

**HB 1669** - S COMM AMD

By Committee on Early Learning & K-12 Education

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

3       "**Sec. 1.** RCW 28A.150.198 and 2009 c 548 s 1 are each amended to  
4 read as follows:

5       (1) Public education in Washington state has evolved since the  
6 enactment of the Washington basic education act of 1977. Decisions by  
7 the courts have played a part in this evolution, as have studies and  
8 research about education practices and education funding. The  
9 legislature finds ample evidence of a need for continuing to refine the  
10 program of basic education that is funded by the state and delivered by  
11 school districts.

12       (2) The legislature reaffirms the work of Washington Learns and  
13 other educational task forces that have been convened over the past  
14 four years and their recommendations to make bold reforms to the entire  
15 educational system in order to educate all students to a higher level;  
16 to focus on the individualized instructional needs of students; to  
17 strive towards closing the ((~~achievement~~)) educational opportunity gap  
18 and reducing dropout rates; and to prepare students for a constantly  
19 evolving workforce and increasingly demanding global economy. In  
20 enacting this legislation, the legislature intends to continue to  
21 review, evaluate, and revise the definition and funding of basic  
22 education in order to continue to fulfill the state obligation under  
23 Article IX of the state Constitution. The legislature also intends to  
24 continue to strengthen and modify the structure of the entire K-12  
25 educational system, including nonbasic education programmatic elements,  
26 in order to build the capacity to anticipate and support potential  
27 future enhancements to basic education as the educational needs of our  
28 citizens continue to evolve.

29       (3) The legislature recognizes that the first step in revising the  
30 definition and funding of basic education is to create a transparent

1 funding system for both allocations and expenditures so that not only  
2 policymakers and educators understand how the state supports basic  
3 education but also taxpayers. An adequate data system that enables the  
4 legislature to make rational, data-driven decisions on which  
5 educational programs impact student learning in order to more  
6 effectively and efficiently deliver the resources necessary to provide  
7 an ample program of basic education is also a necessity. A new  
8 prototypical funding system will allow the legislature to better  
9 understand how current resources are being used. A more complete and  
10 accurate educational data system will allow the legislature to  
11 understand whether current basic education programs are supporting  
12 student learning. Only with both of these systems in place can the  
13 legislature make informed decisions on how to best implement a dynamic  
14 and evolving system of basic education.

15 (4) For practical and educational reasons, major changes of the  
16 program of basic education and the funding formulas to support it  
17 cannot occur instantaneously. The legislature intends to build upon  
18 the previous efforts of the legislature and the basic education task  
19 force in order to develop a realistic implementation strategy for a new  
20 instructional program after technical experts develop the details of  
21 the prototypical schools funding formulas and the data and reporting  
22 system that will support a new instructional program. The legislature  
23 also intends to establish a formal structure for monitoring the  
24 implementation by the legislature of an evolving program of basic  
25 education and the financing necessary to support such a program. The  
26 legislature intends that the redefined program of basic education and  
27 funding for the program be fully implemented by 2018.

28 (5) It is the further intent of the legislature to also address  
29 additional issues that are of importance to the legislature but are not  
30 part of basic education.

31 **Sec. 2.** RCW 28A.175.025 and 2007 c 408 s 2 are each amended to  
32 read as follows:

33 Subject to the availability of funds appropriated for this purpose,  
34 the office of the superintendent of public instruction shall create a  
35 grant program and award grants to local partnerships of schools,  
36 families, and communities to begin the phase in of a statewide

1 comprehensive dropout prevention, intervention, and retrieval system.  
2 This program shall be known as the building bridges program.

3 (1) For purposes of RCW 28A.175.025 through 28A.175.075, a  
4 "building bridges program" means a local partnership of schools,  
5 families, and communities that provides all of the following programs  
6 or activities:

7 (a) A system that identifies individual students at risk of  
8 dropping out from middle through high school based on local predictive  
9 data, including state assessment data starting in the fourth grade, and  
10 provides timely interventions for such students and for dropouts,  
11 including a plan for educational success as already required by the  
12 student learning plan as defined under RCW 28A.655.061. Students  
13 identified shall include foster care youth, youth involved in the  
14 juvenile justice system, and students receiving special education  
15 services under chapter 28A.155 RCW;

16 (b) Coaches or mentors for students as necessary;

17 (c) Staff responsible for coordination of community partners that  
18 provide a seamless continuum of academic and nonacademic support in  
19 schools and communities;

20 (d) Retrieval or reentry activities; and

21 (e) Alternative educational programming, including, but not limited  
22 to, career and technical education exploratory and preparatory programs  
23 and online learning opportunities.

24 (2) One of the grants awarded under this section shall be for a  
25 two-year demonstration project focusing on providing fifth through  
26 twelfth grade students with a program that utilizes technology and is  
27 integrated with state standards, basic academics, cross-cultural  
28 exposures, and age-appropriate preemployment training. The project  
29 shall:

30 (a) Establish programs in two western Washington and one eastern  
31 Washington urban areas;

32 (b) Identify at-risk students in each of the distinct communities  
33 and populations and implement strategies to close the (~~achievement~~)  
34 educational opportunity gap;

35 (c) Collect and report data on participant characteristics and  
36 outcomes of the project, including the characteristics and outcomes  
37 specified under RCW 28A.175.035(1)(e); and

38 (d) Submit a report to the legislature by December 1, 2009.

1       **Sec. 3.** RCW 28A.290.010 and 2011 1st sp.s. c 21 s 54 are each  
2 amended to read as follows:

3       (1) The quality education council is created to recommend and  
4 inform the ongoing implementation by the legislature of an evolving  
5 program of basic education and the financing necessary to support such  
6 program. The council shall develop strategic recommendations on the  
7 program of basic education for the common schools. The council shall  
8 take into consideration the capacity report produced under RCW  
9 28A.300.172 and the availability of data and progress of implementing  
10 the data systems required under RCW 28A.655.210. Any recommendations  
11 for modifications to the program of basic education shall be based on  
12 evidence that the programs effectively support student learning. The  
13 council shall update the statewide strategic recommendations every four  
14 years. The recommendations of the council are intended to:

15       (a) Inform future educational policy and funding decisions of the  
16 legislature and governor;

17       (b) Identify measurable goals and priorities for the educational  
18 system in Washington state for a ten-year time period, including the  
19 goals of basic education and ongoing strategies for coordinating  
20 statewide efforts to eliminate the ((achievement)) educational  
21 opportunity gap and reduce student dropout rates; and

22       (c) Enable the state of Washington to continue to implement an  
23 evolving program of basic education.

24       (2) The council may request updates and progress reports from the  
25 office of the superintendent of public instruction, the state board of  
26 education, the professional educator standards board, and the  
27 department of early learning on the work of the agencies as well as  
28 educational working groups established by the legislature.

29       (3) The chair of the council shall be selected from the  
30 councilmembers. The council shall be composed of the following  
31 members:

32       (a) Four members of the house of representatives, with two members  
33 representing each of the major caucuses and appointed by the speaker of  
34 the house of representatives;

35       (b) Four members of the senate, with two members representing each  
36 of the major caucuses and appointed by the president of the senate;

37       (c) One representative each from the office of the governor, office

1 of the superintendent of public instruction, state board of education,  
2 professional educator standards board, and department of early  
3 learning; and

4 (d) One nonlegislative representative from the educational  
5 opportunity gap oversight and accountability committee established  
6 under RCW 28A.300.136, to be selected by the members of the committee.

7 (4) The council shall meet no more than four days a year.

8 (5)(a) The council shall submit an initial report to the governor  
9 and the legislature by January 1, 2010, detailing its recommendations,  
10 including recommendations for resolving issues or decisions requiring  
11 legislative action during the 2010 legislative session, and  
12 recommendations for any funding necessary to continue development and  
13 implementation of chapter 548, Laws of 2009.

14 (b) The initial report shall, at a minimum, include:

15 (i) Consideration of how to establish a statewide beginning teacher  
16 mentoring and support system;

17 (ii) Recommendations for a program of early learning for at-risk  
18 children;

19 (iii) A recommended schedule for the concurrent phase-in of the  
20 changes to the instructional program of basic education and the  
21 implementation of the funding formulas and allocations to support the  
22 new instructional program of basic education as established under  
23 chapter 548, Laws of 2009. The phase-in schedule shall have full  
24 implementation completed by September 1, 2018; and

25 (iv) A recommended schedule for phased-in implementation of the new  
26 distribution formula for allocating state funds to school districts for  
27 the transportation of students to and from school, with phase-in  
28 beginning no later than September 1, 2013.

29 (6) The council shall submit a report to the legislature by January  
30 1, 2012, detailing its recommendations for a comprehensive plan for a  
31 voluntary program of early learning. Before submitting the report, the  
32 council shall seek input from the early learning advisory council  
33 created in RCW 43.215.090.

34 (7) The council shall submit a report to the governor and the  
35 legislature by December 1, 2010, that includes:

36 (a) Recommendations for specific strategies, programs, and funding,  
37 including funding allocations through the funding distribution formula  
38 in RCW 28A.150.260, that are designed to close the ((achievement))

1 educational opportunity gap and increase the high school graduation  
2 rate in Washington public schools. The council shall consult with the  
3 educational opportunity gap oversight and accountability committee and  
4 the building bridges work group in developing its recommendations; and

5 (b) Recommendations for assuring adequate levels of state-funded  
6 classified staff to support essential school and district services.

7 (8) The council shall be staffed by the office of the  
8 superintendent of public instruction and the office of financial  
9 management. Additional staff support shall be provided by the state  
10 entities with representatives on the council. Senate committee  
11 services and the house of representatives office of program research  
12 may provide additional staff support.

13 (9) Legislative members of the council shall serve without  
14 additional compensation but may be reimbursed for travel expenses in  
15 accordance with RCW 44.04.120 while attending sessions of the council  
16 or on official business authorized by the council. Nonlegislative  
17 members of the council may be reimbursed for travel expenses in  
18 accordance with RCW 43.03.050 and 43.03.060.

19 **Sec. 4.** RCW 28A.300.136 and 2011 1st sp.s. c 21 s 33 are each  
20 amended to read as follows:

21 (1) An educational opportunity gap oversight and accountability  
22 committee is created to synthesize the findings and recommendations  
23 from the 2008 achievement gap studies into an implementation plan, and  
24 to recommend policies and strategies to the superintendent of public  
25 instruction, the professional educator standards board, and the state  
26 board of education to close the ((achievement)) educational opportunity  
27 gap.

28 (2) The committee shall recommend specific policies and strategies  
29 in at least the following areas:

30 (a) Supporting and facilitating parent and community involvement  
31 and outreach;

32 (b) Enhancing the cultural competency of current and future  
33 educators and the cultural relevance of curriculum and instruction;

34 (c) Expanding pathways and strategies to prepare and recruit  
35 diverse teachers and administrators;

36 (d) Recommending current programs and resources that should be  
37 redirected to narrow the gap;

1 (e) Identifying data elements and systems needed to monitor  
2 progress in closing the gap;

3 (f) Making closing the ((~~achievement~~)) educational opportunity gap  
4 part of the school and school district improvement process; and

5 (g) Exploring innovative school models that have shown success in  
6 closing the ((~~achievement~~)) educational opportunity gap.

7 (3) Taking a multidisciplinary approach, the committee may seek  
8 input and advice from other state and local agencies and organizations  
9 with expertise in health, social services, gang and violence  
10 prevention, substance abuse prevention, and other issues that  
11 disproportionately affect student achievement and student success.

12 (4) The educational opportunity gap oversight and accountability  
13 committee shall be composed of the following members:

14 (a) The chairs and ranking minority members of the house and senate  
15 education committees, or their designees;

16 (b) One additional member of the house of representatives appointed  
17 by the speaker of the house and one additional member of the senate  
18 appointed by the president of the senate;

19 (c) A representative of the office of the education ombudsman;

20 (d) A representative of the center for the improvement of student  
21 learning in the office of the superintendent of public instruction;

22 (e) A representative of federally recognized Indian tribes whose  
23 traditional lands and territories lie within the borders of Washington  
24 state, designated by the federally recognized tribes; and

25 (f) Four members appointed by the governor in consultation with the  
26 state ethnic commissions, who represent the following populations:  
27 African-Americans, Hispanic Americans, Asian Americans, and Pacific  
28 Islander Americans.

29 (5) The governor and the tribes are encouraged to designate members  
30 who have experience working in and with schools.

31 (6) The committee may convene ad hoc working groups to obtain  
32 additional input and participation from community members. Members of  
33 ad hoc working groups shall serve without compensation and shall not be  
34 reimbursed for travel or other expenses.

35 (7) The chair or cochairs of the committee shall be selected by the  
36 members of the committee. Staff support for the committee shall be  
37 provided by the center for the improvement of student learning.  
38 Members of the committee shall serve without compensation but must be

1 reimbursed as provided in RCW 43.03.050 and 43.03.060. Legislative  
2 members of the committee shall be reimbursed for travel expenses in  
3 accordance with RCW 44.04.120.

4 (8) The superintendent of public instruction, the state board of  
5 education, the professional educator standards board, and the quality  
6 education council shall work collaboratively with the educational  
7 opportunity gap oversight and accountability committee to close the  
8 ((achievement)) educational opportunity gap.

9 **Sec. 5.** RCW 28A.300.1361 and 2009 c 468 s 7 are each amended to  
10 read as follows:

11 The superintendent of public instruction shall take all actions  
12 necessary to secure federal funds to support enhancing data collection  
13 and data system capacity in order to monitor progress in closing the  
14 ((achievement)) educational opportunity gap and to support other  
15 innovations and model programs that align education reform and address  
16 disproportionality in the public school system.

17 **Sec. 6.** RCW 28A.300.137 and 2009 c 468 s 3 are each amended to  
18 read as follows:

19 Beginning in January 2010, the ((achievement)) educational  
20 opportunity gap oversight and accountability committee shall report  
21 annually to the superintendent of public instruction, the state board  
22 of education, the professional educator standards board, the governor,  
23 and the education committees of the legislature on the strategies to  
24 address the ((achievement)) educational opportunity gap and on the  
25 progress in improvement of education performance measures for African-  
26 American, Hispanic, American Indian/Alaskan Native, Asian, and Pacific  
27 Islander/Hawaiian Native students.

28 **Sec. 7.** RCW 28A.345.070 and 2005 c 205 s 2 are each amended to  
29 read as follows:

30 (1) Beginning in 2006, and at least once annually through 2010, the  
31 Washington state school directors' association is encouraged to convene  
32 regional meetings and invite the tribal councils from the region for  
33 the purpose of establishing government-to-government relationships and  
34 dialogue between tribal councils and school district boards of



1 directors. Participants in these meetings should discuss issues of  
2 mutual concern, and should work to:

3 (a) Identify the extent and nature of the ((achievement))  
4 educational opportunity gap and strategies necessary to close it;

5 (b) Increase mutual awareness and understanding of the importance  
6 of accurate, high-quality curriculum materials about the history,  
7 culture, and government of local tribes; and

8 (c) Encourage school boards to identify and adopt curriculum that  
9 includes tribal experiences and perspectives, so that Indian students  
10 are more engaged and learn more successfully, and so that all students  
11 learn about the history, culture, government, and experiences of their  
12 Indian peers and neighbors.

13 (2) By December 1, 2008, and every two years thereafter through  
14 2012, the school directors' association shall report to the education  
15 committees of the legislature regarding the progress made in the  
16 development of effective government-to-government relations, the  
17 narrowing of the ((achievement)) educational opportunity gap, and the  
18 identification and adoption of curriculum regarding tribal history,  
19 culture, and government. The report shall include information about  
20 any obstacles encountered, and any strategies under development to  
21 overcome them.

22 **Sec. 8.** RCW 28A.405.100 and 2010 c 235 s 202 are each amended to  
23 read as follows:

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

34 (b) Every board of directors shall, in accordance with procedure  
35 provided in RCW 41.59.010 through 41.59.170, 41.59.910, and 41.59.920,  
36 establish evaluative criteria and procedures for all certificated  
37 classroom teachers and certificated support personnel. The evaluative

1 criteria must contain as a minimum the criteria established by the  
2 superintendent of public instruction pursuant to this section and must  
3 be prepared within six months following adoption of the superintendent  
4 of public instruction's minimum criteria. The district must certify to  
5 the superintendent of public instruction that evaluative criteria have  
6 been so prepared by the district.

7 (2)(a) Pursuant to the implementation schedule established in  
8 subsection (7)(b) of this section, every board of directors shall, in  
9 accordance with procedures provided in RCW 41.59.010 through 41.59.170,  
10 41.59.910, and 41.59.920, establish revised evaluative criteria and a  
11 four-level rating system for all certificated classroom teachers.

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

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

32 (3)(a) Except as provided in subsection (10) of this section, it  
33 shall be the responsibility of a principal or his or her designee to  
34 evaluate all certificated personnel in his or her school. During each  
35 school year all classroom teachers and certificated support personnel  
36 shall be observed for the purposes of evaluation at least twice in the  
37 performance of their assigned duties. Total observation time for each  
38 employee for each school year shall be not less than sixty minutes. An

1 employee in the third year of provisional status as defined in RCW  
2 28A.405.220 shall be observed at least three times in the performance  
3 of his or her duties and the total observation time for the school year  
4 shall not be less than ninety minutes. Following each observation, or  
5 series of observations, the principal or other evaluator shall promptly  
6 document the results of the observation in writing, and shall provide  
7 the employee with a copy thereof within three days after such report is  
8 prepared. New employees shall be observed at least once for a total  
9 observation time of thirty minutes during the first ninety calendar  
10 days of their employment period.

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

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

1 performance of such evaluation. The probationer may be removed from  
2 probation if he or she has demonstrated improvement to the satisfaction  
3 of the principal in those areas specifically detailed in his or her  
4 initial notice of deficiency and subsequently detailed in his or her  
5 improvement program. Lack of necessary improvement during the  
6 established probationary period, as specifically documented in writing  
7 with notification to the probationer and shall constitute grounds for  
8 a finding of probable cause under RCW 28A.405.300 or 28A.405.210.

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

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

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

36 (b) The minimum criteria shall include: (i) Creating a school  
37 culture that promotes the ongoing improvement of learning and teaching  
38 for students and staff; (ii) demonstrating commitment to closing the

1 ((achievement)) educational opportunity gap; (iii) providing for school  
2 safety; (iv) leading the development, implementation, and evaluation of  
3 a data-driven plan for increasing student achievement, including the  
4 use of multiple student data elements; (v) assisting instructional  
5 staff with alignment of curriculum, instruction, and assessment with  
6 state and local district learning goals; (vi) monitoring, assisting,  
7 and evaluating effective instruction and assessment practices; (vii)  
8 managing both staff and fiscal resources to support student achievement  
9 and legal responsibilities; and (viii) partnering with the school  
10 community to promote student learning.

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

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

30 (b) A new certificated classroom teacher evaluation system that  
31 implements the provisions of subsection (2) of this section and a new  
32 principal evaluation system that implements the provisions of  
33 subsection (6) of this section shall be phased-in beginning with the  
34 2010-11 school year by districts identified in (c) of this subsection  
35 and implemented in all school districts beginning with the 2013-14  
36 school year.

37 (c) A set of school districts shall be selected by the  
38 superintendent of public instruction to participate in a collaborative

1 process resulting in the development and piloting of new certificated  
2 classroom teacher and principal evaluation systems during the 2010-11  
3 and 2011-12 school years. These school districts must be selected  
4 based on: (i) The agreement of the local associations representing  
5 classroom teachers and principals to collaborate with the district in  
6 this developmental work and (ii) the agreement to participate in the  
7 full range of development and implementation activities, including:  
8 Development of rubrics for the evaluation criteria and ratings in  
9 subsections (2) and (6) of this section; identification of or  
10 development of appropriate multiple measures of student growth in  
11 subsections (2) and (6) of this section; development of appropriate  
12 evaluation system forms; participation in professional development for  
13 principals and classroom teachers regarding the content of the new  
14 evaluation system; participation in evaluator training; and  
15 participation in activities to evaluate the effectiveness of the new  
16 systems and support programs. The school districts must submit to the  
17 office of the superintendent of public instruction data that is used in  
18 evaluations and all district-collected student achievement, aptitude,  
19 and growth data regardless of whether the data is used in evaluations.  
20 If the data is not available electronically, the district may submit it  
21 in nonelectronic form. The superintendent of public instruction must  
22 analyze the districts' use of student data in evaluations, including  
23 examining the extent that student data is not used or is underutilized.  
24 The superintendent of public instruction must also consult with  
25 participating districts and stakeholders, recommend appropriate  
26 changes, and address statewide implementation issues. The  
27 superintendent of public instruction shall report evaluation system  
28 implementation status, evaluation data, and recommendations to  
29 appropriate committees of the legislature and governor by July 1, 2011,  
30 and at the conclusion of the development phase by July 1, 2012. In the  
31 July 1, 2011, report, the superintendent shall include recommendations  
32 for whether a single statewide evaluation model should be adopted,  
33 whether modified versions developed by school districts should be  
34 subject to state approval, and what the criteria would be for  
35 determining if a school district's evaluation model meets or exceeds a  
36 statewide model. The report shall also identify challenges posed by  
37 requiring a state approval process.

1 (8) Each certificated classroom teacher and certificated support  
2 personnel shall have the opportunity for confidential conferences with  
3 his or her immediate supervisor on no less than two occasions in each  
4 school year. Such confidential conference shall have as its sole  
5 purpose the aiding of the administrator in his or her assessment of the  
6 employee's professional performance.

7 (9) The failure of any evaluator to evaluate or supervise or cause  
8 the evaluation or supervision of certificated classroom teachers and  
9 certificated support personnel or administrators in accordance with  
10 this section, as now or hereafter amended, when it is his or her  
11 specific assigned or delegated responsibility to do so, shall be  
12 sufficient cause for the nonrenewal of any such evaluator's contract  
13 under RCW 28A.405.210, or the discharge of such evaluator under RCW  
14 28A.405.300.

15 (10) After a certificated classroom teacher or certificated support  
16 personnel has four years of satisfactory evaluations under subsection  
17 (1) of this section or has received one of the two top ratings for four  
18 years under subsection (2) of this section, a school district may use  
19 a short form of evaluation, a locally bargained evaluation emphasizing  
20 professional growth, an evaluation under subsection (1) or (2) of this  
21 section, or any combination thereof. The short form of evaluation  
22 shall include either a thirty minute observation during the school year  
23 with a written summary or a final annual written evaluation based on  
24 the criteria in subsection (1) or (2) of this section and based on at  
25 least two observation periods during the school year totaling at least  
26 sixty minutes without a written summary of such observations being  
27 prepared. A locally bargained short-form evaluation emphasizing  
28 professional growth must provide that the professional growth activity  
29 conducted by the certificated classroom teacher be specifically linked  
30 to one or more of the certificated classroom teacher evaluation  
31 criteria. However, the evaluation process set forth in subsection (1)  
32 or (2) of this section shall be followed at least once every three  
33 years unless this time is extended by a local school district under the  
34 bargaining process set forth in chapter 41.59 RCW. The employee or  
35 evaluator may require that the evaluation process set forth in  
36 subsection (1) or (2) of this section be conducted in any given school  
37 year. No evaluation other than the evaluation authorized under  
38 subsection (1) or (2) of this section may be used as a basis for

1 determining that an employee's work is not satisfactory under  
2 subsection (1) or (2) of this section or as probable cause for the  
3 nonrenewal of an employee's contract under RCW 28A.405.210 unless an  
4 evaluation process developed under chapter 41.59 RCW determines  
5 otherwise.

6 **Sec. 9.** RCW 28A.410.260 and 2009 c 468 s 5 are each amended to  
7 read as follows:

8 (1) The professional educator standards board, in consultation and  
9 collaboration with the (~~achievement~~) educational opportunity gap  
10 oversight and accountability committee established under RCW  
11 28A.300.136, shall identify a list of model standards for cultural  
12 competency and make recommendations to the education committees of the  
13 legislature on the strengths and weaknesses of those standards.

14 (2) For the purposes of this section, "cultural competency"  
15 includes knowledge of student cultural histories and contexts, as well  
16 as family norms and values in different cultures; knowledge and skills  
17 in accessing community resources and community and parent outreach; and  
18 skills in adapting instruction to students' experiences and identifying  
19 cultural contexts for individual students.

20 **Sec. 10.** RCW 28A.415.370 and 2007 c 402 s 10 are each amended to  
21 read as follows:

22 (1) The recruiting Washington teachers program is established to  
23 recruit and provide training and support for high school students to  
24 enter the teaching profession, especially in teacher shortage areas and  
25 among underrepresented groups and multilingual, multicultural students.  
26 The program shall be administered by the professional educator  
27 standards board.

28 (2) The program shall consist of the following components:

29 (a) Targeted recruitment of diverse students, including but not  
30 limited to students from underrepresented groups and multilingual,  
31 multicultural students in grades nine through twelve through outreach  
32 and communication strategies. The focus of recruitment efforts shall  
33 be on encouraging students to consider and explore becoming future  
34 teachers in mathematics, science, bilingual education, special  
35 education, and English as a second language. Program enrollment is not



1 limited to students from underrepresented groups or multilingual,  
2 multicultural students;

3 (b) A curriculum that provides future teachers with opportunities  
4 to observe classroom instruction at all grade levels; includes  
5 preteaching internships at all grade levels with a focus on shortage  
6 areas; and covers such topics as lesson planning, learning styles,  
7 student learning data and information, the ((achievement)) educational  
8 opportunity gap, cultural competency, and education policy;

9 (c) Academic and community support services for students to help  
10 them overcome possible barriers to becoming future teachers, such as  
11 supplemental tutoring; advising on college readiness, applications, and  
12 financial aid processes; and mentoring; and

13 (d) Future teacher camps held on college campuses where students  
14 can attend workshops and interact with college faculty and current  
15 teachers.

16 (3) As part of its administration of the program, the professional  
17 educator standards board shall:

18 (a) Develop the curriculum and program guidelines in consultation  
19 with an advisory group of teachers, representatives of teacher  
20 preparation programs, teacher candidates, students, and representatives  
21 of diverse communities;

22 (b) Subject to funds appropriated for this purpose, allocate grant  
23 funds through a competitive process to partnerships of high schools,  
24 teacher preparation programs, and community-based organizations to  
25 design and deliver programs that include the components under  
26 subsection (2) of this section; and

27 (c) Conduct an evaluation of the effectiveness of current  
28 strategies and programs for recruiting teachers, especially  
29 multilingual, multicultural teachers, in Washington and in other  
30 states. The board shall use the findings from the evaluation to revise  
31 the recruiting Washington teachers program as necessary and make other  
32 recommendations to teacher preparation programs or the legislature.

33 **Sec. 11.** RCW 28A.642.005 and 2010 c 240 s 1 are each amended to  
34 read as follows:

35 The legislature finds that in 1975 legislation was adopted,  
36 codified as chapter 28A.640 RCW, recognizing the deleterious effect of  
37 discrimination on the basis of sex, specifically prohibiting such

1 discrimination in Washington public schools, and requiring the office  
2 of the superintendent of public instruction to monitor and enforce  
3 compliance. The legislature further finds that, while numerous state  
4 and federal laws prohibit discrimination on other bases in addition to  
5 sex, the common school provisions in this title (~~(28A-RCW)~~) do not  
6 include specific acknowledgment of the right to be free from  
7 discrimination because of race, creed, color, national origin,  
8 honorably discharged veteran or military status, sexual orientation,  
9 the presence of any sensory, mental, or physical disability, or the use  
10 of a trained dog guide or service animal by a person with a disability,  
11 nor do any common school provisions specifically direct the office of  
12 the superintendent of public instruction to monitor and enforce  
13 compliance with these laws. The legislature finds that one of the  
14 recommendations made to the legislature by the (~~(achievement)~~)  
15 educational opportunity gap oversight and accountability committee  
16 created in chapter 468, Laws of 2009, was that the office of the  
17 superintendent of public instruction should be specifically authorized  
18 to take affirmative steps to ensure that school districts comply with  
19 all civil rights laws, similar to what has already been authorized in  
20 chapter 28A.640 RCW with respect to discrimination on the basis of sex.

21 **Sec. 12.** RCW 28A.655.115 and 2010 c 235 s 702 are each amended to  
22 read as follows:

23 (1) Beginning with the 2010-11 school year, each school shall  
24 conduct outreach and seek feedback from a broad and diverse range of  
25 parents, other individuals, and organizations in the community  
26 regarding their experiences with the school. The school shall  
27 summarize the responses in its annual report under RCW 28A.655.110.

28 (2) The office of the superintendent of public instruction shall  
29 create a working group with representatives of organizations  
30 representing parents, teachers, and principals as well as diverse  
31 communities. The working group shall also include a representative  
32 from the (~~(achievement)~~) educational opportunity gap oversight and  
33 accountability committee. By September 1, 2010, the working group  
34 shall develop model feedback tools and strategies that school districts  
35 may use to facilitate the feedback process required in subsection (1)  
36 of this section. The model tools and strategies are intended to

1 provide assistance to school districts. School districts are  
2 encouraged to adapt the models or develop unique tools and strategies  
3 that best fit the circumstances in their communities.

4 **Sec. 13.** RCW 28A.657.070 and 2010 c 235 s 107 are each amended to  
5 read as follows:

6 (1) A required action plan review panel shall be established to  
7 offer an objective, external review of a request from a school district  
8 for reconsideration of the state board of education's rejection of the  
9 district's required action plan. The review and reconsideration by the  
10 panel shall be based on whether the state board of education gave  
11 appropriate consideration to the unique circumstances and  
12 characteristics identified in the academic performance audit of the  
13 local school district whose required action plan was rejected.

14 (2)(a) The panel shall be composed of five individuals with  
15 expertise in school improvement, school and district restructuring, or  
16 parent and community involvement in schools. Two of the panel members  
17 shall be appointed by the speaker of the house of representatives; two  
18 shall be appointed by the president of the senate; and one shall be  
19 appointed by the governor.

20 (b) The speaker of the house of representatives, president of the  
21 senate, and governor shall solicit recommendations for possible panel  
22 members from the Washington association of school administrators, the  
23 Washington state school directors' association, the association of  
24 Washington school principals, the ((achievement)) educational  
25 opportunity gap oversight and accountability committee, and  
26 associations representing certificated teachers, classified school  
27 employees, and parents.

28 (c) Members of the panel shall be appointed no later than December  
29 1, 2010, but the superintendent of public instruction shall convene the  
30 panel only as needed to consider a school district's request for  
31 reconsideration. Appointments shall be for a four-year term, with  
32 opportunity for reappointment. Reappointments in the case of a vacancy  
33 shall be made expeditiously so that all requests are considered in a  
34 timely manner.

35 (3) The required action plan review panel may reaffirm the decision  
36 of the state board of education, recommend that the state board  
37 reconsider the rejection, or recommend changes to the required action

1 plan that should be considered by the district and the state board of  
2 education to secure approval of the plan. The state board of education  
3 shall consider the recommendations of the panel and issue a decision in  
4 writing to the local school district and the panel. If the school  
5 district must submit a new required action plan to the state board of  
6 education, the district must submit the plan within forty days of the  
7 board's decision.

8 (4) The state board of education and superintendent of public  
9 instruction must develop timelines and procedures for the deliberations  
10 under this section so that school districts can implement a required  
11 action plan within the time frame required under RCW 28A.657.060.

12 **Sec. 14.** RCW 28A.657.110 and 2010 c 235 s 111 are each amended to  
13 read as follows:

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

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

33 (3) The state board of education, in cooperation with the office of  
34 the superintendent of public instruction, shall annually recognize  
35 schools for exemplary performance as measured on the state board of  
36 education accountability index. The state board of education shall  
37 have ongoing collaboration with the (~~achievement~~) educational

1 opportunity gap oversight and accountability committee regarding the  
2 measures used to measure the closing of the ((achievement)) educational  
3 opportunity gaps and the recognition provided to the school districts  
4 for closing the ((achievement)) educational opportunity gaps.

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

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

19 **Sec. 15.** RCW 43.215.005 and 2010 c 232 s 1 are each amended to  
20 read as follows:

21 (1) The legislature recognizes that:

22 (a) Parents are their children's first and most important teachers  
23 and decision makers;

24 (b) Research across disciplines now demonstrates that what happens  
25 in the earliest years makes a critical difference in children's  
26 readiness to succeed in school and life;

27 (c) Washington's competitiveness in the global economy requires a  
28 world-class education system that starts early and supports life-long  
29 learning;

30 (d) Washington state currently makes substantial investments in  
31 voluntary child care and early learning services and supports, but  
32 because services are fragmented across multiple state agencies, and  
33 early learning providers lack the supports and incentives needed to  
34 improve the quality of services they provide, many parents have  
35 difficulty accessing high quality early learning services;

36 (e) A more cohesive and integrated voluntary early learning system  
37 would result in greater efficiencies for the state, increased

1 partnership between the state and the private sector, improved access  
2 to high quality early learning services, and better employment and  
3 early learning outcomes for families and all children.

4 (2) The legislature finds that:

5 (a) The early years of a child's life are critical to the child's  
6 healthy brain development and that the quality of caregiving during the  
7 early years can significantly impact the child's intellectual, social,  
8 and emotional development;

9 (b) A successful outcome for every child obtaining a K-12 education  
10 depends on children being prepared from birth for academic and social  
11 success in school. For children at risk of school failure, the  
12 (~~achievement~~) educational opportunity gap often emerges as early as  
13 eighteen months of age;

14 (c) There currently is a shortage of high quality services and  
15 supports for children ages birth to three and their parents and  
16 caregivers; and

17 (d) Increasing the availability of high quality services for  
18 children ages birth to three and their parents and caregivers will  
19 result in improved school and life outcomes.

20 (3) Therefore, the legislature intends to establish a robust birth-  
21 to-three continuum of services for parents and caregivers of young  
22 children in order to provide education and support regarding the  
23 importance of early childhood development.

24 (4) The purpose of this chapter is:

25 (a) To establish the department of early learning;

26 (b) To coordinate and consolidate state activities relating to  
27 child care and early learning programs;

28 (c) To safeguard and promote the health, safety, and well-being of  
29 children receiving child care and early learning assistance, which is  
30 paramount over the right of any person to provide care;

31 (d) To provide tools to promote the hiring of suitable providers of  
32 child care by:

33 (i) Providing parents with access to information regarding child  
34 care providers;

35 (ii) Providing parents with child care licensing action histories  
36 regarding child care providers; and

37 (iii) Requiring background checks of applicants for employment in  
38 any child care facility licensed or regulated under current law;

1 (e) To promote linkages and alignment between early learning  
2 programs and elementary schools and support the transition of children  
3 and families from prekindergarten environments to kindergarten;

4 (f) To promote the development of a sufficient number and variety  
5 of adequate child care and early learning facilities, both public and  
6 private; and

7 (g) To license agencies and to assure the users of such agencies,  
8 their parents, the community at large and the agencies themselves that  
9 adequate minimum standards are maintained by all child care and early  
10 learning facilities.

11 (5) This chapter does not expand the state's authority to license  
12 or regulate activities or programs beyond those licensed or regulated  
13 under existing law."

**HB 1669** - S COMM AMD

By Committee on Early Learning & K-12 Education

14 On page 1, line 3 of the title, after "committee;" strike the  
15 remainder of the title and insert "and amending RCW 28A.150.198,  
16 28A.175.025, 28A.290.010, 28A.300.136, 28A.300.1361, 28A.300.137,  
17 28A.345.070, 28A.405.100, 28A.410.260, 28A.415.370, 28A.642.005,  
18 28A.655.115, 28A.657.070, 28A.657.110, and 43.215.005."

EFFECT: RCW 28A.290.010 and 28A.300.136 were both amended in 2011.  
This striking amendment includes the updated RCWs.

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