Sec. 201.** RCW 28A.150.230 and 2006 c 263 s 201 are each amended to
9 read as follows:

10 (1) It is the intent and purpose of this section to guarantee that
11 each common school district board of directors, whether or not acting
12 through its respective administrative staff, be held accountable for
13 the proper operation of their district to the local community and its
14 electorate. In accordance with the provisions of Title 28A RCW, as now
15 or hereafter amended, each common school district board of directors
16 shall be vested with the final responsibility for the setting of
17 policies ensuring quality in the content and extent of its educational
18 program and that such program provide students with the opportunity to
19 achieve those skills which are generally recognized as requisite to
20 learning.

21 (2) In conformance with the provisions of Title 28A RCW, as now or
22 hereafter amended, it shall be the responsibility of each common school
23 district board of directors to adopt policies to:

24 (a) Establish performance criteria and an evaluation process for
25 its superintendent, classified staff, certificated personnel, including
26 administrative staff, and for all programs constituting a part of such
27 district's curriculum. Each district shall report annually to the
28 superintendent of public instruction the following for each employee
29 group listed in this subsection (2)(a): (i) Evaluation criteria and
30 rubrics; (ii) a description of each rating; and (iii) the number of
31 staff in each rating;

32 (b) Determine the final assignment of staff, certificated or
33 classified, according to board enumerated classroom and program needs
34 and data, based upon a plan to ensure that the assignment policy: (i)
35 Supports the learning needs of all the students in the district; and
36 (ii) gives specific attention to high-need schools and classrooms;

1 (c) Provide information to the local community and its electorate
2 describing the school district's policies concerning hiring, assigning,
3 terminating, and evaluating staff, including the criteria for
4 evaluating teachers and principals;

5 (d) Determine the amount of instructional hours necessary for any
6 student to acquire a quality education in such district, in not less
7 than an amount otherwise required in RCW 28A.150.220, or rules of the
8 state board of education;

9 ~~((d))~~ (e) Determine the allocation of staff time, whether
10 certificated or classified;

11 ~~((e))~~ (f) Establish final curriculum standards consistent with
12 law and rules of the superintendent of public instruction, relevant to
13 the particular needs of district students or the unusual
14 characteristics of the district, and ensuring a quality education for
15 each student in the district; and

16 ~~((f))~~ (g) Evaluate teaching materials, including text books,
17 teaching aids, handouts, or other printed material, in public hearing
18 upon complaint by parents, guardians or custodians of students who
19 consider dissemination of such material to students objectionable.

20 **Sec. 202.** RCW 28A.405.100 and 1997 c 278 s 1 are each amended to
21 read as follows:

22 (1)(a) Except as provided in subsection (2) of this section, the
23 superintendent of public instruction shall establish and may amend from
24 time to time minimum criteria for the evaluation of the professional
25 performance capabilities and development of certificated classroom
26 teachers and certificated support personnel. For classroom teachers
27 the criteria shall be developed in the following categories:
28 Instructional skill; classroom management, professional preparation and
29 scholarship; effort toward improvement when needed; the handling of
30 student discipline and attendant problems; and interest in teaching
31 pupils and knowledge of subject matter.

32 (b) Every board of directors shall, in accordance with procedure
33 provided in RCW 41.59.010 through 41.59.170, 41.59.910 and 41.59.920,
34 establish evaluative criteria and procedures for all certificated
35 classroom teachers and certificated support personnel. The evaluative
36 criteria must contain as a minimum the criteria established by the
37 superintendent of public instruction pursuant to this section and must

1 be prepared within six months following adoption of the superintendent
2 of public instruction's minimum criteria. The district must certify to
3 the superintendent of public instruction that evaluative criteria have
4 been so prepared by the district.

5 (2)(a) Pursuant to the implementation schedule established in
6 subsection (7)(b) of this section, every board of directors shall, in
7 accordance with procedures provided in RCW 41.59.010 through 41.59.170,
8 41.59.910, and 41.59.920, establish revised evaluative criteria and a
9 four-level rating system for all certificated classroom teachers.

10 (b) The minimum criteria shall include: (i) Centering instruction
11 on high expectations for student achievement; (ii) demonstrating
12 effective teaching practices; (iii) recognizing individual student
13 learning needs and developing strategies to address those needs; (iv)
14 providing clear and intentional focus on subject matter content and
15 curriculum; (v) fostering and managing a safe, positive learning
16 environment; (vi) using multiple student data elements to modify
17 instruction and improve student learning; (vii) communicating with
18 parents and school community; and (viii) exhibiting collaborative and
19 collegial practices focused on improving instructional practice and
20 student learning.

21 (c) The four-level rating system used to evaluate the certificated
22 classroom teacher must describe performance along a continuum that
23 indicates the extent to which the criteria have been met or exceeded.
24 When student growth data, if available and appropriate, is referenced
25 in the evaluation process it must be based on multiple measures that
26 can include classroom-based, school-based, district-based, and state-
27 based tools. As used in this subsection, "student growth" means the
28 change in student achievement between two points in time.

29 (3)(a) Except as provided in subsection ((+5+)) (10) of this
30 section, it shall be the responsibility of a principal or his or her
31 designee to evaluate all certificated personnel in his or her school.
32 During each school year all classroom teachers and certificated support
33 personnel(~~(, hereinafter referred to as "employees" in this section,~~)
34 shall be observed for the purposes of evaluation at least twice in the
35 performance of their assigned duties. Total observation time for each
36 employee for each school year shall be not less than sixty minutes. An
37 employee in the third year of provisional status as defined in RCW
38 28A.405.220 shall be observed at least three times in the performance

1 of his or her duties and the total observation time for the school year
2 shall not be less than ninety minutes. Following each observation, or
3 series of observations, the principal or other evaluator shall promptly
4 document the results of the observation in writing, and shall provide
5 the employee with a copy thereof within three days after such report is
6 prepared. New employees shall be observed at least once for a total
7 observation time of thirty minutes during the first ninety calendar
8 days of their employment period.

9 (b) As used in this subsection and subsection (4) of this section,
10 "employees" means classroom teachers and certificated support
11 personnel.

12 (4)(a) At any time after October 15th, an employee whose work is
13 not judged (~~(unsatisfactory))~~ satisfactory based on district evaluation
14 criteria shall be notified in writing of the specific areas of
15 deficiencies along with a reasonable program for improvement. During
16 the period of probation, the employee may not be transferred from the
17 supervision of the original evaluator. Improvement of performance or
18 probable cause for nonrenewal must occur and be documented by the
19 original evaluator before any consideration of a request for transfer
20 or reassignment as contemplated by either the individual or the school
21 district. A probationary period of sixty school days shall be
22 established. The establishment of a probationary period does not
23 adversely affect the contract status of an employee within the meaning
24 of RCW 28A.405.300. The purpose of the probationary period is to give
25 the employee opportunity to demonstrate improvements in his or her
26 areas of deficiency. The establishment of the probationary period and
27 the giving of the notice to the employee of deficiency shall be by the
28 school district superintendent and need not be submitted to the board
29 of directors for approval. During the probationary period the
30 evaluator shall meet with the employee at least twice monthly to
31 supervise and make a written evaluation of the progress, if any, made
32 by the employee. The evaluator may authorize one additional
33 certificated employee to evaluate the probationer and to aid the
34 employee in improving his or her areas of deficiency; such additional
35 certificated employee shall be immune from any civil liability that
36 might otherwise be incurred or imposed with regard to the good faith
37 performance of such evaluation. The probationer may be removed from
38 probation if he or she has demonstrated improvement to the satisfaction

1 of the principal in those areas specifically detailed in his or her
2 initial notice of deficiency and subsequently detailed in his or her
3 improvement program. Lack of necessary improvement during the
4 established probationary period, as specifically documented in writing
5 with notification to the probationer and shall constitute grounds for
6 a finding of probable cause under RCW 28A.405.300 or 28A.405.210.

7 (b) Immediately following the completion of a probationary period
8 that does not produce performance changes detailed in the initial
9 notice of deficiencies and improvement program, the employee may be
10 removed from his or her assignment and placed into an alternative
11 assignment for the remainder of the school year. This reassignment may
12 not displace another employee nor may it adversely affect the
13 probationary employee's compensation or benefits for the remainder of
14 the employee's contract year. If such reassignment is not possible,
15 the district may, at its option, place the employee on paid leave for
16 the balance of the contract term.

17 ~~((+2))~~ (5) Every board of directors shall establish evaluative
18 criteria and procedures for all superintendents, principals, and other
19 administrators. It shall be the responsibility of the district
20 superintendent or his or her designee to evaluate all administrators.
21 Except as provided in subsection (6) of this section, such evaluation
22 shall be based on the administrative position job description. Such
23 criteria, when applicable, shall include at least the following
24 categories: Knowledge of, experience in, and training in recognizing
25 good professional performance, capabilities and development; school
26 administration and management; school finance; professional preparation
27 and scholarship; effort toward improvement when needed; interest in
28 pupils, employees, patrons and subjects taught in school; leadership;
29 and ability and performance of evaluation of school personnel.

30 ~~((+3))~~ (6)(a) Pursuant to the implementation schedule established
31 by subsection (7)(b) of this section, every board of directors shall
32 establish revised evaluative criteria and a four-level rating system
33 for principals.

34 (b) The minimum criteria shall include: (i) Creating a school
35 culture that promotes the ongoing improvement of learning and teaching
36 for students and staff; (ii) providing for school safety; (iii) leading
37 the development, implementation, and evaluation of a data-driven plan
38 for increasing student achievement, including the use of multiple

1 student data elements; (iv) assisting instructional staff with
2 alignment of curriculum, instruction, and assessment with state and
3 local district learning goals; (v) monitoring, assisting, and
4 evaluating effective instruction and assessment practices; (vi)
5 managing both staff and fiscal resources to support student achievement
6 and legal responsibilities; and (vii) partnering with the school
7 community to promote student learning.

8 (c) The four-level rating system used to evaluate the principal
9 must describe performance along a continuum that indicates the extent
10 to which the criteria have been met or exceeded. When student growth
11 data, if available and appropriate, is referenced in the evaluation
12 process it must be based on multiple measures that can include
13 classroom-based, school-based, district-based, and state-based tools.
14 As used in this subsection, "student growth" means the change in
15 student achievement between two points in time.

16 (7)(a) The superintendent of public instruction, in collaboration
17 with state professional associations representing teachers, principals,
18 and administrators, shall create models for implementing the evaluation
19 system criteria, student growth tools, professional development
20 programs, and evaluator training for certificated classroom teachers
21 and principals. Human resources specialists, professional development
22 experts, and assessment experts must also be consulted. Due to the
23 diversity of teaching assignments and the many developmental levels of
24 students, classroom teachers and principals must be prominently
25 represented in this work. The models must be available for use in the
26 2011-12 school year.

27 (b) A new certificated classroom teacher evaluation system that
28 implements the provisions of subsection (2) of this section and a new
29 principal evaluation system that implements the provisions of
30 subsection (6) of this section shall be phased-in beginning with the
31 2010-11 school year by districts identified in (c) of this subsection
32 and implemented in all school districts beginning with the 2013-14
33 school year.

34 (c) A set of school districts shall be selected by the
35 superintendent of public instruction to participate in a collaborative
36 process resulting in the development and piloting of new certificated
37 classroom teacher and principal evaluation systems during the 2010-11
38 and 2011-12 school years. These school districts must be selected

1 based on: (i) The agreement of the local associations representing
2 classroom teachers and principals to collaborate with the district in
3 this developmental work and (ii) the agreement to participate in the
4 full range of development and implementation activities, including:
5 Development of rubrics for the evaluation criteria and ratings in
6 subsections (2) and (6) of this section; identification of or
7 development of appropriate multiple measures of student growth in
8 subsections (2) and (6) of this section; development of appropriate
9 evaluation system forms; participation in professional development for
10 principals and classroom teachers regarding the content of the new
11 evaluation system; participation in evaluator training; and
12 participation in activities to evaluate the effectiveness of the new
13 systems and support programs. The superintendent of public instruction
14 must analyze the districts' evaluative data, consult with participating
15 districts and stakeholders, recommend appropriate changes, and address
16 statewide implementation issues. The superintendent of public
17 instruction shall report evaluation system implementation status,
18 evaluation data, and recommendations to appropriate committees of the
19 legislature and governor by July 1, 2011, and at the conclusion of the
20 development phase by July 1, 2012.

21 (8) Each certificated (~~(employee)~~) classroom teacher and
22 certificated support personnel shall have the opportunity for
23 confidential conferences with his or her immediate supervisor on no
24 less than two occasions in each school year. Such confidential
25 conference shall have as its sole purpose the aiding of the
26 administrator in his or her assessment of the employee's professional
27 performance.

28 ~~((+4))~~ (9) The failure of any evaluator to evaluate or supervise
29 or cause the evaluation or supervision of certificated (~~(employees)~~)
30 classroom teachers and certificated support personnel or administrators
31 in accordance with this section, as now or hereafter amended, when it
32 is his or her specific assigned or delegated responsibility to do so,
33 shall be sufficient cause for the nonrenewal of any such evaluator's
34 contract under RCW 28A.405.210, or the discharge of such evaluator
35 under RCW 28A.405.300.

36 ~~((+5))~~ (10) After (~~(an employee)~~) a certificated classroom teacher
37 or certificated support personnel has four years of satisfactory
38 evaluations under subsection (1) of this section or has received one of

1 the two top ratings for four years under subsection (2) of this
2 section, a school district may use a short form of evaluation, a
3 locally bargained evaluation emphasizing professional growth, an
4 evaluation under subsection (1) or (2) of this section, or any
5 combination thereof. The short form of evaluation shall include either
6 a thirty minute observation during the school year with a written
7 summary or a final annual written evaluation based on the criteria in
8 subsection (1) or (2) of this section and based on at least two
9 observation periods during the school year totaling at least sixty
10 minutes without a written summary of such observations being prepared.
11 A locally bargained short-form evaluation emphasizing professional
12 growth must provide that the professional growth activity conducted by
13 the certificated classroom teacher be specifically linked to one or
14 more of the certificated classroom teacher evaluation criteria.
15 However, the evaluation process set forth in subsection (1) or (2) of
16 this section shall be followed at least once every three years unless
17 this time is extended by a local school district under the bargaining
18 process set forth in chapter 41.59 RCW. The employee or evaluator may
19 require that the evaluation process set forth in subsection (1) or (2)
20 of this section be conducted in any given school year. No evaluation
21 other than the evaluation authorized under subsection (1) or (2) of
22 this section may be used as a basis for determining that an employee's
23 work is (~~unsatisfactory~~) not satisfactory under subsection (1) or (2)
24 of this section or as probable cause for the nonrenewal of an
25 employee's contract under RCW 28A.405.210 unless an evaluation process
26 developed under chapter 41.59 RCW determines otherwise.

27 **Sec. 203.** RCW 28A.405.220 and 2009 c 57 s 2 are each amended to
28 read as follows:

29 (1) Notwithstanding the provisions of RCW 28A.405.210, every person
30 employed by a school district in a teaching or other nonsupervisory
31 certificated position shall be subject to nonrenewal of employment
32 contract as provided in this section during the first (~~two~~) three
33 years of employment by such district, unless: (a) The employee has
34 previously completed at least two years of certificated employment in
35 another school district in the state of Washington, in which case the
36 employee shall be subject to nonrenewal of employment contract pursuant
37 to this section during the first year of employment with the new

1 district; or (b) the school district superintendent may make a
2 determination to remove an employee from provisional status if the
3 employee has received one of the top two evaluation ratings during the
4 second year of employment by the district. Employees as defined in
5 this section shall hereinafter be referred to as "provisional
6 employees((=))."

7 (2) In the event the superintendent of the school district
8 determines that the employment contract of any provisional employee
9 should not be renewed by the district for the next ensuing term such
10 provisional employee shall be notified thereof in writing on or before
11 May 15th preceding the commencement of such school term, or if the
12 omnibus appropriations act has not passed the legislature by May 15th,
13 then notification shall be no later than June 15th, which notification
14 shall state the reason or reasons for such determination. Such notice
15 shall be served upon the provisional employee personally, or by
16 certified or registered mail, or by leaving a copy of the notice at the
17 place of his or her usual abode with some person of suitable age and
18 discretion then resident therein. The determination of the
19 superintendent shall be subject to the evaluation requirements of RCW
20 28A.405.100.

21 (3) Every such provisional employee so notified, at his or her
22 request made in writing and filed with the superintendent of the
23 district within ten days after receiving such notice, shall be given
24 the opportunity to meet informally with the superintendent for the
25 purpose of requesting the superintendent to reconsider his or her
26 decision. Such meeting shall be held no later than ten days following
27 the receipt of such request, and the provisional employee shall be
28 given written notice of the date, time and place of meeting at least
29 three days prior thereto. At such meeting the provisional employee
30 shall be given the opportunity to refute any facts upon which the
31 superintendent's determination was based and to make any argument in
32 support of his or her request for reconsideration.

33 (4) Within ten days following the meeting with the provisional
34 employee, the superintendent shall either reinstate the provisional
35 employee or shall submit to the school district board of directors for
36 consideration at its next regular meeting a written report recommending
37 that the employment contract of the provisional employee be nonrenewed
38 and stating the reason or reasons therefor. A copy of such report

1 shall be delivered to the provisional employee at least three days
2 prior to the scheduled meeting of the board of directors. In taking
3 action upon the recommendation of the superintendent, the board of
4 directors shall consider any written communication which the
5 provisional employee may file with the secretary of the board at any
6 time prior to that meeting.

7 (5) The board of directors shall notify the provisional employee in
8 writing of its final decision within ten days following the meeting at
9 which the superintendent's recommendation was considered. The decision
10 of the board of directors to nonrenew the contract of a provisional
11 employee shall be final and not subject to appeal.

12 (6) This section applies to any person employed by a school
13 district in a teaching or other nonsupervisory certificated position
14 after June 25, 1976. This section provides the exclusive means for
15 nonrenewing the employment contract of a provisional employee and no
16 other provision of law shall be applicable thereto, including, without
17 limitation, RCW 28A.405.210 and chapter 28A.645 RCW.

18 NEW SECTION. **Sec. 204.** A new section is added to chapter 28A.405
19 RCW to read as follows:

20 (1) Representatives of the office of the superintendent of public
21 instruction and statewide associations representing administrators,
22 principals, human resources specialists, and certificated classroom
23 teachers shall analyze how the evaluation systems in RCW 28A.405.100
24 (2) and (6) affect issues related to a change in contract status.

25 (2) The analysis shall be conducted during each of the phase-in
26 years of the certificated classroom teacher and principal evaluation
27 systems. The analysis shall include: Procedures, timelines,
28 probationary periods, appeal procedures, and other items related to the
29 timely exercise of employment decisions and due process provisions for
30 certificated classroom teachers and principals.

31 NEW SECTION. **Sec. 205.** A new section is added to chapter 28A.405
32 RCW to read as follows:

33 If funds are provided for professional development activities
34 designed specifically for first through third-year teachers, the funds
35 shall be allocated first to districts participating in the evaluation

1 systems in RCW 28A.405.100 (2) and (6) before the required
2 implementation date under that section.

3 **PART III**

4 **ENCOURAGING INNOVATIONS AND PERFORMANCE**

5 **Sec. 301.** RCW 28A.400.200 and 2002 c 353 s 2 are each amended to
6 read as follows:

7 (1) Every school district board of directors shall fix, alter,
8 allow, and order paid salaries and compensation for all district
9 employees in conformance with this section.

10 (2)(a) Salaries for certificated instructional staff shall not be
11 less than the salary provided in the appropriations act in the
12 statewide salary allocation schedule for an employee with a
13 baccalaureate degree and zero years of service; and

14 (b) Salaries for certificated instructional staff with a master's
15 degree shall not be less than the salary provided in the appropriations
16 act in the statewide salary allocation schedule for an employee with a
17 master's degree and zero years of service;

18 (3)(a) The actual average salary paid to certificated instructional
19 staff shall not exceed the district's average certificated
20 instructional staff salary used for the state basic education
21 allocations for that school year as determined pursuant to RCW
22 28A.150.410.

23 (b) Fringe benefit contributions for certificated instructional
24 staff shall be included as salary under (a) of this subsection only to
25 the extent that the district's actual average benefit contribution
26 exceeds the amount of the insurance benefits allocation provided per
27 certificated instructional staff unit in the state operating
28 appropriations act in effect at the time the compensation is payable.
29 For purposes of this section, fringe benefits shall not include payment
30 for unused leave for illness or injury under RCW 28A.400.210; employer
31 contributions for old age survivors insurance, workers' compensation,
32 unemployment compensation, and retirement benefits under the Washington
33 state retirement system; or employer contributions for health benefits
34 in excess of the insurance benefits allocation provided per
35 certificated instructional staff unit in the state operating

1 appropriations act in effect at the time the compensation is payable.
2 A school district may not use state funds to provide employer
3 contributions for such excess health benefits.

4 (c) Salary and benefits for certificated instructional staff in
5 programs other than basic education shall be consistent with the salary
6 and benefits paid to certificated instructional staff in the basic
7 education program.

8 (4) Salaries and benefits for certificated instructional staff may
9 exceed the limitations in subsection (3) of this section only by
10 separate contract for additional time, for additional responsibilities,
11 ~~((or))~~ for incentives, or for implementing specific measurable
12 innovative activities specified by the school district to: (a) Close
13 one or more achievement gaps or (b) focus on development of science,
14 technology, engineering, and mathematics (STEM) learning opportunities
15 to include professional development. Supplemental contracts shall not
16 cause the state to incur any present or future funding obligation.
17 Supplemental contracts shall be subject to the collective bargaining
18 provisions of chapter 41.59 RCW and the provisions of RCW 28A.405.240,
19 shall not exceed one year, and if not renewed shall not constitute
20 adverse change in accordance with RCW 28A.405.300 through 28A.405.380.
21 No district may enter into a supplemental contract under this
22 subsection for the provision of services which are a part of the basic
23 education program required by Article IX, section 3 of the state
24 Constitution.

25 (5) Employee benefit plans offered by any district shall comply
26 with RCW 28A.400.350 and 28A.400.275 and 28A.400.280.

27 PART IV

28 EXPANDING PROFESSIONAL PREPARATION OPTIONS AND WORKFORCE INFORMATION

29 NEW SECTION. **Sec. 401.** A new section is added to chapter 28A.410
30 RCW to read as follows:

31 Beginning with the 2011-12 school year, all professional educator
32 standards board-approved teacher preparation programs must administer
33 to all preservice candidates the evidence-based assessment of teaching
34 effectiveness adopted by the professional educator standards board.
35 Candidates admitted to teacher preparation programs in the 2012-13
36 school year and thereafter must successfully pass this assessment.

1 Assessment results from persons completing each preparation program
2 must be reported annually by the professional educator standards board
3 to the governor and the education and fiscal committees of the
4 legislature by December 1st.

5 NEW SECTION. **Sec. 402.** A new section is added to chapter 28A.410
6 RCW to read as follows:

7 By September 30, 2010, the professional educator standards board
8 shall review and revise teacher and administrator preparation program
9 approval standards and proposal review procedures at the residency
10 certificate level to ensure they are rigorous and appropriate standards
11 for an expanded range of potential providers, including nonhigher
12 education providers.

13 Beginning September 30, 2010, the professional educator standards
14 board must accept proposals for new providers of educator preparation
15 programs. Proposals must be processed and considered by the board as
16 expeditiously as possible.

17 By September 1, 2011, all professional educator standards board-
18 approved residency teacher preparation programs at institutions of
19 higher education as defined in RCW 28B.10.016 must submit to the
20 professional educator standards board a proposal to offer one or more
21 of the alternative route programs that meet the requirements of RCW
22 28A.660.020 and 28A.660.040 or a summary of procedures that provide
23 flexible completion opportunities for students to achieve a residency
24 certificate.

25 **Sec. 403.** RCW 28A.660.020 and 2006 c 263 s 816 are each amended to
26 read as follows:

27 (1) ~~((Each))~~ The professional educator standards board shall
28 transition the alternative route partnership grant program from a
29 separate competitive grant program to a preparation program model to be
30 expanded among approved preparation program providers. Alternative
31 routes are partnerships between professional educator standards board-
32 approved preparation programs, Washington school districts, and other
33 partners as appropriate.

34 (2) Each prospective teacher preparation program provider, in
35 cooperation with a Washington school district or consortia of school

1 districts applying ~~((for—the))~~ to operate alternative route
2 certification program shall ~~((submit—a))~~ include in its proposal to the
3 Washington professional educator standards board ~~((specifying))~~:

4 (a) The route or routes the partnership program intends to offer
5 and a detailed description of how the routes will be structured and
6 operated by the partnership;

7 (b) The estimated number of candidates that will be enrolled per
8 route;

9 (c) An identification, indication of commitment, and description of
10 the role of approved teacher preparation programs ~~((that—are))~~ and
11 partnering ~~((with—the))~~ district or consortia of districts;

12 (d) An assurance ~~((of))~~ that the district ~~((provision—of))~~ or
13 approved preparation program provider will provide adequate training
14 for mentor teachers ~~((either through participation in a state mentor~~
15 ~~training academy or district provided training that meets state~~
16 ~~established mentor training standards))~~ specific to the mentoring of
17 alternative route candidates;

18 (e) An assurance that significant time will be provided for mentor
19 teachers to spend with the alternative route teacher candidates
20 throughout the internship. Partnerships must provide each candidate
21 with intensive classroom mentoring until such time as the candidate
22 demonstrates the competency necessary to manage the classroom with less
23 intensive supervision and guidance from a mentor;

24 (f) A description of the rigorous screening process for applicants
25 to alternative route programs, including entry requirements specific to
26 each route, as provided in RCW 28A.660.040; and

27 (g) The design and use of a teacher development plan for each
28 candidate. The plan shall specify the alternative route coursework and
29 training required of each candidate and shall be developed by comparing
30 the candidate's prior experience and coursework with the state's new
31 performance-based standards for residency certification and adjusting
32 any requirements accordingly. The plan may include the following
33 components:

34 (i) A minimum of one-half of a school year, and an additional
35 significant amount of time if necessary, of intensive mentorship during
36 field experience, starting with full-time mentoring and progressing to
37 increasingly less intensive monitoring and assistance as the intern
38 demonstrates the skills necessary to take over the classroom with less

1 intensive support. For route one and two candidates, before the
2 supervision is diminished, the mentor of the teacher candidate at the
3 school and the supervisor of the teacher candidate from the higher
4 education teacher preparation program must both agree that the teacher
5 candidate is ready to manage the classroom with less intensive
6 supervision. For route three and four candidates, the mentor of the
7 teacher candidate shall make the decision;

8 (ii) Identification of performance indicators based on the
9 knowledge and skills standards required for residency certification by
10 the Washington professional educator standards board;

11 (iii) Identification of benchmarks that will indicate when the
12 standard is met for all performance indicators;

13 (iv) A description of strategies for assessing candidate
14 performance on the benchmarks;

15 (v) Identification of one or more tools to be used to assess a
16 candidate's performance once the candidate has been in the classroom
17 for about one-half of a school year; ~~((and))~~

18 (vi) A description of the criteria that would result in residency
19 certification after about one-half of a school year but before the end
20 of the program; and

21 ((vii) A description of how the district intends for the alternative
22 route program to support its workforce development plan and how the
23 presence of alternative route interns will advance its school
24 improvement plans.

25 ~~((+2))~~ (3) To the extent funds are appropriated for this purpose,
26 ~~((districts))~~ alternative route programs may apply for program funds to
27 pay stipends to trained mentor teachers of interns during the mentored
28 internship. The per intern amount of mentor stipend provided by state
29 funds shall not exceed five hundred dollars.

30 **Sec. 404.** RCW 28A.660.040 and 2009 c 192 s 1 and 2009 c 166 s 1
31 are each reenacted and amended to read as follows:

32 ~~((Partnership grants funded))~~ Alternative route programs under this
33 chapter shall operate one to four specific route programs. Successful
34 completion of the program shall make a candidate eligible for residency
35 teacher certification. ~~((For route one and two candidates,))~~ The
36 mentor of the teacher candidate at the school and the supervisor of the
37 teacher candidate from the ~~((higher education))~~ teacher preparation

1 program must both agree that the teacher candidate has successfully
2 completed the program. (~~For route three and four candidates, the~~
3 ~~mentor of the teacher candidate shall make the determination that the~~
4 ~~candidate has successfully completed the program.~~)

5 (1) (~~Partnership grant programs seeking funds to operate~~)
6 Alternative route programs operating route one programs shall enroll
7 currently employed classified instructional employees with transferable
8 associate degrees seeking residency teacher certification with
9 endorsements in special education, bilingual education, or English as
10 a second language. It is anticipated that candidates enrolled in this
11 route will complete both their baccalaureate degree and requirements
12 for residency certification in two years or less, including a mentored
13 internship to be completed in the final year. In addition, partnership
14 programs shall uphold entry requirements for candidates that include:

15 (a) District or building validation of qualifications, including
16 one year of successful student interaction and leadership as a
17 classified instructional employee;

18 (b) Successful passage of the statewide basic skills exam(~~, when~~
19 ~~available~~)); and

20 (c) Meeting the age, good moral character, and personal fitness
21 requirements adopted by rule for teachers.

22 (2) (~~Partnership grant programs seeking funds to operate~~)
23 Alternative route programs operating route two programs shall enroll
24 currently employed classified staff with baccalaureate degrees seeking
25 residency teacher certification in subject matter shortage areas and
26 areas with shortages due to geographic location. Candidates enrolled
27 in this route must complete a mentored internship complemented by
28 flexibly scheduled training and coursework offered at a local site,
29 such as a school or educational service district, or online or via
30 video-conference over the K-20 network, in collaboration with the
31 partnership program's higher education partner. In addition,
32 partnership grant programs shall uphold entry requirements for
33 candidates that include:

34 (a) District or building validation of qualifications, including
35 one year of successful student interaction and leadership as classified
36 staff;

37 (b) A baccalaureate degree from a regionally accredited institution

1 of higher education. The individual's college or university grade
2 point average may be considered as a selection factor;

3 (c) Successful completion of the (~~content test, once the state~~
4 ~~content test is available~~) subject matter assessment required by RCW
5 28A.410.220(3);

6 (d) Meeting the age, good moral character, and personal fitness
7 requirements adopted by rule for teachers; and

8 (e) Successful passage of the statewide basic skills exam(~~, when~~
9 ~~available~~)).

10 (3) (~~Partnership grant~~) Alternative route programs seeking funds
11 to operate route three programs shall enroll individuals with
12 baccalaureate degrees, who are not employed in the district at the time
13 of application. When selecting candidates for certification through
14 route three, districts and approved preparation program providers shall
15 give priority to individuals who are seeking residency teacher
16 certification in subject matter shortage areas or shortages due to
17 geographic locations. (~~For route three only, the districts may~~
18 ~~include additional candidates in nonshortage subject areas if the~~
19 ~~candidates are seeking endorsements with a secondary grade level~~
20 ~~designation as defined by rule by the professional educator standards~~
21 ~~board. The districts shall disclose to candidates in nonshortage~~
22 ~~subject areas available information on the demand in those subject~~
23 ~~areas.~~) Cohorts of candidates for this route shall attend an
24 intensive summer teaching academy, followed by a full year employed by
25 a district in a mentored internship, followed, if necessary, by a
26 second summer teaching academy. In addition, partnership programs
27 shall uphold entry requirements for candidates that include:

28 (a) A baccalaureate degree from a regionally accredited institution
29 of higher education. The individual's grade point average may be
30 considered as a selection factor;

31 (b) Successful completion of the (~~content test, once the state~~
32 ~~content test is available~~) subject matter assessment required by RCW
33 28A.410.220(3);

34 (c) External validation of qualifications, including demonstrated
35 successful experience with students or children, such as reference
36 letters and letters of support from previous employers;

37 (d) Meeting the age, good moral character, and personal fitness
38 requirements adopted by rule for teachers; and

1 (e) Successful passage of statewide basic skills exams(~~(, when~~
2 available)).

3 (4) (~~Partnership grant programs seeking funds to operate~~)
4 Alternative route programs operating route four programs shall enroll
5 individuals with baccalaureate degrees, who are employed in the
6 district at the time of application, or who hold conditional teaching
7 certificates or emergency substitute certificates. Cohorts of
8 candidates for this route shall attend an intensive summer teaching
9 academy, followed by a full year employed by a district in a mentored
10 internship. If employed on a conditional certificate, the intern may
11 serve as the teacher of record, supported by a well-trained mentor. In
12 addition, partnership programs shall uphold entry requirements for
13 candidates that include:

14 (a) A baccalaureate degree from a regionally accredited institution
15 of higher education. The individual's grade point average may be
16 considered as a selection factor;

17 (b) Successful completion of the (~~content test, once the state~~
18 ~~content test is available~~) subject matter assessment required by RCW
19 28A.410.220(3);

20 (c) External validation of qualifications, including demonstrated
21 successful experience with students or children, such as reference
22 letters and letters of support from previous employers;

23 (d) Meeting the age, good moral character, and personal fitness
24 requirements adopted by rule for teachers; and

25 (e) Successful passage of statewide basic skills exams(~~(, when~~
26 available)).

27 (5) Applicants for alternative route programs who are eligible
28 veterans or national guard members and who meet the entry requirements
29 for the alternative route program for which application is made shall
30 be given preference in admission.

31 **Sec. 405.** RCW 28A.660.050 and 2009 c 539 s 3 and 2009 c 192 s 2
32 are each reenacted and amended to read as follows:

33 Subject to the availability of amounts appropriated for these
34 purposes, the conditional scholarship programs in this chapter are
35 created under the following guidelines:

36 (1) The programs shall be administered by the higher education

1 coordinating board. In administering the programs, the higher
2 education coordinating board has the following powers and duties:

3 (a) To adopt necessary rules and develop guidelines to administer
4 the programs;

5 (b) To collect and manage repayments from participants who do not
6 meet their service obligations; and

7 (c) To accept grants and donations from public and private sources
8 for the programs.

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

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

18 (i) Be accepted and maintain enrollment in alternative
19 certification routes through (~~the partnership grant~~) a professional
20 educator standards board-approved program;

21 (ii) Continue to make satisfactory progress toward completion of
22 the alternative route certification program and receipt of a residency
23 teaching certificate; and

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

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

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

37 (ii) Continue to make satisfactory progress toward completion of an
38 associate of arts degree. This progress requirement is a condition for

1 eligibility into a route one program of the alternative routes to
2 teacher certification program for a mathematics, special education, or
3 English as a second language endorsement; and

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

11 (c) The retooling to teach mathematics and science conditional
12 scholarship program is limited to current K-12 teachers (~~and~~
13 ~~individuals having an elementary education certificate but who are not~~
14 ~~employed in positions requiring an elementary education certificate as~~
15 ~~provided by RCW 28A.660.045)). In order to receive conditional~~
16 scholarship awards:

17 (i) Individuals currently employed as teachers shall pursue a
18 middle level mathematics or science, or secondary mathematics or
19 science endorsement; or

20 (ii) Individuals who are certificated with an elementary education
21 endorsement (~~(, but not employed in positions requiring an elementary~~
22 ~~education certificate,)) shall pursue an endorsement in middle level
23 mathematics or science, or both; and~~

24 (iii) Individuals shall use one of the pathways to endorsement
25 processes to receive a mathematics or science endorsement, or both,
26 which shall include passing a mathematics or science endorsement test,
27 or both tests, plus observation and completing applicable coursework to
28 attain the proper endorsement; and

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

33 (3) The Washington professional educator standards board shall
34 select individuals to receive conditional scholarships. In selecting
35 recipients, preference shall be given to eligible veterans or national
36 guard members.

37 (4) For the purpose of this chapter, a conditional scholarship is
38 a loan that is forgiven in whole or in part in exchange for service as

1 a certificated teacher employed in a Washington state K-12 public
2 school. The state shall forgive one year of loan obligation for every
3 two years a recipient teaches in a public school. Recipients who fail
4 to continue a course of study leading to residency teacher
5 certification or cease to teach in a public school in the state of
6 Washington in their endorsement area are required to repay the
7 remaining loan principal with interest.

8 (5) Recipients who fail to fulfill the required teaching obligation
9 are required to repay the remaining loan principal with interest and
10 any other applicable fees. The higher education coordinating board
11 shall adopt rules to define the terms for repayment, including
12 applicable interest rates, fees, and deferments.

13 (6) The higher education coordinating board may deposit all
14 appropriations, collections, and any other funds received for the
15 program in this chapter in the future teachers conditional scholarship
16 account authorized in RCW 28B.102.080.

17 NEW SECTION. **Sec. 406.** A new section is added to chapter 28A.410
18 RCW to read as follows:

19 Beginning with the 2010 school year and annually thereafter, each
20 educational service district, in cooperation with the professional
21 educator standards board, must convene representatives from school
22 districts within that region and professional educator standards board-
23 approved educator preparation programs to review regional educator
24 workforce data, make biennial projections of certificate staffing
25 needs, and identify how recruitment and enrollment plans in educator
26 preparation programs reflect projected need.

27 **Sec. 407.** RCW 28B.76.230 and 2005 c 258 s 11 are each amended to
28 read as follows:

29 (1) The board shall develop a comprehensive and ongoing assessment
30 process to analyze the need for additional degrees and programs,
31 additional off-campus centers and locations for degree programs, and
32 consolidation or elimination of programs by the four-year institutions.

33 (2) As part of the needs assessment process, the board shall
34 examine:

35 (a) Projections of student, employer, and community demand for

1 education and degrees, including liberal arts degrees, on a regional
2 and statewide basis;

3 (b) Current and projected degree programs and enrollment at public
4 and private institutions of higher education, by location and mode of
5 service delivery; (~~and~~)

6 (c) Data from the workforce training and education coordinating
7 board and the state board for community and technical colleges on the
8 supply and demand for workforce education and certificates and
9 associate degrees; and

10 (d) Data from the professional educator standards board.

11 (3) Every two years the board shall produce, jointly with the state
12 board for community and technical colleges, the professional educator
13 standards board, and the workforce training and education coordinating
14 board, an assessment of the number and type of higher education and
15 training credentials required to match employer demand for a skilled
16 and educated workforce. The assessment shall include the number of
17 forecasted net job openings at each level of higher education and
18 training and the number of credentials needed to match the forecast of
19 net job openings.

20 (4) The board shall determine whether certain major lines of study
21 or types of degrees, including applied degrees or research-oriented
22 degrees, shall be assigned uniquely to some institutions or
23 institutional sectors in order to create centers of excellence that
24 focus resources and expertise.

25 (5) The following activities are subject to approval by the board:

26 (a) New degree programs by a four-year institution;

27 (b) Creation of any off-campus program by a four-year institution;

28 (c) Purchase or lease of major off-campus facilities by a four-year
29 institution or a community or technical college;

30 (d) Creation of higher education centers and consortia;

31 (e) New degree programs and creation of off-campus programs by an
32 independent college or university in collaboration with a community or
33 technical college; and

34 (f) Applied baccalaureate degree programs developed by colleges
35 under RCW 28B.50.810.

36 (6) Institutions seeking board approval under this section must
37 demonstrate that the proposal is justified by the needs assessment

1 developed under this section. Institutions must also demonstrate how
2 the proposals align with or implement the statewide strategic master
3 plan for higher education under RCW 28B.76.200.

4 (7) The board shall develop clear guidelines and objective
5 decision-making criteria regarding approval of proposals under this
6 section, which must include review and consultation with the
7 institution and other interested agencies and individuals.

8 (8) The board shall periodically recommend consolidation or
9 elimination of programs at the four-year institutions, based on the
10 needs assessment analysis.

11 NEW SECTION. **Sec. 408.** A new section is added to chapter 28B.76
12 RCW to read as follows:

13 (1) The board must establish boundaries for service regions for
14 institutions of higher education implementing professional educator
15 standards board-approved educator preparation programs.

16 (2) Based on the data in the assessment in RCW 28B.76.230, the
17 board shall determine whether reasonable teacher preparation program
18 access for prospective teachers is available in each region. If access
19 is determined to be inadequate in a region, the institution of higher
20 education responsible for the region shall submit a plan for meeting
21 the access need to the board.

22 (3) Partnerships with other teacher preparation program providers
23 and the use of appropriate technology shall be considered. The board
24 shall review the plan and, as appropriate, assist the institution in
25 developing support and resources for implementing the plan.

26 NEW SECTION. **Sec. 409.** The following acts or parts of acts are
27 each repealed:

28 (1) RCW 28A.660.010 (Partnership grant program) and 2004 c 23 s 1
29 & 2001 c 158 s 2;

30 (2) RCW 28A.415.100 (Student teaching centers--Legislative
31 recognition--Intent) and 1991 c 258 s 1;

32 (3) RCW 28A.415.105 (Definitions) and 2006 c 263 s 811, 1995 c 335
33 s 403, & 1991 c 258 s 2;

34 (4) RCW 28A.415.130 (Allocation of funds for student teaching
35 centers) and 2006 c 263 s 813 & 1991 c 258 s 7;

1 (5) RCW 28A.415.135 (Alternative means of teacher placement) and
2 1991 c 258 s 8; and
3 (6) RCW 28A.415.140 (Field experiences) and 1991 c 258 s 9.

4 **PART V**
5 **COMMON CORE ADOPTION**

6 NEW SECTION. **Sec. 501.** A new section is added to chapter 28A.655
7 RCW to read as follows:

8 By August 2, 2010, the superintendent of public instruction shall
9 revise the essential academic learning requirements and standards
10 authorized under RCW 28A.655.070 for mathematics, reading, writing, and
11 communication by adopting a common set of standards for students in
12 kindergarten through grade twelve. The revised essential academic
13 learning requirements and standards: (1) Shall be consistent with the
14 requirements of RCW 28A.655.070; (2) shall define what students must
15 know and be able to do and be substantially identical with the
16 standards developed by a multistate consortium in which Washington
17 participated; and (3) may include additional standards, if the
18 additional standards do not exceed fifteen percent of the standards for
19 each content area.

20 **PART VI**
21 **PARENTS AND COMMUNITY**

22 NEW SECTION. **Sec. 601.** A new section is added to chapter 28A.655
23 RCW to read as follows:

24 Beginning with the 2010-11 school year, each school shall annually
25 invite parents and community members to provide feedback regarding
26 their experiences with the school. The school shall summarize the
27 responses in its annual report under RCW 28A.655.110.

28 **Sec. 602.** RCW 28A.655.110 and 1999 c 388 s 303 are each amended to
29 read as follows:

30 (1) Beginning with the 1994-95 school year, to provide the local
31 community and electorate with access to information on the educational
32 programs in the schools in the district, each school shall publish
33 annually a school performance report and deliver the report to each

1 parent with children enrolled in the school and make the report
2 available to the community served by the school. The annual
3 performance report shall be in a form that can be easily understood and
4 be used by parents, guardians, and other members of the community who
5 are not professional educators to make informed educational decisions.
6 As data from the assessments in RCW 28A.655.060 becomes available, the
7 annual performance report should enable parents, educators, and school
8 board members to determine whether students in the district's schools
9 are attaining mastery of the student learning goals under RCW
10 28A.150.210, and other important facts about the schools' performance
11 in assisting students to learn. The annual report shall make
12 comparisons to a school's performance in preceding years (~~and shall~~
13 ~~include school level goals under RCW 28A.655.050~~), student performance
14 relative to the goals and the percentage of students performing at each
15 level of the assessment, a comparison of student performance at each
16 level of the assessment to the previous year's performance, and
17 information regarding school-level plans to achieve the goals.

18 (2) The annual performance report shall include, but not be limited
19 to: (a) A brief statement of the mission of the school and the school
20 district; (b) enrollment statistics including student demographics; (c)
21 expenditures per pupil for the school year; (d) a summary of student
22 scores on all mandated tests; (e) a concise annual budget report; (f)
23 student attendance, graduation, and dropout rates; (g) information
24 regarding the use and condition of the school building or buildings;
25 (h) a brief description of the learning improvement plans for the
26 school; (i) a summary of the feedback from parents and community
27 members obtained under section 601 of this act; and ~~((+i+))~~ (j) an
28 invitation to all parents and citizens to participate in school
29 activities.

30 (3) The superintendent of public instruction shall develop by June
31 30, 1994, and update periodically, a model report form, which shall
32 also be adapted for computers, that schools may use to meet the
33 requirements of subsections (1) and (2) of this section. In order to
34 make school performance reports broadly accessible to the public, the
35 superintendent of public instruction, to the extent feasible, shall
36 make information on each school's report available on or through the

1 superintendent's internet web site.

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