

1 **Sec. 101.** RCW 28A.290.010 and 2010 c 236 s 15 and 2010 c 234 s 4
2 are each reenacted and 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 gap and reduce student
21 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. The council
29 may convene ad hoc working groups to obtain additional input and
30 participation from community members. Members of ad hoc working groups
31 shall serve without compensation and may not be reimbursed for travel
32 or other expenses.

33 (3) The chair of the council shall be selected from the
34 councilmembers. The council shall be composed of the following
35 members:

36 (a) Four members of the house of representatives, with two members
37 representing each of the major caucuses and appointed by the speaker of
38 the house of representatives;

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

3 (c) One representative each from the office of the governor, office
4 of the superintendent of public instruction, state board of education,
5 (~~((professional educator standards board,))~~) and department of early
6 learning; and

7 (d) (~~((One))~~) Two nonlegislative representatives from the achievement
8 gap oversight and accountability committee established under RCW
9 28A.300.136, to be selected by the members of the committee.

10 (4) In the 2009 fiscal year, the council shall meet as often as
11 necessary as determined by the chair. In subsequent years, the council
12 shall meet no more than four times a year.

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

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

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

22 (ii) Recommendations for a program of early learning for at-risk
23 children;

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

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

34 (6) The council shall submit a report to the legislature by January
35 1, 2012, detailing its recommendations for a comprehensive plan for a
36 voluntary program of early learning. Before submitting the report, the
37 council shall seek input from the early learning advisory council
38 created in RCW 43.215.090.

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

3 ~~(a) Recommendations for specific strategies, programs, and funding,~~
4 ~~including funding allocations through the funding distribution formula~~
5 ~~in RCW 28A.150.260, that are designed to close the achievement gap and~~
6 ~~increase the high school graduation rate in Washington public schools.~~
7 ~~The council shall consult with the achievement gap oversight and~~
8 ~~accountability committee and the building bridges work group in~~
9 ~~developing its recommendations; and~~

10 ~~(b) Recommendations for assuring adequate levels of state-funded~~
11 ~~classified staff to support essential school and district services))~~
12 2011, with recommendations and an implementation timeline for further
13 streamlining of education governance, including, but not limited to,
14 restructuring state agencies, boards, and offices and reassigning
15 duties and responsibilities. The council shall focus primarily on
16 state governance of K-12 education but may include other
17 recommendations if the council determines that the interests of
18 students would be better served by additional restructuring in early
19 learning and higher education.

20 (8) The council shall be staffed by the office of the
21 superintendent of public instruction and the office of financial
22 management. Additional staff support shall be provided by the state
23 entities with representatives on the council. Senate committee
24 services and the house of representatives office of program research
25 may provide additional staff support.

26 (9) Legislative members of the council shall serve without
27 additional compensation but may be reimbursed for travel expenses in
28 accordance with RCW 44.04.120 while attending sessions of the council
29 or on official business authorized by the council. Nonlegislative
30 members of the council may be reimbursed for travel expenses in
31 accordance with RCW 43.03.050 and 43.03.060.

32 PART II

33 EDUCATOR CERTIFICATION

34 **Sec. 201.** RCW 28A.410.210 and 2009 c 531 s 4 are each amended to
35 read as follows:

36 The (~~purpose of the professional educator standards board is to~~)

1 superintendent of public instruction shall establish policies and
2 requirements for the preparation and certification of educators that
3 provide standards for competency in professional knowledge and practice
4 in the areas of certification; a foundation of skills, knowledge, and
5 attitudes necessary to help students with diverse needs, abilities,
6 cultural experiences, and learning styles meet or exceed the learning
7 goals outlined in RCW 28A.150.210; knowledge of research-based
8 practice; and professional development throughout a career. The
9 (~~Washington professional educator standards board~~) superintendent of
10 public instruction shall:

11 (1) Establish policies and practices for the approval of programs
12 of courses, requirements, and other activities leading to educator
13 certification including teacher, school administrator, and educational
14 staff associate certification;

15 (2) Establish policies and practices for the approval of the
16 character of work required to be performed as a condition of entrance
17 to and graduation from any educator preparation program including
18 teacher, school administrator, and educational staff associate
19 preparation program as provided in subsection (1) of this section;

20 (3) Establish a list of accredited institutions of higher education
21 of this and other states whose graduates may be awarded educator
22 certificates as teacher, school administrator, and educational staff
23 associate and establish criteria and enter into agreements with other
24 states to acquire reciprocal approval of educator preparation programs
25 and certification, including teacher certification from the national
26 board for professional teaching standards;

27 (4) Establish policies for approval of nontraditional educator
28 preparation programs;

29 (5) Conduct a review of educator program approval standards at
30 least every five years, beginning in 2006, to reflect research findings
31 and assure continued improvement of preparation programs for teachers,
32 administrators, and school specialized personnel;

33 (6) Specify the types and kinds of educator certificates to be
34 issued and conditions for certification in accordance with subsection
35 (1) of this section and RCW 28A.410.010;

36 (7) Apply for and receive federal or other funds on behalf of the
37 state for purposes related to the duties of the (~~board~~)
38 superintendent of public instruction;

1 (8) Adopt rules under chapter 34.05 RCW that are necessary for the
2 effective and efficient implementation of this chapter;

3 (9) Maintain data concerning educator preparation programs and
4 their quality, educator certification, educator employment trends and
5 needs, and other data deemed relevant by the (~~(board)~~) superintendent;

6 (~~(10) ((Serve as an advisory body to the superintendent of public
7 instruction on issues related to educator recruitment, hiring,
8 mentoring and support, professional growth, retention, educator
9 evaluation including but not limited to peer evaluation, and revocation
10 and suspension of licensure;~~

11 ~~(11))~~ Submit, by October 15th of each even-numbered year, a joint
12 report with the state board of education to the legislative education
13 committees(~~(7)~~) and the governor(~~(, and the superintendent of public
14 instruction)~~). The report shall address the progress (~~(the boards
15 have)~~) made and the obstacles (~~(they have)~~) encountered, individually
16 and collectively, in the work of achieving the goals set out in RCW
17 28A.150.210;

18 (~~(12))~~ (11) Establish the prospective teacher assessment system
19 for basic skills and subject knowledge that shall be required to obtain
20 residency certification pursuant to RCW 28A.410.220 through
21 28A.410.240; and

22 (~~(13))~~ (12) By January 2010, set performance standards and
23 develop, pilot, and implement a uniform and externally administered
24 professional-level certification assessment based on demonstrated
25 teaching skill. In the development of this assessment, consideration
26 shall be given to changes in professional certification program
27 components such as the culminating seminar(~~(; and~~

28 ~~(14) Conduct meetings under the provisions of chapter 42.30 RCW))~~.

29 NEW SECTION. Sec. 202. A new section is added to chapter 28A.410
30 RCW to read as follows:

31 (1) To assist in carrying out the duties assigned in RCW
32 28A.410.210, the superintendent of public instruction may convene one
33 or more advisory committees composed of individuals with the following
34 types of experience:

35 (a) Experience in one or more of the education roles for which
36 state preparation program approval is required and certificates issued;

1 (b) Experience providing or leading a state-approved teacher or
2 educator preparation program;

3 (c) Experience providing mentoring and coaching to education
4 professionals or others; and

5 (d) Education-related community experience.

6 (2) In designating advisory committee members, the superintendent
7 shall consider an individual's commitment to quality education and the
8 ongoing improvement of instruction, experiences in the public schools
9 or private schools, involvement in developing quality teaching
10 preparation and support programs, and vision for the most effective yet
11 practical system of assuring teaching quality. The superintendent
12 shall also consider the diversity of the population of the state.

13 NEW SECTION. **Sec. 203.** A new section is added to chapter 28A.410
14 RCW to read as follows:

15 (1) The professional educator standards board is hereby abolished
16 and its powers, duties, and functions are hereby transferred to the
17 superintendent of public instruction. All references to the director
18 or professional educator standards board in the Revised Code of
19 Washington shall be construed to mean the superintendent of public
20 instruction.

21 (2)(a) All reports, documents, surveys, books, records, files,
22 papers, or written material in the possession of the professional
23 educator standards board shall be delivered to the custody of the
24 superintendent of public instruction. All cabinets, furniture, office
25 equipment, motor vehicles, and other tangible property employed by the
26 professional educator standards board shall be made available to the
27 superintendent of public instruction. All funds, credits, or other
28 assets held by the professional educator standards board shall be
29 assigned to the superintendent of public instruction.

30 (b) Any appropriations made to the professional educator standards
31 board shall, on the effective date of this section, be transferred and
32 credited to the superintendent of public instruction.

33 (c) If any question arises as to the transfer of any funds, books,
34 documents, records, papers, files, equipment, or other tangible
35 property used or held in the exercise of the powers and the performance
36 of the duties and functions transferred, the director of financial

1 management shall make a determination as to the proper allocation and
2 certify the same to the state agencies concerned.

3 (3) All rules and all pending business before the professional
4 educator standards board shall be continued and acted upon by the
5 superintendent of public instruction. All existing contracts and
6 obligations shall remain in full force and shall be performed by the
7 superintendent of public instruction.

8 (4) The transfer of the powers, duties, and functions of the
9 superintendent of public instruction shall not affect the validity of
10 any act performed before the effective date of this section.

11 (5) If apportionments of budgeted funds are required because of the
12 transfers directed by this section, the director of financial
13 management shall certify the apportionments to the agencies affected,
14 the state auditor, and the state treasurer. Each of these shall make
15 the appropriate transfer and adjustments in funds and appropriation
16 accounts and equipment records in accordance with the certification.

17 (6) Nothing contained in this section may be construed to alter any
18 existing collective bargaining unit or the provisions of any existing
19 collective bargaining agreement until the agreement has expired or
20 until the bargaining unit has been modified by action of the personnel
21 resources board as provided by law.

22 **Sec. 204.** RCW 28A.410.010 and 2005 c 497 s 203 are each amended to
23 read as follows:

24 The ((Washington professional educator standards board))
25 superintendent of public instruction shall establish, publish, and
26 enforce rules determining eligibility for and certification of
27 personnel employed in the common schools of this state, including
28 certification for emergency or temporary, substitute or provisional
29 duty and under such certificates or permits as the ((board))
30 superintendent of public instruction shall deem proper or as otherwise
31 prescribed by law. The rules shall require that the initial
32 application for certification shall require a record check of the
33 applicant through the Washington state patrol criminal identification
34 system and through the federal bureau of investigation at the
35 applicant's expense. The record check shall include a fingerprint
36 check using a complete Washington state criminal identification
37 fingerprint card. The superintendent of public instruction may waive

1 the record check for any applicant who has had a record check within
2 the two years before application. The rules shall permit a holder of
3 a lapsed certificate but not a revoked or suspended certificate to be
4 employed on a conditional basis by a school district with the
5 requirement that the holder must complete any certificate renewal
6 requirements established by the (~~state board of education~~)
7 superintendent of public instruction within two years of initial
8 reemployment.

9 In establishing rules pertaining to the qualifications of
10 instructors of American sign language the (~~board~~) superintendent of
11 public instruction shall consult with the national association of the
12 deaf, "sign instructors guidance network" (s.i.g.n.), and the
13 Washington state association of the deaf for evaluation and
14 certification of sign language instructors.

15 The superintendent of public instruction shall act as the
16 administrator of any such rules and have the power to issue any
17 certificates or permits and revoke the same in accordance with
18 (~~board~~) the rules.

19 **Sec. 205.** RCW 28A.410.032 and 2005 c 497 s 220 are each amended to
20 read as follows:

21 Teachers of visually impaired students shall be qualified according
22 to rules adopted by the (~~professional educator standards board~~)
23 superintendent of public instruction.

24 **Sec. 206.** RCW 28A.410.040 and 2005 c 497 s 204 are each amended to
25 read as follows:

26 The (~~Washington professional educator standards board~~)
27 superintendent of public instruction shall adopt rules providing that,
28 except as provided in this section, all individuals qualifying for an
29 initial-level teaching certificate after August 31, 1992, shall possess
30 a baccalaureate degree in the arts, sciences, and/or humanities and
31 have fulfilled the requirements for teacher certification pursuant to
32 RCW 28A.410.210. However, candidates for grades preschool through
33 eight certificates shall have fulfilled the requirements for a major as
34 part of their baccalaureate degree. If the major is in early childhood
35 education, elementary education, or special education, the candidate

1 must have at least thirty quarter hours or twenty semester hours in one
2 academic field.

3 **Sec. 207.** RCW 28A.410.045 and 2007 c 319 s 2 are each amended to
4 read as follows:

5 (1) The Washington state first peoples' language, culture, and oral
6 tribal traditions teacher certification program is established. The
7 (~~professional educator standards board~~) superintendent of public
8 instruction shall adopt rules to implement the program in collaboration
9 with the sovereign tribal governments whose traditional lands and
10 territories lie within the borders of the state of Washington,
11 including the tribal leader congress on education and the first
12 peoples' language and culture committee. The collaboration required
13 under this section shall be defined by a protocol for cogovernance in
14 first peoples' language, culture, and oral tribal traditions education
15 developed by (~~the professional educator standards board,~~) the office
16 of the superintendent of public instruction(~~(7)~~) and the sovereign
17 tribal governments whose traditional lands and territories lie within
18 the borders of the state of Washington.

19 (2) Any sovereign tribal government whose traditional lands and
20 territories lie within the borders of the state of Washington may
21 participate individually on a government-to-government basis in the
22 program.

23 (3) Under the first peoples' language, culture, and oral tribal
24 traditions teacher certification program:

25 (a) Only a participating sovereign tribal government may certify
26 individuals who meet the tribe's criteria for certification as a
27 teacher in the Washington state first peoples' language, culture, and
28 oral tribal traditions teacher certification program. Tribal law
29 enforcement agencies and the Washington state patrol shall enter into
30 government-to-government negotiations regarding the exchange of
31 background information on applicants for certification. The office of
32 the superintendent of public instruction shall not authorize or accept
33 a certificate or endorsement in Washington state first peoples'
34 language, culture, and oral tribal traditions without certification
35 from a participating sovereign tribal government and without conducting
36 a record check of an individual applying for certification as required
37 under RCW 28A.410.010;

1 (b) For each teacher to be certified in the program, the
2 participating sovereign tribal government shall submit information and
3 documentation necessary for the issuance of a state certificate, as
4 defined by rule, to the office of the superintendent of public
5 instruction;

6 (c) A Washington state first peoples' language, culture, and oral
7 tribal traditions teacher certificate serves as a subject area
8 endorsement in first peoples' language, culture, and oral tribal
9 traditions. The holder of a Washington state first peoples' language,
10 culture, and oral tribal traditions teacher certificate who does not
11 also hold an initial, residency, continuing, or professional teaching
12 certificate authorized by the (~~professional educator standards board~~)
13 superintendent of public instruction may be assigned to teach only the
14 languages, cultures, and oral tribal traditions designated on the
15 certificate and no other subject;

16 (d) In order to teach first peoples' language, culture, and oral
17 tribal traditions, teachers must hold certificates from both the office
18 of the superintendent of public instruction and from the sovereign
19 tribal government; and

20 (e) The holder of a Washington state first peoples' language,
21 culture, and oral tribal traditions teacher certificate meets
22 Washington state's definition of a highly qualified teacher under the
23 no child left behind act of 2001 (P.L. 107-110) for the purposes of
24 teaching first peoples' language, culture, and oral tribal traditions,
25 subject to approval by the United States department of education.

26 (4) First peoples' language/culture teacher certificates issued
27 before July 22, 2007, under rules approved by the state board of
28 education or the professional educator standards board under a pilot
29 program remain valid as certificates under this section, subject to the
30 provisions of this chapter.

31 (5) Schools and school districts on or near tribal reservations are
32 encouraged to contract with sovereign tribal governments whose
33 traditional lands and territories lie within the borders of the state
34 of Washington and with first peoples' language, culture, and oral
35 tribal traditions teacher certification programs for in-service teacher
36 training and continuing education in the culture and history
37 appropriate for their geographic area, as well as suggested pedagogy
38 and instructional strategies.

1 **Sec. 208.** RCW 28A.410.050 and 2005 c 497 s 205 are each amended to
2 read as follows:

3 The (~~Washington professional educator standards board~~)
4 superintendent of public instruction shall develop and adopt rules
5 establishing baccalaureate and master's degree equivalency standards
6 for vocational instructors performing instructional duties and
7 acquiring certification after August 31, 1992.

8 **Sec. 209.** RCW 28A.410.060 and 2008 c 107 s 1 are each amended to
9 read as follows:

10 The fee for any certificate, or any renewal thereof, issued by the
11 authority of the state of Washington, and authorizing the holder to
12 teach or perform other professional duties in the public schools of the
13 state shall be not less than one dollar or such reasonable fee therefor
14 as the (~~Washington professional educator standards board~~)
15 superintendent of public instruction by rule shall deem necessary
16 therefor. The fee must accompany the application and cannot be
17 refunded unless the application is withdrawn before it is finally
18 considered. The educational service district superintendent, or other
19 official authorized to receive such fee, shall within thirty days
20 transmit the same to the treasurer of the county in which the office of
21 the educational service district superintendent is located, to be by
22 him or her placed to the credit of said school district or educational
23 service district: PROVIDED, That if any school district collecting
24 fees for the certification of professional staff does not hold a
25 professional training institute separate from the educational service
26 district then all such moneys shall be placed to the credit of the
27 educational service district.

28 Such fees shall be used solely for the purpose of precertification
29 professional preparation, program evaluation, professional in-service
30 training programs, and provision of certification services by
31 educational service districts, in accordance with rules of the
32 (~~Washington professional educator standards board~~) superintendent of
33 public instruction herein authorized.

34 **Sec. 210.** RCW 28A.410.120 and 2005 c 497 s 208 are each amended to
35 read as follows:

36 Notwithstanding any other provision of this title, the (~~Washington~~

1 ~~professional educator standards board or~~) superintendent of public
2 instruction shall not require any professional certification or other
3 qualifications of any person elected superintendent of a local school
4 district by that district's board of directors, or any person hired in
5 any manner to fill a position designated as, or which is, in fact,
6 deputy superintendent, or assistant superintendent.

7 **Sec. 211.** RCW 28A.410.212 and 2009 c 531 s 1 are each amended to
8 read as follows:

9 The (~~professional educator standards board~~) superintendent of
10 public instruction shall:

11 (1) Develop and maintain a research base of educator preparation
12 best practices;

13 (2) Develop and coordinate initiatives for educator preparation in
14 high-demand fields as well as outreach and recruitment initiatives for
15 underrepresented populations;

16 (3) Provide program improvement technical assistance to providers
17 of educator preparation programs;

18 (4) Assure educator preparation program compliance; and

19 (5) Prepare and maintain a cohesive educator development policy
20 framework.

21 **Sec. 212.** RCW 28A.410.220 and 2008 c 176 s 2 are each amended to
22 read as follows:

23 (1)(a) Beginning not later than September 1, 2001, the (~~Washington~~
24 ~~professional educator standards board~~) superintendent of public
25 instruction shall make available and pilot a means of assessing an
26 applicant's knowledge in the basic skills. For the purposes of this
27 section, "basic skills" means the subjects of at least reading,
28 writing, and mathematics. Beginning September 1, 2002, except as
29 provided in (c) of this subsection and subsection (4) of this section,
30 passing this assessment shall be required for admission to approved
31 teacher preparation programs and for persons from out-of-state applying
32 for a Washington state residency teaching certificate.

33 (b) On an individual student basis, approved teacher preparation
34 programs may admit into their programs a candidate who has not achieved
35 the minimum basic skills assessment score established by the
36 (~~Washington professional educator standards board~~) superintendent of

1 public instruction. Individuals so admitted may not receive residency
2 certification without passing the basic skills assessment under this
3 section.

4 (c) The (~~Washington professional educator standards board~~)
5 superintendent of public instruction may establish criteria to ensure
6 that persons from out-of-state who are applying for residency
7 certification and persons applying to master's degree level teacher
8 preparation programs can demonstrate to the (~~board's~~)
9 superintendent's satisfaction that they have the requisite basic skills
10 based upon having completed another basic skills assessment acceptable
11 to the (~~Washington professional educator standards board~~)
12 superintendent or by some other alternative approved by the
13 (~~Washington professional educator standards board~~) superintendent.

14 (2) The (~~professional educator standards board~~) superintendent of
15 public instruction shall set performance standards and develop, pilot,
16 and implement a uniform and externally administered professional-level
17 certification assessment based on demonstrated teaching skill. In the
18 development of this assessment, consideration shall be given to changes
19 in professional certification program components such as the
20 culminating seminar.

21 (3) Beginning not later than September 1, 2002, the (~~Washington~~
22 ~~professional educator standards board~~) superintendent of public
23 instruction shall provide for the initial piloting and implementation
24 of a means of assessing an applicant's knowledge in the subjects for
25 which the applicant has applied for an endorsement to his or her
26 residency or professional teaching certificate. The assessment of
27 subject knowledge shall not include instructional methodology.
28 Beginning September 1, 2005, passing this assessment shall be required
29 to receive an endorsement for certification purposes.

30 (4) The (~~Washington professional educator standards board~~)
31 superintendent of public instruction may permit exceptions from the
32 assessment requirements under subsections (1), (2), and (3) of this
33 section on a case-by-case basis.

34 (5) The (~~Washington professional educator standards board~~)
35 superintendent of public instruction shall provide for reasonable
36 accommodations for individuals who are required to take the assessments
37 in subsection (1), (2), or (3) of this section if the individuals have
38 learning or other disabilities.

1 (6) With the exception of applicants exempt from the requirements
2 of subsections (1), (2), and (3) of this section, an applicant must
3 achieve a minimum assessment score or scores established by the
4 ~~((Washington professional educator standards board))~~ superintendent of
5 public instruction on each of the assessments under subsections (1),
6 (2), and (3) of this section.

7 (7) The ~~((Washington professional educator standards board and))~~
8 superintendent of public instruction ~~((, as determined by the Washington~~
9 ~~professional educator standards board,))~~ may contract with one or more
10 third parties for:

11 (a) The development, purchase, administration, scoring, and
12 reporting of scores of the assessments established ~~((by the Washington~~
13 ~~professional educator standards board))~~ under subsections (1), (2), and
14 (3) of this section;

15 (b) Related clerical and administrative activities; or

16 (c) Any combination of the purposes in this subsection.

17 (8) Applicants for admission to a Washington teacher preparation
18 program and applicants for residency and professional certificates who
19 are required to successfully complete one or more of the assessments
20 under subsections (1), (2), and (3) of this section, and who are
21 charged a fee for the assessment by a third party contracted with under
22 subsection (7) of this section, shall pay the fee charged by the
23 contractor directly to the contractor. Such fees shall be reasonably
24 related to the actual costs of the contractor in providing the
25 assessment.

26 (9) The superintendent of public instruction ~~((is responsible for~~
27 ~~supervision and providing support services to administer this section.~~

28 ~~(10) The Washington professional educator standards board shall~~
29 ~~collaboratively select or develop and implement the assessments and~~
30 ~~minimum assessment scores required under this section with the~~
31 ~~superintendent of public instruction and))~~ shall provide opportunities
32 for representatives of other interested educational organizations to
33 participate in the selection or development and implementation of such
34 assessments in a manner deemed appropriate by the ~~((Washington~~
35 ~~professional educator standards board))~~ superintendent.

36 (11) The ~~((Washington professional educator standards board))~~
37 superintendent of public instruction shall adopt rules under chapter

1 34.05 RCW that are reasonably necessary for the effective and efficient
2 implementation of this section.

3 **Sec. 213.** RCW 28A.410.230 and 2000 c 39 s 202 are each amended to
4 read as follows:

5 The (~~Washington professional educator standards board~~)
6 superintendent of public instruction shall report the proposed
7 assessments to the legislative education committees for review and
8 comment prior to implementing the assessments by contractual agreement
9 with the selected vendor or vendors.

10 **Sec. 214.** RCW 28A.410.240 and 2000 c 39 s 203 are each amended to
11 read as follows:

12 (1) By December 1, 2003, and annually thereafter, the (~~Washington~~
13 ~~professional educator standards board~~) superintendent of public
14 instruction shall prepare a report that includes the following
15 information:

16 (a) The range of scores on the basic skills assessment under RCW
17 28A.410.220(1) for persons who passed the assessment and were admitted
18 to a Washington preparation program; and

19 (b) The range of scores on the subject assessments under RCW
20 28A.410.220(~~(+2)~~) (3) for persons who passed the assessments and
21 earned an endorsement.

22 (2) The information under subsection (1) of this section shall be
23 reported for the individual public and private colleges and
24 universities in Washington, as well as reported on an aggregate basis.
25 The report shall also include results disaggregated demographically.
26 The report shall include information on the number and percentage of
27 candidates exempted from assessments, demographic information on
28 candidates exempted, institutions attended and endorsements sought by
29 exempted candidates, and reasons for exclusion from the required
30 assessments. The report shall be made available through the state
31 library, on the web site of the office of superintendent of public
32 instruction, and placed on the legislative alert list.

33 **Sec. 215.** RCW 28A.410.260 and 2009 c 468 s 5 are each amended to
34 read as follows:

35 (1) The (~~professional educator standards board~~) superintendent of

1 public instruction, in consultation and collaboration with the
2 achievement gap oversight and accountability committee established
3 under RCW 28A.300.136, shall identify a list of model standards for
4 cultural competency and make recommendations to the education
5 committees of the legislature on the strengths and weaknesses of those
6 standards.

7 (2) For the purposes of this section, "cultural competency"
8 includes knowledge of student cultural histories and contexts, as well
9 as family norms and values in different cultures; knowledge and skills
10 in accessing community resources and community and parent outreach; and
11 skills in adapting instruction to students' experiences and identifying
12 cultural contexts for individual students.

13 **Sec. 216.** RCW 28A.410.270 and 2009 c 548 s 402 are each amended to
14 read as follows:

15 (1)(a) By January 1, 2010, the (~~professional educator standards~~
16 ~~board~~) superintendent of public instruction shall adopt a set of
17 articulated teacher knowledge, skill, and performance standards for
18 effective teaching that are evidence-based, measurable, meaningful, and
19 documented in high quality research as being associated with improved
20 student learning. The standards shall be calibrated for each level of
21 certification and along the entire career continuum. In developing the
22 standards, the (~~board~~) superintendent shall, to the extent possible,
23 incorporate standards for cultural competency along the entire
24 continuum. For the purposes of this subsection, "cultural competency"
25 includes knowledge of student cultural histories and contexts, as well
26 as family norms and values in different cultures; knowledge and skills
27 in accessing community resources and community and parent outreach; and
28 skills in adapting instruction to students' experiences and identifying
29 cultural contexts for individual students.

30 (b) By January 1, 2010, the (~~professional educator standards~~
31 ~~board~~) superintendent of public instruction shall adopt a definition
32 of master teacher, with a comparable level of increased competency
33 between professional certification level and master level as between
34 professional certification level and national board certification.
35 Within the definition established by the (~~professional educator~~
36 ~~standards board~~) superintendent, teachers certified through the

1 national board for professional teaching standards shall be considered
2 master teachers.

3 (2) By January 1, 2010, the (~~professional educator standards~~
4 ~~board~~) superintendent of public instruction shall submit to the
5 governor and the education and fiscal committees of the legislature:

6 (a) An update on the status of implementation of the professional
7 certificate (~~external and~~) uniform and externally administered
8 professional-level certification assessment authorized in RCW
9 28A.410.210;

10 (b) A proposal for a uniform, statewide, valid, and reliable
11 classroom-based means of evaluating teacher effectiveness as a
12 culminating measure at the preservice level that is to be used during
13 the student-teaching field experience. This assessment shall include
14 multiple measures of teacher performance in classrooms, evidence of
15 positive impact on student learning, and shall include review of
16 artifacts, such as use of a variety of assessment and instructional
17 strategies, and student work. The proposal shall establish a timeline
18 for when the assessment will be required for successful completion of
19 a Washington state-approved teacher preparation program. The timeline
20 shall take into account the capacity of the K-12 education and higher
21 education systems to accommodate the new assessment. The proposal and
22 timeline shall also address how the assessment will be included in
23 state-reported data on preparation program quality; and

24 (c) A recommendation on the length of time that a residency
25 certificate issued to a teacher is valid and within what time period a
26 teacher must meet the minimum level of performance for and receive a
27 professional certificate in order to continue being certified as a
28 teacher. In developing this recommendation, the (~~professional~~
29 ~~educator standards board~~) superintendent of public instruction shall
30 consult with interested stakeholders including the Washington education
31 association, the Washington association of school administrators,
32 association of Washington school principals, and the Washington state
33 school directors' association and shall include with its recommendation
34 a description of each stakeholder's comments on the recommendation.

35 (3) The update and proposal in subsection (2)(a) and (b) of this
36 section shall include, at a minimum, descriptions of:

37 (a) Estimated costs and statutory authority needed for further
38 development and implementation of these assessments;

1 (b) A common and standardized rubric for determining whether a
2 teacher meets the minimum level of performance of the assessments; and

3 (c) Administration and management of the assessments.

4 (4) To the extent that funds are appropriated for this purpose and
5 in accordance with the timeline established in subsection (2) of this
6 section, recognizing the capacity limitations of the education systems,
7 the (~~professional educator standards board~~) superintendent of public
8 instruction shall develop the system and process as established in
9 subsections (1), (2), and (3) of this section throughout the remainder
10 of the 2010-11 and 2011-12 school years.

11 (5) Beginning no earlier than September 1, 2011, award of a
12 professional certificate shall be based on a minimum of two years of
13 successful teaching experience as defined by the (~~board~~)
14 superintendent of public instruction and on the results of the
15 evaluation authorized under RCW 28A.410.210(~~(+14)~~) (12) and under this
16 section, and may not require candidates to enroll in a professional
17 certification program.

18 (6) Beginning July 1, 2011, educator preparation programs approved
19 to offer the residency teaching certificate shall be required to
20 demonstrate how the program produces effective teachers as evidenced by
21 the measures established under this section and other criteria
22 established by the (~~professional educator standards board~~)
23 superintendent of public instruction.

24 **Sec. 217.** RCW 28A.410.280 and 2010 c 235 s 501 are each amended to
25 read as follows:

26 (1) Beginning with the 2011-12 school year, all (~~professional~~
27 ~~educator standards board approved~~) teacher preparation programs
28 approved by the superintendent of public instruction must administer to
29 all preservice candidates the evidence-based assessment of teaching
30 effectiveness adopted by the (~~professional educator standards board~~)
31 superintendent of public instruction. The (~~professional educator~~
32 ~~standards board~~) superintendent of public instruction shall adopt
33 rules that establish a date during the 2012-13 school year after which
34 candidates completing teacher preparation programs must successfully
35 pass this assessment. Assessment results from persons completing each
36 preparation program must be reported annually by the (~~professional~~

1 ~~educator standards board~~) superintendent of public instruction to the
2 governor and the education and fiscal committees of the legislature by
3 December 1st.

4 (2) The (~~professional educator standards board and the~~)
5 superintendent of public instruction(~~, as determined by the board,~~)
6 may contract with one or more third parties for:

7 (a) The administration, scoring, and reporting of scores of the
8 assessment under this section;

9 (b) Related clerical and administrative activities; or

10 (c) Any combination of the purposes of this subsection (2).

11 (3) Candidates for residency certification who are required to
12 successfully complete the assessment under this section, and who are
13 charged a fee for the assessment by a third party contracted with under
14 this section, shall pay the fee charged by the contractor directly to
15 the contractor. Such fees shall be reasonably related to the actual
16 costs of the contractor in providing the assessment.

17 **Sec. 218.** RCW 28A.410.290 and 2010 c 235 s 502 are each amended to
18 read as follows:

19 (1) By September 30, 2010, the (~~professional educator standards~~
20 ~~board~~) superintendent of public instruction shall review and revise
21 teacher and administrator preparation program approval standards and
22 proposal review procedures at the residency certificate level to ensure
23 they are rigorous and appropriate standards for an expanded range of
24 potential providers, including community college and nonhigher
25 education providers. All approved providers must adhere to the same
26 standards and comply with the same requirements.

27 (2) Beginning September 30, 2010, the (~~professional educator~~
28 ~~standards board~~) superintendent of public instruction must accept
29 proposals for community college and nonhigher education providers of
30 educator preparation programs. Proposals must be processed and
31 considered by the (~~board~~) superintendent as expeditiously as
32 possible.

33 (3) By September 1, 2011, all (~~professional educator standards~~
34 ~~board approved~~) residency teacher preparation programs at institutions
35 of higher education as defined in RCW 28B.10.016 not (~~currently~~)
36 already a partner in an alternative route program approved by the
37 (~~professional educator standards board~~) superintendent of public

1 instruction must submit to the (~~board~~) superintendent a proposal to
2 offer one or more of the alternative route programs that meet the
3 requirements of RCW 28A.660.020 and 28A.660.040.

4 **Sec. 219.** RCW 28A.410.300 and 2010 c 235 s 506 are each amended to
5 read as follows:

6 Beginning with the 2010 school year and annually thereafter, each
7 educational service district, in cooperation with the (~~professional
8 educator standards board~~) superintendent of public instruction, must
9 convene representatives from school districts within that region and
10 (~~professional educator standards board approved~~) approved educator
11 preparation programs to review district and regional educator workforce
12 data, make biennial projections of (~~certificate~~) certificated
13 staffing needs, and identify how recruitment and enrollment plans in
14 educator preparation programs reflect projected need.

15 **Sec. 220.** RCW 28A.415.020 and 2007 c 319 s 3 are each amended to
16 read as follows:

17 (1) Certificated personnel shall receive for each ten clock hours
18 of approved in-service training attended the equivalent of a one credit
19 college quarter course on the salary schedule developed by the
20 legislative evaluation and accountability program committee.

21 (2) Certificated personnel shall receive for each ten clock hours
22 of approved continuing education earned, as continuing education is
23 defined by rule adopted by the (~~professional educator standards
24 board~~) superintendent of public instruction, the equivalent of a one
25 credit college quarter course on the salary schedule developed by the
26 legislative evaluation and accountability program committee.

27 (3) Certificated personnel shall receive for each forty clock hours
28 of participation in an approved internship with a business, an
29 industry, or government, as an internship is defined by rule of the
30 (~~professional educator standards board~~) superintendent of public
31 instruction in accordance with RCW 28A.415.025, the equivalent of a one
32 credit college quarter course on the salary schedule developed by the
33 legislative evaluation and accountability program committee.

34 (4) An approved in-service training program shall be a program
35 approved by a school district board of directors, which meet standards
36 adopted by the (~~professional educator standards board~~) superintendent

1 of public instruction, and the development of said program has been
2 participated in by an in-service training task force whose membership
3 is the same as provided under RCW 28A.415.040, or a program offered by
4 an education agency approved to provide in-service for the purposes of
5 continuing education as provided for under rules adopted by the
6 (~~professional educator standards board~~) superintendent of public
7 instruction, or both.

8 (5) Clock hours eligible for application to the salary schedule
9 developed by the legislative evaluation and accountability program
10 committee as described in subsections (1) and (2) of this section,
11 shall be those hours acquired after August 31, 1987. Clock hours
12 eligible for application to the salary schedule as described in
13 subsection (3) of this section shall be those hours acquired after
14 December 31, 1995.

15 (6) In-service training or continuing education in first peoples'
16 language, culture, or oral tribal traditions provided by a sovereign
17 tribal government participating in the Washington state first peoples'
18 language, culture, and oral tribal traditions teacher certification
19 program authorized under RCW 28A.410.045 shall be considered approved
20 in-service training or approved continuing education under this section
21 and RCW 28A.415.023.

22 **Sec. 221.** RCW 28A.415.023 and 2005 c 497 s 209 and 2005 c 393 s 1
23 are each reenacted and amended to read as follows:

24 (1) Credits earned by certificated instructional staff after
25 September 1, 1995, shall be eligible for application to the salary
26 schedule developed by the legislative evaluation and accountability
27 program committee only if the course content:

28 (a) Is consistent with a school-based plan for mastery of student
29 learning goals as referenced in RCW 28A.655.110, the annual school
30 performance report, for the school in which the individual is assigned;

31 (b) Pertains to the individual's current assignment or expected
32 assignment for the subsequent school year;

33 (c) Is necessary to obtain an endorsement as prescribed by the
34 (~~Washington professional educator standards board~~) superintendent of
35 public instruction;

36 (d) Is specifically required to obtain advanced levels of
37 certification;

1 (e) Is included in a college or university degree program that
2 pertains to the individual's current assignment, or potential future
3 assignment, as a (~~certified~~) certificated instructional staff; or

4 (f) Addresses research-based assessment and instructional
5 strategies for students with dyslexia, dysgraphia, and language
6 disabilities when addressing learning goal one under RCW 28A.150.210,
7 as applicable and appropriate for individual certificated instructional
8 staff.

9 (2) For the purpose of this section, "credits" mean college quarter
10 hour credits and equivalent credits for approved in-service, approved
11 continuing education, or approved internship hours computed in
12 accordance with RCW 28A.415.020.

13 (3) The superintendent of public instruction shall adopt rules and
14 standards consistent with the limits established by this section for
15 certificated instructional staff.

16 **Sec. 222.** RCW 28A.415.024 and 2006 c 263 s 809 are each amended to
17 read as follows:

18 (1) All credits earned in furtherance of degrees earned by
19 certificated staff, that are used to increase earnings on the salary
20 schedule consistent with RCW 28A.415.023, must be obtained from an
21 educational institution accredited by an accrediting association
22 recognized by rule of the (~~professional educator standards board~~)
23 superintendent of public instruction.

24 (2) The office of the superintendent of public instruction shall
25 verify for school districts the accreditation status of educational
26 institutions granting degrees that are used by certificated staff to
27 increase earnings on the salary schedule consistent with RCW
28 28A.415.023.

29 (3) The office of the superintendent of public instruction shall
30 provide school districts with training and additional resources to
31 ensure they can verify that degrees earned by certificated staff, that
32 are used to increase earnings on the salary schedule consistent with
33 RCW 28A.415.023, are obtained from an educational institution
34 accredited by an accrediting association recognized by rule of the
35 (~~professional educator standards board~~) superintendent of public
36 instruction.

1 (4)(a) No school district may submit degree information before
2 there has been verification of accreditation under subsection (3) of
3 this section.

4 (b) Certificated staff who submit degrees received from an
5 unaccredited educational institution for the purposes of receiving a
6 salary increase shall be fined three hundred dollars. The fine shall
7 be paid to the office of the superintendent of public instruction and
8 used for costs of administering this section.

9 (c) In addition to the fine in (b) of this subsection, certificated
10 staff who receive salary increases based upon degrees earned from
11 educational institutions that have been verified to be unaccredited
12 must reimburse the district for any compensation received based on
13 these degrees.

14 **Sec. 223.** RCW 28A.415.025 and 2006 c 263 s 810 are each amended to
15 read as follows:

16 The ((~~professional educator standards board~~)) superintendent of
17 public instruction shall establish rules for awarding clock hours for
18 participation of certificated personnel in internships with business,
19 industry, or government. To receive clock hours for an internship, the
20 individual must demonstrate that the internship will provide beneficial
21 skills and knowledge in an area directly related to his or her current
22 assignment, or to his or her assignment for the following school year.
23 An individual may not receive more than the equivalent of two college
24 quarter credits for internships during a calendar-year period. The
25 total number of credits for internships that an individual may earn to
26 advance on the salary schedule developed by the legislative evaluation
27 and accountability program committee or its successor agency is limited
28 to the equivalent of fifteen college quarter credits.

29 **Sec. 224.** RCW 28A.415.060 and 2005 c 497 s 210 are each amended to
30 read as follows:

31 The ((~~Washington professional educator standards board~~)) rules
32 adopted by the superintendent of public instruction for continuing
33 education shall provide that educational staff associates may use
34 credits or clock hours that satisfy the continuing education
35 requirements for their state professional licensure, if any, to fulfill

1 the continuing education requirements established by the (~~Washington~~
2 ~~professional educator standards board~~) superintendent of public
3 instruction.

4 **Sec. 225.** RCW 28A.415.340 and 2007 c 402 s 1 are each amended to
5 read as follows:

6 (1) Research supports the value of quality school and school
7 district leadership. Effective leadership is critical to improving
8 student learning and transforming underperforming schools and school
9 districts into world-class learning centers.

10 (2) A public-private partnership is established to develop, pilot,
11 and implement the Washington state leadership academy to focus on the
12 development and enhancement of personal leadership characteristics and
13 the teaching of effective practices and skills demonstrated by school
14 and district administrators who are successful managers and
15 instructional leaders. It is the goal of the academy to provide state-
16 of-the-art programs and services across the state.

17 (3) Academy partners include the state superintendent and principal
18 professional associations, private nonprofit foundations, institutions
19 of higher education with approved educator preparation programs, (~~the~~
20 ~~professional educator standards board,~~) the office of the
21 superintendent of public instruction, educational service districts,
22 the state school business officers' association, and other entities
23 identified by the partners. The partners shall designate an
24 independent organization to act as the fiscal agent for the academy and
25 shall establish a board of directors to oversee and direct the
26 academy's finances, services, and programs. The academy shall be
27 supported by a national research institution with demonstrated
28 expertise in educational leadership.

29 (4) Initial development of academy course content and activities
30 shall be supported by private funds. Initial tasks of the academy are
31 to:

32 (a) Finalize a comprehensive design of the academy and the
33 development of the curriculum frameworks for a comprehensive leadership
34 development program that includes coursework, practicum, mentoring, and
35 evaluation components;

36 (b) Develop curriculum for individual leadership topics;

37 (c) Pilot the curriculum and all program components; and

1 (d) Modify the comprehensive design, curriculum coursework,
2 practicum, and mentoring programs based on the research results gained
3 from pilot activities.

4 (5) The board of directors shall report semiannually to the
5 superintendent of public instruction on the financial contributions
6 provided by foundations and other organizations to support the work of
7 the academy. The board of directors shall report by December 31st each
8 year to the superintendent of public instruction on the programs and
9 services provided, numbers of participants in the various academy
10 activities, evaluation activities regarding program and participant
11 outcomes, and plans for the academy's future development.

12 (6) The board of directors shall make recommendations for changes
13 in superintendent and principal preparation programs, the administrator
14 licensure system, and continuing education requirements.

15 **Sec. 226.** RCW 28A.415.370 and 2007 c 402 s 10 are each amended to
16 read as follows:

17 (1) The recruiting Washington teachers program is established to
18 recruit and provide training and support for high school students to
19 enter the teaching profession, especially in teacher shortage areas and
20 among underrepresented groups and multilingual, multicultural students.
21 The program shall be administered by the (~~professional educator~~
22 ~~standards board~~) office of the superintendent of public instruction.

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

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

33 (b) A curriculum that provides future teachers with opportunities
34 to observe classroom instruction at all grade levels; includes
35 preteaching internships at all grade levels with a focus on shortage
36 areas; and covers such topics as lesson planning, learning styles,

1 student learning data and information, the achievement gap, cultural
2 competency, and education policy;

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

7 (d) Future teacher camps held on college campuses where students
8 can attend workshops and interact with college faculty and current
9 teachers.

10 (3) As part of its administration of the program, the
11 (~~professional educator standards board~~) office of the superintendent
12 of public instruction shall:

13 (a) Develop the curriculum and program guidelines in consultation
14 with an advisory group of teachers, representatives of teacher
15 preparation programs, teacher candidates, students, and representatives
16 of diverse communities;

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

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

29 **Sec. 227.** RCW 28A.405.110 and 2006 c 263 s 806 are each amended to
30 read as follows:

31 The legislature recognizes the importance of teachers in the
32 educational system. Teachers are the fundamental element in assuring
33 a quality education for the state's and the nation's children.
34 Teachers, through their direct contact with children, have a great
35 impact on the development of the child. The legislature finds that
36 this important role of the teacher requires an assurance that teachers
37 are as successful as possible in attaining the goal of a well-educated

1 society. The legislature finds, therefore, that the evaluation of
2 those persons seeking to enter the teaching profession is no less
3 important than the evaluation of those persons currently teaching. The
4 evaluation of persons seeking teaching credentials should be strenuous
5 while making accommodations uniquely appropriate to the applicants.
6 Strenuous teacher training and preparation should be complemented by
7 examinations of prospective teachers prior to candidates being granted
8 official certification by the ((~~professional educator standards board~~))
9 superintendent of public instruction. Teacher preparation program
10 entrance evaluations, teacher training, teacher preparation program
11 exit examinations, official certification, in-service training, and
12 ongoing evaluations of individual progress and professional growth are
13 all part of developing and maintaining a strong precertification and
14 postcertification professional education system.

15 The legislature further finds that an evaluation system for
16 teachers has the following elements, goals, and objectives: (1) An
17 evaluation system must be meaningful, helpful, and objective; (2) an
18 evaluation system must encourage improvements in teaching skills,
19 techniques, and abilities by identifying areas needing improvement; (3)
20 an evaluation system must provide a mechanism to make meaningful
21 distinctions among teachers and to acknowledge, recognize, and
22 encourage superior teaching performance; and (4) an evaluation system
23 must encourage respect in the evaluation process by the persons
24 conducting the evaluations and the persons subject to the evaluations
25 through recognizing the importance of objective standards and
26 minimizing subjectivity.

27 **Sec. 228.** RCW 28A.405.210 and 2010 c 235 s 303 are each amended to
28 read as follows:

29 No teacher, principal, supervisor, superintendent, or other
30 certificated employee, holding a position as such with a school
31 district, hereinafter referred to as "employee," shall be employed
32 except by written order of a majority of the directors of the district
33 at a regular or special meeting thereof, nor unless he or she is the
34 holder of an effective teacher's certificate or other certificate
35 required by law or the ((~~Washington professional educator standards~~
36 ~~board~~)) superintendent of public instruction for the position for which
37 the employee is employed.

1 The board shall make with each employee employed by it a written
2 contract, which shall be in conformity with the laws of this state, and
3 except as otherwise provided by law, limited to a term of not more than
4 one year. Every such contract shall be made in duplicate, one copy to
5 be retained by the school district superintendent or secretary and one
6 copy to be delivered to the employee. No contract shall be offered by
7 any board for the employment of any employee who has previously signed
8 an employment contract for that same term in another school district of
9 the state of Washington unless such employee shall have been released
10 from his or her obligations under such previous contract by the board
11 of directors of the school district to which he or she was obligated.
12 Any contract signed in violation of this provision shall be void.

13 In the event it is determined that there is probable cause or
14 causes that the employment contract of an employee should not be
15 renewed by the district for the next ensuing term such employee shall
16 be notified in writing on or before May 15th preceding the commencement
17 of such term of that determination, or if the omnibus appropriations
18 act has not passed the legislature by May 15th, then notification shall
19 be no later than June 15th, which notification shall specify the cause
20 or causes for nonrenewal of contract. Such determination of probable
21 cause for certificated employees, other than the superintendent, shall
22 be made by the superintendent. Such notice shall be served upon the
23 employee personally, or by certified or registered mail, or by leaving
24 a copy of the notice at the house of his or her usual abode with some
25 person of suitable age and discretion then resident therein. Every
26 such employee so notified, at his or her request made in writing and
27 filed with the president, chair or secretary of the board of directors
28 of the district within ten days after receiving such notice, shall be
29 granted opportunity for hearing pursuant to RCW 28A.405.310 to
30 determine whether there is sufficient cause or causes for nonrenewal of
31 contract: PROVIDED, That any employee receiving notice of nonrenewal
32 of contract due to an enrollment decline or loss of revenue may, in his
33 or her request for a hearing, stipulate that initiation of the
34 arrangements for a hearing officer as provided for by RCW
35 28A.405.310(4) shall occur within ten days following July 15 rather
36 than the day that the employee submits the request for a hearing. If
37 any such notification or opportunity for hearing is not timely given,
38 the employee entitled thereto shall be conclusively presumed to have

1 been reemployed by the district for the next ensuing term upon
2 contractual terms identical with those which would have prevailed if
3 his or her employment had actually been renewed by the board of
4 directors for such ensuing term.

5 This section shall not be applicable to "provisional employees" as
6 so designated in RCW 28A.405.220; transfer to a subordinate
7 certificated position as that procedure is set forth in RCW 28A.405.230
8 or 28A.405.245 shall not be construed as a nonrenewal of contract for
9 the purposes of this section.

10 **Sec. 229.** RCW 28A.400.201 and 2010 c 236 s 7 are each amended to
11 read as follows:

12 (1) The legislature recognizes that providing students with the
13 opportunity to access a world-class educational system depends on our
14 continuing ability to provide students with access to world-class
15 educators. The legislature also understands that continuing to attract
16 and retain the highest quality educators will require increased
17 investments. The legislature intends to enhance the current salary
18 allocation model and recognizes that changes to the current model
19 cannot be imposed without great deliberation and input from teachers,
20 administrators, and classified employees. Therefore, it is the intent
21 of the legislature to begin the process of developing an enhanced
22 salary allocation model that is collaboratively designed to ensure the
23 rationality of any conclusions regarding what constitutes adequate
24 compensation.

25 (2) Beginning July 1, 2011, the office of the superintendent of
26 public instruction, in collaboration with the office of financial
27 management, shall convene a technical working group to recommend the
28 details of an enhanced salary allocation model that aligns state
29 expectations for educator development and certification with the
30 compensation system and establishes recommendations for a concurrent
31 implementation schedule. In addition to any other details the
32 technical working group deems necessary, the technical working group
33 shall make recommendations on the following:

34 (a) How to reduce the number of tiers within the existing salary
35 allocation model;

36 (b) How to account for labor market adjustments;

1 (c) How to account for different geographic regions of the state
2 where districts may encounter difficulty recruiting and retaining
3 teachers;

4 (d) The role of and types of bonuses available;

5 (e) Ways to accomplish salary equalization over a set number of
6 years; and

7 (f) Initial fiscal estimates for implementing the recommendations
8 including a recognition that staff on the existing salary allocation
9 model would have the option to grandfather in permanently to the
10 existing schedule.

11 (3) As part of its work, the technical working group shall conduct
12 or contract for a preliminary comparative labor market analysis of
13 salaries and other compensation for school district employees to be
14 conducted and shall include the results in any reports to the
15 legislature. For the purposes of this subsection, "salaries and other
16 compensation" includes average base salaries, average total salaries,
17 average employee basic benefits, and retirement benefits.

18 (4) The analysis required under subsection (1) of this section
19 must:

20 (a) Examine salaries and other compensation for teachers, other
21 certificated instructional staff, principals, and other building-level
22 certificated administrators, and the types of classified employees for
23 whom salaries are allocated;

24 (b) Be calculated at a statewide level that identifies labor
25 markets in Washington through the use of data from the United States
26 bureau of the census and the bureau of labor statistics; and

27 (c) Include a comparison of salaries and other compensation to the
28 appropriate labor market for at least the following subgroups of
29 educators: Beginning teachers and types of educational staff
30 associates.

31 (5) The working group shall include representatives of the
32 department of personnel, (~~the professional educator standards board,~~)
33 the office of the superintendent of public instruction, the Washington
34 education association, the Washington association of school
35 administrators, the association of Washington school principals, the
36 Washington state school directors' association, the public school
37 employees of Washington, and other interested stakeholders with
38 appropriate expertise in compensation related matters. The working

1 group may convene advisory subgroups on specific topics as necessary to
2 assure participation and input from a broad array of diverse
3 stakeholders.

4 (6) The working group shall be monitored and overseen by the
5 legislature and the quality education council created in RCW
6 28A.290.010. The working group shall make an initial report to the
7 legislature by June 30, 2012, and shall include in its report
8 recommendations for whether additional further work of the group is
9 necessary.

10 **Sec. 230.** RCW 28A.630.400 and 2006 c 263 s 815 are each amended to
11 read as follows:

12 (1) The (~~(professional educator standards board)~~) superintendent of
13 public instruction and the state board for community and technical
14 colleges, in consultation with (~~(the superintendent of public~~
15 ~~instruction,~~) the higher education coordinating board, the state
16 apprenticeship training council, and community colleges, shall adopt
17 rules as necessary under chapter 34.05 RCW to implement the
18 paraeducator associate of arts degree.

19 (2) As used in this section, a "paraeducator" is an individual who
20 has completed an associate of arts degree for a paraeducator. The
21 paraeducator may be hired by a school district to assist certificated
22 instructional staff in the direct instruction of children in small and
23 large groups, individualized instruction, testing of children,
24 recordkeeping, and preparation of materials. The paraeducator shall
25 work under the direction of instructional certificated staff.

26 (3) The training program for a paraeducator associate of arts
27 degree shall include, but is not limited to, the general requirements
28 for receipt of an associate of arts degree and training in the areas of
29 introduction to childhood education, orientation to children with
30 disabilities, fundamentals of childhood education, creative activities
31 for children, instructional materials for children, fine art
32 experiences for children, the psychology of learning, introduction to
33 education, child health and safety, child development and guidance,
34 first aid, and a practicum in a school setting.

35 (4) Consideration shall be given to transferability of credit
36 earned in this program to teacher preparation programs at colleges and
37 universities.

1 **Sec. 231.** RCW 28A.660.020 and 2010 c 235 s 503 are each amended to
2 read as follows:

3 (1) The (~~(professional educator standards board)~~) superintendent of
4 public instruction shall transition the alternative route partnership
5 grant program from a separate competitive grant program to a
6 preparation program model to be expanded among approved preparation
7 program providers. Alternative routes are partnerships between
8 (~~(professional educator standards board approved)~~) approved preparation
9 programs, Washington school districts, and other partners as
10 appropriate.

11 (2) Each prospective teacher preparation program provider, in
12 cooperation with a Washington school district or consortia of school
13 districts applying to operate (~~(an)~~) an alternative route
14 certification program, shall include in its proposal to the
15 (~~(Washington professional educator standards board)~~) superintendent of
16 public instruction:

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

20 (b) The estimated number of candidates that will be enrolled per
21 route;

22 (c) An identification, indication of commitment, and description of
23 the role of approved teacher preparation programs and partnering
24 district or consortia of districts;

25 (d) An assurance that the district or approved preparation program
26 provider will provide adequate training for mentor teachers specific to
27 the mentoring of alternative route candidates;

28 (e) An assurance that significant time will be provided for mentor
29 teachers to spend with the alternative route teacher candidates
30 throughout the internship. Partnerships must provide each candidate
31 with intensive classroom mentoring until such time as the candidate
32 demonstrates the competency necessary to manage the classroom with less
33 intensive supervision and guidance from a mentor;

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

37 (g) A summary of procedures that provide flexible completion
38 opportunities for candidates to achieve a residency certificate; and

1 (h) The design and use of a teacher development plan for each
2 candidate. The plan shall specify the alternative route coursework and
3 training required of each candidate and shall be developed by comparing
4 the candidate's prior experience and coursework with the state's new
5 performance-based standards for residency certification and adjusting
6 any requirements accordingly. The plan may include the following
7 components:

8 (i) A minimum of one-half of a school year, and an additional
9 significant amount of time if necessary, of intensive mentorship during
10 field experience, starting with full-time mentoring and progressing to
11 increasingly less intensive monitoring and assistance as the intern
12 demonstrates the skills necessary to take over the classroom with less
13 intensive support. Before the supervision is diminished, the mentor of
14 the teacher candidate at the school and the supervisor of the teacher
15 candidate from the teacher preparation program must both agree that the
16 teacher candidate is ready to manage the classroom with less intensive
17 supervision;

18 (ii) Identification of performance indicators based on the
19 knowledge and skills standards required for residency certification by
20 the ((~~Washington professional educator standards board~~)) superintendent
21 of public instruction;

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

24 (iv) A description of strategies for assessing candidate
25 performance on the benchmarks;

26 (v) Identification of one or more tools to be used to assess a
27 candidate's performance once the candidate has been in the classroom
28 for about one-half of a school year;

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

32 (vii) A description of how the district intends for the alternative
33 route program to support its workforce development plan and how the
34 presence of alternative route interns will advance its school
35 improvement plans.

36 (3) To the extent funds are appropriated for this purpose,
37 alternative route programs may apply for program funds to pay stipends

1 to trained mentor teachers of interns during the mentored internship.
2 The per intern amount of mentor stipend provided by state funds shall
3 not exceed five hundred dollars.

4 **Sec. 232.** RCW 28A.660.035 and 2009 c 468 s 6 are each amended to
5 read as follows:

6 The office of the superintendent of public instruction shall
7 identify school districts that have the most significant achievement
8 gaps among subgroups of students and for large numbers of those
9 students, and districts that should receive priority for assistance in
10 advancing cultural competency skills in their workforce. The
11 (~~professional educator standards board~~) office shall provide
12 assistance to the identified school districts to develop partnership
13 grant programs between the districts and teacher preparation programs
14 to provide one or more of the four alternative route programs under RCW
15 28A.660.040 and to recruit paraeducators and other individuals in the
16 local community to become certified as teachers. A partnership grant
17 program proposed by an identified school district shall receive
18 priority eligibility for partnership grants under RCW 28A.660.020. To
19 the maximum extent possible, the (~~board~~) office shall coordinate the
20 recruiting Washington teachers program under RCW 28A.415.370 with the
21 alternative route programs under this section.

22 **Sec. 233.** RCW 28A.660.050 and 2010 c 235 s 505 are each amended to
23 read as follows:

24 Subject to the availability of amounts appropriated for these
25 purposes, the conditional scholarship programs in this chapter are
26 created under the following guidelines:

27 (1) The programs shall be administered by the higher education
28 coordinating board. In administering the programs, the higher
29 education coordinating board has the following powers and duties:

30 (a) To adopt necessary rules and develop guidelines to administer
31 the programs;

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

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

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

3 (a) The alternative route conditional scholarship program is
4 limited to interns of (~~professional educator standards board~~
5 ~~approved~~) superintendent of public instruction approved alternative
6 routes to teaching programs under RCW 28A.660.040. For fiscal year
7 2011, priority must be given to fiscal year 2010 participants in the
8 alternative route partnership program. In order to receive conditional
9 scholarship awards, recipients shall:

10 (i) Be accepted and maintain enrollment in alternative
11 certification routes through a (~~professional educator standards board~~
12 ~~approved~~) superintendent of public instruction approved program;

13 (ii) Continue to make satisfactory progress toward completion of
14 the alternative route certification program and receipt of a residency
15 teaching certificate; and

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

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

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

29 (ii) Continue to make satisfactory progress toward completion of an
30 associate of arts degree. This progress requirement is a condition for
31 eligibility into a route one program of the alternative routes to
32 teacher certification program for a mathematics, special education, or
33 English as a second language endorsement; and

34 (iii) Receive no more than the annual amount of the scholarship,
35 not to exceed four thousand dollars, for the cost of tuition, fees, and
36 educational expenses, including books, supplies, and transportation for
37 the alternative route certification program in which the recipient is

1 enrolled. The board may adjust the annual award by the average rate of
2 tuition and fee increases at the state community and technical
3 colleges.

4 (c) The retooling to teach mathematics and science conditional
5 scholarship program is limited to current K-12 teachers. In order to
6 receive conditional scholarship awards:

7 (i) Individuals currently employed as teachers shall pursue a
8 middle level mathematics or science, or secondary mathematics or
9 science endorsement; or

10 (ii) Individuals who are certificated with an elementary education
11 endorsement shall pursue an endorsement in middle level mathematics or
12 science, or both; and

13 (iii) Individuals shall use one of the pathways to endorsement
14 processes to receive a mathematics or science endorsement, or both,
15 which shall include passing a mathematics or science endorsement test,
16 or both tests, plus observation and completing applicable coursework to
17 attain the proper endorsement; and

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

22 (3) The (~~Washington professional educator standards board~~)
23 superintendent of public instruction shall select individuals to
24 receive conditional scholarships. In selecting recipients, preference
25 shall be given to eligible veterans or national guard members.

26 (4) For the purpose of this chapter, a conditional scholarship is
27 a loan that is forgiven in whole or in part in exchange for service as
28 a certificated teacher employed in a Washington state K-12 public
29 school. The state shall forgive one year of loan obligation for every
30 two years a recipient teaches in a public school. Recipients who fail
31 to continue a course of study leading to residency teacher
32 certification or cease to teach in a public school in the state of
33 Washington in their endorsement area are required to repay the
34 remaining loan principal with interest.

35 (5) Recipients who fail to fulfill the required teaching obligation
36 are required to repay the remaining loan principal with interest and
37 any other applicable fees. The higher education coordinating board

1 shall adopt rules to define the terms for repayment, including
2 applicable interest rates, fees, and deferments.

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

7 **Sec. 234.** RCW 28A.690.020 and 2006 c 263 s 818 are each amended to
8 read as follows:

9 The "designated state official" for this state under Article II of
10 RCW 28A.690.010 shall be the superintendent of public instruction, who
11 shall be the compact administrator and who shall have power to adopt
12 rules to carry out the terms of this compact. (~~The superintendent of
13 public instruction shall enter into contracts pursuant to Article III
14 of the Agreement only with the approval of the specific text thereof by
15 the professional educator standards board.~~)

16 **Sec. 235.** RCW 28A.150.060 and 2005 c 497 s 212 are each amended to
17 read as follows:

18 The term "certificated employee" as used in RCW 28A.195.010,
19 28A.150.060, 28A.150.260, 28A.405.100, 28A.405.210, 28A.405.240,
20 28A.405.250, 28A.405.300 through 28A.405.380, and chapter 41.59 RCW,
21 shall include those persons who hold certificates as authorized by rule
22 of (~~the Washington professional educator standards board or~~) the
23 superintendent of public instruction.

24 **Sec. 236.** RCW 28A.150.203 and 2009 c 548 s 102 are each amended to
25 read as follows:

26 The definitions in this section apply throughout this chapter
27 unless the context clearly requires otherwise.

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

30 (2) "Certificated administrative staff" means all those persons who
31 are chief executive officers, chief administrative officers,
32 confidential employees, supervisors, principals, or assistant
33 principals within the meaning of RCW 41.59.020(4).

34 (3) "Certificated employee" as used in this chapter and RCW
35 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250,

1 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those
2 persons who hold certificates as authorized by rule of the (~~Washington~~
3 ~~professional educator standards board~~) superintendent of public
4 instruction.

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

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

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

13 (7) "Classroom teacher" means a person who holds a professional
14 education certificate and is employed in a position for which such
15 certificate is required whose primary duty is the daily educational
16 instruction of students. In exceptional cases, people of unusual
17 competence but without certification may teach students so long as a
18 certificated person exercises general supervision, but the hiring of
19 such classified employees shall not occur during a labor dispute, and
20 such classified employees shall not be hired to replace certificated
21 employees during a labor dispute.

22 (8) "Instructional program of basic education" means the minimum
23 program required to be provided by school districts and includes
24 instructional hour requirements and other components under RCW
25 28A.150.220.

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

29 (10) "School day" means each day of the school year on which pupils
30 enrolled in the common schools of a school district are engaged in
31 academic and career and technical instruction planned by and under the
32 direction of the school.

33 (11) "School year" includes the minimum number of school days
34 required under RCW 28A.150.220 and begins on the first day of September
35 and ends with the last day of August, except that any school district
36 may elect to commence the annual school term in the month of August of
37 any calendar year and in such case the operation of a school district
38 for such period in August shall be credited by the superintendent of

1 public instruction to the succeeding school year for the purpose of the
2 allocation and distribution of state funds for the support of such
3 school district.

4 (12) "Teacher planning period" means a period of a school day as
5 determined by the administration and board of ((the)) directors of the
6 district that may be used by teachers for instruction-related
7 activities including but not limited to preparing instructional
8 materials; reviewing student performance; recording student data;
9 consulting with other teachers, instructional assistants, mentors,
10 instructional coaches, administrators, and parents; or participating in
11 professional development.

12 **Sec. 237.** RCW 28A.170.080 and 2005 c 497 s 213 are each amended to
13 read as follows:

14 (1) Grants provided under RCW 28A.170.090 may be used solely for
15 services provided by a substance abuse intervention specialist or for
16 dedicated staff time for counseling and intervention services provided
17 by any school district certificated employee who has been trained by
18 and has access to consultation with a substance abuse intervention
19 specialist. Services shall be directed at assisting students in
20 kindergarten through twelfth grade in overcoming problems of drug and
21 alcohol abuse, and in preventing abuse and addiction to such
22 substances, including nicotine. The grants shall require local
23 matching funds so that the grant amounts support a maximum of eighty
24 percent of the costs of the services funded. The services of a
25 substance abuse intervention specialist may be obtained by means of a
26 contract with a state or community services agency or a drug treatment
27 center. Services provided by a substance abuse intervention specialist
28 may include:

29 (a) Individual and family counseling, including preventive
30 counseling;

31 (b) Assessment and referral for treatment;

32 (c) Referral to peer support groups;

33 (d) Aftercare;

34 (e) Development and supervision of student mentor programs;

35 (f) Staff training, including training in the identification of
36 high-risk children and effective interaction with those children in the
37 classroom; and

1 (g) Development and coordination of school drug and alcohol core
2 teams, involving staff, students, parents, and community members.

3 (2) For the purposes of this section, "substance abuse intervention
4 specialist" means any one of the following, except that diagnosis and
5 assessment, counseling and aftercare specifically identified with
6 treatment of chemical dependency shall be performed only by personnel
7 who meet the same qualifications as are required of a qualified
8 chemical dependency counselor employed by an alcoholism or drug
9 treatment program approved by the department of social and health
10 services.

11 (a) An educational staff associate employed by a school district or
12 educational service district who holds certification as a school
13 counselor, school psychologist, school nurse, or school social worker
14 under (~~Washington professional educator standards board~~) rules
15 adopted by the superintendent of public instruction pursuant to RCW
16 28A.410.210;

17 (b) An individual who meets the definition of a qualified drug or
18 alcohol counselor established by the bureau of alcohol and substance
19 abuse;

20 (c) A counselor, social worker, or other qualified professional
21 employed by the department of social and health services;

22 (d) A psychologist licensed under chapter 18.83 RCW; or

23 (e) A children's mental health specialist as defined in RCW
24 71.34.020.

25 **Sec. 238.** RCW 28A.175.105 and 2010 c 20 s 3 are each amended to
26 read as follows:

27 The definitions in this section apply throughout RCW 28A.175.100
28 through 28A.175.110 unless the context clearly requires otherwise:

29 (1) "Dropout reengagement program" means an educational program
30 that offers at least the following instruction and services:

31 (a) Academic instruction, including but not limited to GED
32 preparation, academic skills instruction, and college and work
33 readiness preparation, that generates credits that can be applied to a
34 high school diploma from the student's school district or from a
35 community or technical college under RCW 28B.50.535 and has the goal of
36 enabling the student to obtain the academic and work readiness skills
37 necessary for employment or postsecondary study. A dropout

1 reengagement program is not required to offer instruction in only those
2 subject areas where a student is deficient in accumulated credits.
3 Academic instruction must be provided by teachers certified by the
4 (~~Washington professional educator standards board~~) superintendent of
5 public instruction or by instructors employed by a community or
6 technical college whose required credentials are established by the
7 college;

8 (b) Case management, academic and career counseling, and assistance
9 with accessing services and resources that support at-risk youth and
10 reduce barriers to educational success; and

11 (c) If the program provider is a community or technical college,
12 the opportunity for qualified students to enroll in college courses
13 that lead to a postsecondary degree or certificate. The college may
14 not charge an eligible student tuition for such enrollment.

15 (2) "Eligible student" means a student who:

16 (a) Is at least sixteen but less than twenty-one years of age at
17 the beginning of the school year;

18 (b) Is not accumulating sufficient credits toward a high school
19 diploma to reasonably complete a high school diploma from a public
20 school before the age of twenty-one or is recommended for the program
21 by case managers from the department of social and health services or
22 the juvenile justice system; and

23 (c) Is enrolled or enrolls in the school district in which the
24 student resides, or is enrolled or enrolls in a nonresident school
25 district under RCW 28A.225.220 through 28A.225.230.

26 (3) "Full-time equivalent eligible student" means an eligible
27 student whose enrollment and attendance meet criteria adopted by the
28 office of the superintendent of public instruction specifically for
29 dropout reengagement programs. The criteria shall be:

30 (a) Based on the community or technical college credits generated
31 by the student if the program provider is a community or technical
32 college; and

33 (b) Based on a minimum amount of planned programming or instruction
34 and minimum attendance by the student rather than hours of seat time if
35 the program provider is a community-based organization.

36 **Sec. 239.** RCW 28A.205.010 and 2006 c 263 s 408 are each amended to
37 read as follows:

1 (1) As used in this chapter, unless the context thereof shall
2 clearly indicate to the contrary:

3 "Education center" means any private school operated on a profit or
4 nonprofit basis which does the following:

5 (a) Is devoted to the teaching of basic academic skills, including
6 specific attention to improvement of student motivation for achieving,
7 and employment orientation.

8 (b) Operates on a clinical, client centered basis. This shall
9 include, but not be limited to, performing diagnosis of individual
10 educational abilities, determination and setting of individual goals,
11 prescribing and providing individual courses of instruction therefor,
12 and evaluation of each individual client's progress in his or her
13 educational program.

14 (c) Conducts courses of instruction by professionally trained
15 personnel certificated by the (~~Washington professional educator~~
16 ~~standards board~~) superintendent of public instruction according to
17 rules adopted for the purposes of this chapter and providing, for
18 certification purposes, that a year's teaching experience in an
19 education center shall be deemed equal to a year's teaching experience
20 in a common or private school.

21 (2) For purposes of this chapter, basic academic skills shall
22 include the study of mathematics, speech, language, reading and
23 composition, science, history, literature and political science or
24 civics; it shall not include courses of a vocational training nature
25 and shall not include courses deemed nonessential to the accrediting or
26 the approval of private schools under RCW 28A.305.130.

27 (3) The superintendent of public instruction shall certify an
28 education center only upon application and (a) determination that such
29 school comes within the definition thereof as set forth in subsection
30 (1) of this section and (b) demonstration on the basis of actual
31 educational performance of such applicants' students which shows after
32 consideration of their students' backgrounds, educational gains that
33 are a direct result of the applicants' educational program. Such
34 certification may be withdrawn if the superintendent finds that a
35 center fails to provide adequate instruction in basic academic skills.
36 No education center certified by the superintendent of public
37 instruction pursuant to this section shall be deemed a common school

1 under RCW 28A.150.020 or a private school for the purposes of RCW
2 28A.195.010 through 28A.195.050.

3 **Sec. 240.** RCW 28A.205.050 and 2005 c 497 s 215 are each amended to
4 read as follows:

5 In accordance with chapter 34.05 RCW, the administrative procedure
6 act, (~~the Washington professional educator standards board with~~
7 ~~respect to the matter of certification, and~~) the superintendent of
8 public instruction (~~with respect to all other matters,~~) shall have
9 the power and duty to make the necessary rules to carry out the purpose
10 and intent of this chapter.

11 **Sec. 241.** RCW 28A.225.330 and 2009 c 380 s 2 are each amended to
12 read as follows:

13 (1) When enrolling a student who has attended school in another
14 school district, the school enrolling the student may request the
15 parent and the student to briefly indicate in writing whether or not
16 the student has:

- 17 (a) Any history of placement in special educational programs;
- 18 (b) Any past, current, or pending disciplinary action;
- 19 (c) Any history of violent behavior, or behavior listed in RCW
20 13.04.155;
- 21 (d) Any unpaid fines or fees imposed by other schools; and
- 22 (e) Any health conditions affecting the student's educational
23 needs.

24 (2) The school enrolling the student shall request the school the
25 student previously attended to send the student's permanent record
26 including records of disciplinary action, history of violent behavior
27 or behavior listed in RCW 13.04.155, attendance, immunization records,
28 and academic performance. If the student has not paid a fine or fee
29 under RCW 28A.635.060, or tuition, fees, or fines at approved private
30 schools the school may withhold the student's official transcript, but
31 shall transmit information about the student's academic performance,
32 special placement, immunization records, records of disciplinary
33 action, and history of violent behavior or behavior listed in RCW
34 13.04.155. If the official transcript is not sent due to unpaid
35 tuition, fees, or fines, the enrolling school shall notify both the
36 student and parent or guardian that the official transcript will not be

1 sent until the obligation is met, and failure to have an official
2 transcript may result in exclusion from extracurricular activities or
3 failure to graduate.

4 (3) Upon request, school districts shall furnish a set of
5 unofficial educational records to a parent or guardian of a student who
6 is transferring out of state and who meets the definition of a child of
7 a military family in transition under Article II of RCW 28A.705.010.
8 School districts may charge the parent or guardian the actual cost of
9 providing the copies of the records.

10 (4) If information is requested under subsection (2) of this
11 section, the information shall be transmitted within two school days
12 after receiving the request and the records shall be sent as soon as
13 possible. The records of a student who meets the definition of a child
14 of a military family in transition under Article II of RCW 28A.705.010
15 shall be sent within ten days after receiving the request. Any school
16 district or district employee who releases the information in
17 compliance with this section is immune from civil liability for damages
18 unless it is shown that the school district employee acted with gross
19 negligence or in bad faith. The (~~professional educator standards~~
20 ~~board~~) superintendent of public instruction shall provide by rule for
21 the discipline under chapter 28A.410 RCW of a school principal or other
22 chief administrator of a public school building who fails to make a
23 good faith effort to assure compliance with this subsection.

24 (5) Any school district or district employee who releases the
25 information in compliance with federal and state law is immune from
26 civil liability for damages unless it is shown that the school district
27 or district employee acted with gross negligence or in bad faith.

28 (6) When a school receives information under this section or RCW
29 13.40.215 that a student has a history of disciplinary actions,
30 criminal or violent behavior, or other behavior that indicates the
31 student could be a threat to the safety of educational staff or other
32 students, the school shall provide this information to the student's
33 teachers and security personnel.

34 **Sec. 242.** RCW 28A.300.460 and 2009 c 443 s 2 are each amended to
35 read as follows:

36 (1) The task of the financial education public-private partnership
37 is to seek out and determine the best methods of equipping students

1 with the knowledge and skills they need, before they become self-
2 supporting, in order for them to make critical decisions regarding
3 their personal finances. The components of personal financial
4 education shall include the achievement of skills and knowledge
5 necessary to make informed judgments and effective decisions regarding
6 earning, spending, and the management of money and credit.

7 (2) In carrying out its task, and to the extent funds are
8 available, the partnership shall:

9 (a) Communicate to school districts the financial education
10 standards adopted under RCW 28A.300.462, other important financial
11 education skills and content knowledge, and strategies for expanding
12 the provision and increasing the quality of financial education
13 instruction;

14 (b) Review on an ongoing basis financial education curriculum that
15 is available to school districts, including instructional materials and
16 programs and schoolwide programs that include the important financial
17 skills and content knowledge;

18 (c) Develop evaluation standards and a procedure for endorsing
19 financial education curriculum that the partnership determines should
20 be recommended for use in school districts;

21 (d) Identify assessments and outcome measures that schools and
22 communities may use to determine whether students have met the
23 financial education standards adopted under RCW 28A.300.462;

24 (e) Monitor and provide guidance for professional development for
25 educators regarding financial education, including ways that teachers
26 at different grade levels may integrate financial skills and content
27 knowledge into mathematics, social studies, and other course content
28 areas;

29 (f) Work with the office of the superintendent of public
30 instruction (~~and the professional educator standards board~~) to create
31 professional development that could lead to a certificate endorsement
32 or other certification of competency in financial education;

33 (g) Develop academic guidelines and standards-based protocols for
34 use by classroom volunteers who participate in delivering financial
35 education to students in the public schools; and

36 (h) Provide an annual report beginning December 1, 2009, as
37 provided in RCW 28A.300.464, to the governor, the superintendent of

1 public instruction, and the committees of the legislature with
2 oversight over K-12 education and higher education.

3 **Sec. 243.** RCW 28A.300.507 and 2009 c 548 s 203 are each amended to
4 read as follows:

5 (1) A K-12 data governance group shall be established within the
6 office of the superintendent of public instruction to assist in the
7 design and implementation of a K-12 education data improvement system
8 for financial, student, and educator data. It is the intent that the
9 data system reporting specifically serve requirements for teachers,
10 parents, superintendents, school boards, the office of the
11 superintendent of public instruction, the legislature, and the public.

12 (2) The K-12 data governance group shall include representatives of
13 the education data center, the office of the superintendent of public
14 instruction, the legislative evaluation and accountability program
15 committee, (~~the professional educator standards board,~~) the state
16 board of education, and school district staff, including information
17 technology staff. Additional entities with expertise in education data
18 may be included in the K-12 data governance group.

19 (3) The K-12 data governance group shall:

20 (a) Identify the critical research and policy questions that need
21 to be addressed by the K-12 education data improvement system;

22 (b) Identify reports and other information that should be made
23 available on the internet in addition to the reports identified in
24 subsection (5) of this section;

25 (c) Create a comprehensive needs requirement document detailing the
26 specific information and technical capacity needed by school districts
27 and the state to meet the legislature's expectations for a
28 comprehensive K-12 education data improvement system as described under
29 RCW 28A.655.210;

30 (d) Conduct a gap analysis of current and planned information
31 compared to the needs requirement document, including an analysis of
32 the strengths and limitations of an education data system and programs
33 currently used by school districts and the state, and specifically the
34 gap analysis must look at the extent to which the existing data can be
35 transformed into canonical form and where existing software can be used
36 to meet the needs requirement document;

1 (e) Focus on financial and cost data necessary to support the new
2 K-12 financial models and funding formulas, including any necessary
3 changes to school district budgeting and accounting, and on assuring
4 the capacity to link data across financial, student, and educator
5 systems; and

6 (f) Define the operating rules and governance structure for K-12
7 data collections, ensuring that data systems are flexible and able to
8 adapt to evolving needs for information, within an objective and
9 orderly data governance process for determining when changes are needed
10 and how to implement them. Strong consideration must be made to the
11 current practice and cost of migration to new requirements. The
12 operating rules should delineate the coordination, delegation, and
13 escalation authority for data collection issues, business rules, and
14 performance goals for each K-12 data collection system, including:

15 (i) Defining and maintaining standards for privacy and
16 confidentiality;

17 (ii) Setting data collection priorities;

18 (iii) Defining and updating a standard data dictionary;

19 (iv) Ensuring data compliance with the data dictionary;

20 (v) Ensuring data accuracy; and

21 (vi) Establishing minimum standards for school, student, financial,
22 and teacher data systems. Data elements may be specified "to the
23 extent feasible" or "to the extent available" to collect more and
24 better data sets from districts with more flexible software. Nothing
25 in RCW 43.41.400, this section, or RCW 28A.655.210 should be construed
26 to require that a data dictionary or reporting should be hobbled to the
27 lowest common set. The work of the K-12 data governance group must
28 specify which data are desirable. Districts that can meet these
29 requirements shall report the desirable data. Funding from the
30 legislature must establish which subset data are absolutely required.

31 (4)(a) The K-12 data governance group shall provide updates on its
32 work as requested by the education data center and the legislative
33 evaluation and accountability program committee.

34 (b) The work of the K-12 data governance group shall be
35 periodically reviewed and monitored by the educational data center and
36 the legislative evaluation and accountability program committee.

37 (5) To the extent data is available, the office of the
38 superintendent of public instruction shall make the following minimum

1 reports available on the internet. The reports must either be run on
2 demand against current data, or, if a static report, must have been run
3 against the most recent data:

4 (a) The percentage of data compliance and data accuracy by school
5 district;

6 (b) The magnitude of spending per student, by student estimated by
7 the following algorithm and reported as the detailed summation of the
8 following components:

9 (i) An approximate, prorated fraction of each teacher or human
10 resource element that directly serves the student. Each human resource
11 element must be listed or accessible through online tunneling in the
12 report;

13 (ii) An approximate, prorated fraction of classroom or building
14 costs used by the student;

15 (iii) An approximate, prorated fraction of transportation costs
16 used by the student; and

17 (iv) An approximate, prorated fraction of all other resources
18 within the district. District-wide components should be disaggregated
19 to the extent that it is sensible and economical;

20 (c) The cost of K-12 basic education, per student, by student, by
21 school district, estimated by the algorithm in (b) of this subsection,
22 and reported in the same manner as required in (b) of this subsection;

23 (d) The cost of K-12 special education services per student, by
24 student receiving those services, by school district, estimated by the
25 algorithm in (b) of this subsection, and reported in the same manner as
26 required in (b) of this subsection;

27 (e) Improvement on the statewide assessments computed as both a
28 percentage change and absolute change on a scale score metric by
29 district, by school, and by teacher that can also be filtered by a
30 student's length of full-time enrollment within the school district;

31 (f) Number of K-12 students per classroom teacher on a per teacher
32 basis;

33 (g) Number of K-12 classroom teachers per student on a per student
34 basis;

35 (h) Percentage of a classroom teacher per student on a per student
36 basis; and

37 (i) The cost of K-12 education per student by school district
38 sorted by federal, state, and local dollars.

1 (6) The superintendent of public instruction shall submit a
2 preliminary report to the legislature by November 15, 2009, including
3 the analyses by the K-12 data governance group under subsection (3) of
4 this section and preliminary options for addressing identified gaps.
5 A final report, including a proposed phase-in plan and preliminary cost
6 estimates for implementation of a comprehensive data improvement system
7 for financial, student, and educator data shall be submitted to the
8 legislature by September 1, 2010.

9 (7) All reports and data referenced in this section and RCW
10 43.41.400 and 28A.655.210 shall be made available in a manner
11 consistent with the technical requirements of the legislative
12 evaluation and accountability program committee and the education data
13 center so that selected data can be provided to the legislature,
14 governor, school districts, and the public.

15 (8) Reports shall contain data to the extent it is available. All
16 reports must include documentation of which data are not available or
17 are estimated. Reports must not be suppressed because of poor data
18 accuracy or completeness. Reports may be accompanied with
19 documentation to inform the reader of why some data are missing or
20 inaccurate or estimated.

21 **Sec. 244.** RCW 28A.305.035 and 2006 c 263 s 103 are each amended to
22 read as follows:

23 (1) By October 15th of each even-numbered year, the state board of
24 education and the ~~((professional—educator—standards—board))~~
25 superintendent of public instruction shall submit a joint report to the
26 legislative education committees~~((,))~~ and the governor~~((, and the~~
27 ~~superintendent of public instruction))~~. The report shall address the
28 progress ~~((the boards have))~~ made and the obstacles ~~((they have))~~
29 encountered, individually and collectively, in the work of achieving
30 the goals in RCW 28A.150.210.

31 (2) The state board of education shall include the chairs and
32 ranking minority members of the legislative education committees in
33 board communications so that the legislature can be kept apprised of
34 the discussions and proposed actions of the board.

35 **Sec. 245.** RCW 28A.320.240 and 2006 c 263 s 914 are each amended to
36 read as follows:

1 (1) The purpose of this section is to identify quality criteria for
2 school library media programs that support the student learning goals
3 under RCW 28A.150.210, the essential academic learning requirements
4 under RCW 28A.655.070, and high school graduation requirements adopted
5 under RCW 28A.230.090.

6 (2) Every board of directors shall provide for the operation and
7 stocking of such libraries as the board deems necessary for the proper
8 education of the district's students or as otherwise required by law or
9 rule of the superintendent of public instruction.

10 (3) "Teacher-librarian" means a certified teacher with a library
11 media endorsement under rules adopted by the (~~professional educator~~
12 ~~standards board~~) superintendent of public instruction.

13 (4) "School-library media program" means a school-based program
14 that is staffed by a certificated teacher-librarian and provides a
15 variety of resources that support student mastery of the essential
16 academic learning requirements in all subject areas and the
17 implementation of the district's school improvement plan.

18 (5) The teacher-librarian, through the school-library media
19 program, shall collaborate as an instructional partner to help all
20 students meet the content goals in all subject areas, and assist high
21 school students completing the culminating project and high school and
22 beyond plans required for graduation.

23 **Sec. 246.** RCW 28B.10.140 and 2005 c 497 s 217 are each amended to
24 read as follows:

25 The University of Washington, Washington State University, Central
26 Washington University, Eastern Washington University, Western
27 Washington University, and The Evergreen State College are each
28 authorized to train teachers and other personnel for whom teaching
29 certificates or special credentials prescribed by the (~~Washington~~
30 ~~professional educator standards board~~) superintendent of public
31 instruction are required, for any grade, level, department, or position
32 of the public schools of the state.

33 **Sec. 247.** RCW 28B.10.710 and 2006 c 263 s 823 are each amended to
34 read as follows:

35 There shall be a one quarter or semester course in either
36 Washington state history and government, or Pacific Northwest history

1 and government in the curriculum of all teachers' colleges and
2 teachers' courses in all institutions of higher education. No person
3 shall be graduated from any of said schools without completing said
4 course of study, unless otherwise determined by the ((~~Washington~~
5 ~~professional educator standards board~~)) superintendent of public
6 instruction. Any course in Washington state or Pacific Northwest
7 history and government used to fulfill this requirement shall include
8 information on the culture, history, and government of the American
9 Indian peoples who were the first human inhabitants of the state and
10 the region.

11 **Sec. 248.** RCW 28B.35.120 and 2006 c 263 s 824 are each amended to
12 read as follows:

13 In addition to any other powers and duties prescribed by law, each
14 board of trustees of the respective regional universities:

15 (1) Shall have full control of the regional university and its
16 property of various kinds, except as otherwise provided by law.

17 (2) Shall employ the president of the regional university, his
18 assistants, members of the faculty, and other employees of the
19 institution, who, except as otherwise provided by law, shall hold their
20 positions, until discharged therefrom by the board for good and lawful
21 reason.

22 (3) With the assistance of the faculty of the regional university,
23 shall prescribe the course of study in the various schools and
24 departments thereof and publish such catalogues thereof as the board
25 deems necessary: PROVIDED, That the ((~~Washington professional educator~~
26 ~~standards board~~)) superintendent of public instruction shall determine
27 the requisites for and give program approval of all courses leading to
28 teacher certification by ((~~such board~~)) the superintendent.

29 (4) Establish such divisions, schools or departments necessary to
30 carry out the purposes of the regional university and not otherwise
31 proscribed by law.

32 (5) Except as otherwise provided by law, may establish and erect
33 such new facilities as determined by the board to be necessary for the
34 regional university.

35 (6) May acquire real and other property as provided in RCW
36 28B.10.020, as now or hereafter amended.

1 (7) Except as otherwise provided by law, may purchase all supplies
2 and purchase or lease equipment and other personal property needed for
3 the operation or maintenance of the regional university.

4 (8) May establish, lease, operate, equip and maintain self-
5 supporting facilities in the manner provided in RCW 28B.10.300 through
6 28B.10.330, as now or hereafter amended.

7 (9) Except as otherwise provided by law, to enter into such
8 contracts as the trustees deem essential to regional university
9 purposes.

10 (10) May receive such gifts, grants, conveyances, devises and
11 bequests of real or personal property from whatsoever source, as may be
12 made from time to time, in trust or otherwise, whenever the terms and
13 conditions thereof will aid in carrying out the regional university
14 programs; sell, lease or exchange, invest or expend the same or the
15 proceeds, rents, profits and income thereof except as limited by the
16 terms and conditions thereof; and adopt regulations to govern the
17 receipt and expenditure of the proceeds, rents, profits and income
18 thereof.

19 (11) Subject to the approval of the higher education coordinating
20 board pursuant to RCW 28B.76.230, offer new degree programs, offer off-
21 campus programs, participate in consortia or centers, contract for off-
22 campus educational programs, and purchase or lease major off-campus
23 facilities.

24 (12) May promulgate such rules and regulations, and perform all
25 other acts not forbidden by law, as the board of trustees may in its
26 discretion deem necessary or appropriate to the administration of the
27 regional university.

28 **Sec. 249.** RCW 28B.40.120 and 2006 c 263 s 825 are each amended to
29 read as follows:

30 In addition to any other powers and duties prescribed by law, the
31 board of trustees of The Evergreen State College:

32 (1) Shall have full control of the state college and its property
33 of various kinds, except as otherwise provided by law.

34 (2) Shall employ the president of the state college, his
35 assistants, members of the faculty, and other employees of the
36 institution, who, except as otherwise provided by law, shall hold their

1 positions, until discharged therefrom by the board for good and lawful
2 reason.

3 (3) With the assistance of the faculty of the state college, shall
4 prescribe the course of study in the various schools and departments
5 thereof and publish such catalogues thereof as the board deems
6 necessary: PROVIDED, That the (~~Washington professional educator~~
7 ~~standards board~~) superintendent of public instruction shall determine
8 the requisites for and give program approval of all courses leading to
9 teacher certification by (~~such board~~) the superintendent.

10 (4) Establish such divisions, schools or departments necessary to
11 carry out the purposes of the college and not otherwise proscribed by
12 law.

13 (5) Except as otherwise provided by law, may establish and erect
14 such new facilities as determined by the board to be necessary for the
15 college.

16 (6) May acquire real and other property as provided in RCW
17 28B.10.020, as now or hereafter amended.

18 (7) Except as otherwise provided by law, may purchase all supplies
19 and purchase or lease equipment and other personal property needed for
20 the operation or maintenance of the college.

21 (8) May establish, lease, operate, equip and maintain self-
22 supporting facilities in the manner provided in RCW 28B.10.300 through
23 28B.10.330, as now or hereafter amended.

24 (9) Except as otherwise provided by law, to enter into such
25 contracts as the trustees deem essential to college purposes.

26 (10) May receive such gifts, grants, conveyances, devises and
27 bequests of real or personal property from whatsoever source, as may be
28 made from time to time, in trust or otherwise, whenever the terms and
29 conditions thereof will aid in carrying out the college programs; sell,
30 lease or exchange, invest or expend the same or the proceeds, rents,
31 profits and income thereof except as limited by the terms and
32 conditions thereof; and adopt regulations to govern the receipt and
33 expenditure of the proceeds, rents, profits and income thereof.

34 (11) Subject to the approval of the higher education coordinating
35 board pursuant to RCW 28B.76.230, offer new degree programs, offer off-
36 campus programs, participate in consortia or centers, contract for off-
37 campus educational programs, and purchase or lease major off-campus
38 facilities.

1 (12) May promulgate such rules and regulations, and perform all
2 other acts not forbidden by law, as the board of trustees may in its
3 discretion deem necessary or appropriate to the administration of the
4 college.

5 **Sec. 250.** RCW 28B.76.335 and 2010 c 235 s 507 are each amended to
6 read as follows:

7 As part of the state needs assessment process conducted by the
8 board in accordance with RCW 28B.76.230, the board shall, in
9 collaboration with the (~~professional educator standards board~~)
10 superintendent of public instruction, assess the need for additional
11 degree and certificate programs in Washington that specialize in
12 teacher preparation to meet regional or subject area shortages. If the
13 board determines that there is a need for additional programs, then the
14 board shall encourage the appropriate institutions of higher education
15 or institutional sectors to create such a program.

16 **Sec. 251.** RCW 28B.102.040 and 2008 c 170 s 306 are each amended to
17 read as follows:

18 (1) The board may select participants based on an application
19 process conducted by the board or the board may utilize selection
20 processes for similar students in cooperation with (~~the professional
21 educator standards board or~~) the office of the superintendent of
22 public instruction.

23 (2) If the board selects participants for the program, it shall
24 establish a selection committee for screening and selecting recipients
25 of the conditional scholarships. The criteria shall emphasize factors
26 demonstrating excellence including but not limited to superior
27 scholastic achievement, leadership ability, community contributions,
28 bilingual ability, willingness to commit to providing teaching service
29 in shortage areas, and an ability to act as a role model for students.
30 Priority will be given to individuals seeking certification or an
31 additional endorsement in math, science, technology education,
32 agricultural education, business and marketing education, family and
33 consumer science education, or special education.

34 **Sec. 252.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to
35 read as follows:

1 (1) An education data center shall be established in the office of
2 financial management. The education data center shall jointly, with
3 the legislative evaluation and accountability program committee,
4 conduct collaborative analyses of early learning, K-12, and higher
5 education programs and education issues across the P-20 system, which
6 includes the department of early learning, the superintendent of public
7 instruction, (~~the professional educator standards board,~~) the state
8 board of education, the state board for community and technical
9 colleges, the workforce training and education coordinating board, the
10 higher education coordinating board, public and private nonprofit four-
11 year institutions of higher education, and the employment security
12 department. The education data center shall conduct collaborative
13 analyses under this section with the legislative evaluation and
14 accountability program committee and provide data electronically to the
15 legislative evaluation and accountability program committee, to the
16 extent permitted by state and federal confidentiality requirements.
17 The education data center shall be considered an authorized
18 representative of the state educational agencies in this section under
19 applicable federal and state statutes for purposes of accessing and
20 compiling student record data for research purposes.

21 (2) The education data center shall:

22 (a) In consultation with the legislative evaluation and
23 accountability program committee and the agencies and organizations
24 participating in the education data center, identify the critical
25 research and policy questions that are intended to be addressed by the
26 education data center and the data needed to address the questions;

27 (b) Coordinate with other state education agencies to compile and
28 analyze education data, including data on student demographics that is
29 disaggregated by distinct ethnic categories within racial subgroups,
30 and complete P-20 research projects;

31 (c) Collaborate with the legislative evaluation and accountability
32 program committee and the education and fiscal committees of the
33 legislature in identifying the data to be compiled and analyzed to
34 ensure that legislative interests are served;

35 (d) Annually provide to the K-12 data governance group a list of
36 data elements and data quality improvements that are necessary to
37 answer the research and policy questions identified by the education
38 data center and have been identified by the legislative committees in

1 (c) of this subsection. Within three months of receiving the list, the
2 K-12 data governance group shall develop and transmit to the education
3 data center a feasibility analysis of obtaining or improving the data,
4 including the steps required, estimated time frame, and the financial
5 and other resources that would be required. Based on the analysis, the
6 education data center shall submit, if necessary, a recommendation to
7 the legislature regarding any statutory changes or resources that would
8 be needed to collect or improve the data;

9 (e) Monitor and evaluate the education data collection systems of
10 the organizations and agencies represented in the education data center
11 ensuring that data systems are flexible, able to adapt to evolving
12 needs for information, and to the extent feasible and necessary,
13 include data that are needed to conduct the analyses and provide
14 answers to the research and policy questions identified in (a) of this
15 subsection;

16 (f) Track enrollment and outcomes through the public centralized
17 higher education enrollment system;

18 (g) Assist other state educational agencies' collaborative efforts
19 to develop a long-range enrollment plan for higher education including
20 estimates to meet demographic and workforce needs;

21 (h) Provide research that focuses on student transitions within and
22 among the early learning, K-12, and higher education sectors in the P-
23 20 system; and

24 (i) Make recommendations to the legislature as necessary to help
25 ensure the goals and objectives of this section and RCW 28A.655.210 and
26 28A.300.507 are met.

27 (3) The department of early learning, superintendent of public
28 instruction, (~~professional educator standards board,~~) state board of
29 education, state board for community and technical colleges, workforce
30 training and education coordinating board, higher education
31 coordinating board, public four-year institutions of higher education,
32 and employment security department shall work with the education data
33 center to develop data-sharing and research agreements, consistent with
34 applicable security and confidentiality requirements, to facilitate the
35 work of the center. Private, nonprofit institutions of higher
36 education that provide programs of education beyond the high school
37 level leading at least to the baccalaureate degree and are accredited
38 by the Northwest association of schools and colleges or their peer

1 accreditation bodies may also develop data-sharing and research
2 agreements with the education data center, consistent with applicable
3 security and confidentiality requirements. The education data center
4 shall make data from collaborative analyses available to the education
5 agencies and institutions that contribute data to the education data
6 center to the extent allowed by federal and state security and
7 confidentiality requirements applicable to the data of each
8 contributing agency or institution.

9 **Sec. 253.** RCW 43.43.832 and 2007 c 387 s 10 are each amended to
10 read as follows:

11 (1) The legislature finds that businesses and organizations
12 providing services to children, developmentally disabled persons, and
13 vulnerable adults need adequate information to determine which
14 employees or licensees to hire or engage. The legislature further
15 finds that many developmentally disabled individuals and vulnerable
16 adults desire to hire their own employees directly and also need
17 adequate information to determine which employees or licensees to hire
18 or engage. Therefore, the Washington state patrol identification and
19 criminal history section shall disclose, upon the request of a business
20 or organization as defined in RCW 43.43.830, a developmentally disabled
21 person, or a vulnerable adult as defined in RCW 43.43.830 or his or her
22 guardian, an applicant's conviction record as defined in chapter 10.97
23 RCW.

24 (2) The legislature also finds that the ((~~Washington professional~~
25 ~~educator standards board~~)) superintendent of public instruction may
26 request of the Washington state patrol criminal identification system
27 information regarding a certificate applicant's conviction record under
28 subsection (1) of this section.

29 (3) The legislature also finds that law enforcement agencies, the
30 office of the attorney general, prosecuting authorities, and the
31 department of social and health services may request this same
32 information to aid in the investigation and prosecution of child,
33 developmentally disabled person, and vulnerable adult abuse cases and
34 to protect children and adults from further incidents of abuse.

35 (4) The legislature further finds that the secretary of the
36 department of social and health services must establish rules and set
37 standards to require specific action when considering the information

1 listed in subsection (1) of this section, and when considering
2 additional information including but not limited to civil adjudication
3 proceedings as defined in RCW 43.43.830 and any out-of-state
4 equivalent, in the following circumstances:

5 (a) When considering persons for state employment in positions
6 directly responsible for the supervision, care, or treatment of
7 children, vulnerable adults, or individuals with mental illness or
8 developmental disabilities;

9 (b) When considering persons for state positions involving
10 unsupervised access to vulnerable adults to conduct comprehensive
11 assessments, financial eligibility determinations, licensing and
12 certification activities, investigations, surveys, or case management;
13 or for state positions otherwise required by federal law to meet
14 employment standards;

15 (c) When licensing agencies or facilities with individuals in
16 positions directly responsible for the care, supervision, or treatment
17 of children, developmentally disabled persons, or vulnerable adults,
18 including but not limited to agencies or facilities licensed under
19 chapter 74.15 or 18.51 RCW;

20 (d) When contracting with individuals or businesses or
21 organizations for the care, supervision, case management, or treatment
22 of children, developmentally disabled persons, or vulnerable adults,
23 including but not limited to services contracted for under chapter
24 18.20, (~~(18.487)~~) 70.127, 70.128, 72.36, or 74.39A RCW or Title 71A
25 RCW;

26 (e) When individual providers are paid by the state or providers
27 are paid by home care agencies to provide in-home services involving
28 unsupervised access to persons with physical, mental, or developmental
29 disabilities or mental illness, or to vulnerable adults as defined in
30 chapter 74.34 RCW, including but not limited to services provided under
31 chapter 74.39 or 74.39A RCW.

32 (5) The director of the department of early learning shall
33 investigate the conviction records, pending charges, and other
34 information including civil adjudication proceeding records of current
35 employees and of any person actively being considered for any position
36 with the department who will or may have unsupervised access to
37 children, or for state positions otherwise required by federal law to
38 meet employment standards. "Considered for any position" includes

1 decisions about (a) initial hiring, layoffs, reallocations, transfers,
2 promotions, or demotions, or (b) other decisions that result in an
3 individual being in a position that will or may have unsupervised
4 access to children as an employee, an intern, or a volunteer.

5 (6) The director of the department of early learning shall adopt
6 rules and investigate conviction records, pending charges, and other
7 information including civil adjudication proceeding records, in the
8 following circumstances:

9 (a) When licensing or certifying agencies with individuals in
10 positions that will or may have unsupervised access to children who are
11 in child day care, in early learning programs, or receiving early
12 childhood education services, including but not limited to licensees,
13 agency staff, interns, volunteers, contracted providers, and persons
14 living on the premises who are sixteen years of age or older;

15 (b) When authorizing individuals who will or may have unsupervised
16 access to children who are in child day care, in early learning
17 programs, or receiving early childhood learning education services in
18 licensed or certified agencies, including but not limited to licensees,
19 agency staff, interns, volunteers, contracted providers, and persons
20 living on the premises who are sixteen years of age or older;

21 (c) When contracting with any business or organization for
22 activities that will or may have unsupervised access to children who
23 are in child day care, in early learning programs, or receiving early
24 childhood learning education services;

25 (d) When establishing the eligibility criteria for individual
26 providers to receive state paid subsidies to provide child day care or
27 early learning services that will or may involve unsupervised access to
28 children.

29 (7) Whenever a state conviction record check is required by state
30 law, persons may be employed or engaged as volunteers or independent
31 contractors on a conditional basis pending completion of the state
32 background investigation. Whenever a national criminal record check
33 through the federal bureau of investigation is required by state law,
34 a person may be employed or engaged as a volunteer or independent
35 contractor on a conditional basis pending completion of the national
36 check. The Washington personnel resources board shall adopt rules to
37 accomplish the purposes of this subsection as it applies to state
38 employees.

1 (8)(a) For purposes of facilitating timely access to criminal
2 background information and to reasonably minimize the number of
3 requests made under this section, recognizing that certain health care
4 providers change employment frequently, health care facilities may,
5 upon request from another health care facility, share copies of
6 completed criminal background inquiry information.

7 (b) Completed criminal background inquiry information may be shared
8 by a willing health care facility only if the following conditions are
9 satisfied: The licensed health care facility sharing the criminal
10 background inquiry information is reasonably known to be the person's
11 most recent employer, no more than twelve months has elapsed from the
12 date the person was last employed at a licensed health care facility to
13 the date of their current employment application, and the criminal
14 background information is no more than two years old.

15 (c) If criminal background inquiry information is shared, the
16 health care facility employing the subject of the inquiry must require
17 the applicant to sign a disclosure statement indicating that there has
18 been no conviction or finding as described in RCW 43.43.842 since the
19 completion date of the most recent criminal background inquiry.

20 (d) Any health care facility that knows or has reason to believe
21 that an applicant has or may have a disqualifying conviction or finding
22 as described in RCW 43.43.842, subsequent to the completion date of
23 their most recent criminal background inquiry, shall be prohibited from
24 relying on the applicant's previous employer's criminal background
25 inquiry information. A new criminal background inquiry shall be
26 requested pursuant to RCW 43.43.830 through 43.43.842.

27 (e) Health care facilities that share criminal background inquiry
28 information shall be immune from any claim of defamation, invasion of
29 privacy, negligence, or any other claim in connection with any
30 dissemination of this information in accordance with this subsection.

31 (f) Health care facilities shall transmit and receive the criminal
32 background inquiry information in a manner that reasonably protects the
33 subject's rights to privacy and confidentiality.

34 (g) For the purposes of this subsection, "health care facility"
35 means a nursing home licensed under chapter 18.51 RCW, a boarding home
36 licensed under chapter 18.20 RCW, or an adult family home licensed
37 under chapter 70.128 RCW.

1 **Sec. 254.** RCW 43.43.845 and 2009 c 396 s 8 are each amended to
2 read as follows:

3 (1) Upon a guilty plea or conviction of a person of any felony
4 crime specified under RCW 28A.400.322, the prosecuting attorney shall
5 notify the state patrol of such guilty pleas or convictions.

6 (2) When the state patrol receives the notice required under
7 subsection (1) of this section, the state patrol shall transmit that
8 information to the superintendent of public instruction. It shall be
9 the duty of the superintendent of public instruction, on at least a
10 quarterly basis, to identify whether the person holds a certificate or
11 permit issued under chapters 28A.405 and 28A.410 RCW or is employed by
12 a school district, and provide this information to (~~the Washington~~
13 ~~professional educator standards board and~~) the school district
14 employing the person.

15 **Sec. 255.** RCW 72.40.028 and 2009 c 381 s 7 are each amended to
16 read as follows:

17 All teachers employed by the Washington state center for childhood
18 deafness and hearing loss and the state school for the blind shall meet
19 all certification requirements and the programs shall meet all
20 accreditation requirements and conform to the standards defined by law
21 or by rule of the (~~Washington professional educator standards board or~~
22 ~~the office of the state~~) superintendent of public instruction. The
23 superintendent of the school for the blind and the director of the
24 center for childhood deafness and hearing loss, by rule, may adopt
25 additional educational standards for their respective facilities.
26 Salaries of all certificated employees shall be set so as to conform to
27 and be contemporary with salaries paid to other certificated employees
28 of similar background and experience in the school district in which
29 the program or facility is located. The superintendent of the school
30 for the blind and the director of the center for childhood deafness and
31 hearing loss may provide for provisional certification for teachers in
32 their respective facilities including certification for emergency,
33 temporary, substitute, or provisional duty.

34 **Sec. 256.** RCW 18.35.020 and 2006 c 263 s 801 are each amended to
35 read as follows:

36 (1) No person shall engage in the fitting and dispensing of hearing

1 instruments or imply or represent that he or she is engaged in the
2 fitting and dispensing of hearing instruments unless he or she is a
3 licensed hearing instrument fitter/dispenser or a licensed audiologist
4 or holds an interim permit issued by the department as provided in this
5 chapter and is an owner or employee of an establishment that is bonded
6 as provided by RCW 18.35.240. The owner or manager of an establishment
7 that dispenses hearing instruments is responsible under this chapter
8 for all transactions made in the establishment name or conducted on its
9 premises by agents or persons employed by the establishment engaged in
10 fitting and dispensing of hearing instruments. Every establishment
11 that fits and dispenses shall have in its employ at least one licensed
12 hearing instrument fitter/dispenser or licensed audiologist at all
13 times, and shall annually submit proof that all testing equipment at
14 that establishment that is required by the board to be calibrated has
15 been properly calibrated.

16 (2) Effective January 1, 2003, no person shall engage in the
17 practice of audiology or imply or represent that he or she is engaged
18 in the practice of audiology unless he or she is a licensed audiologist
19 or holds an audiology interim permit issued by the department as
20 provided in this chapter. Audiologists who are certified as
21 educational staff associates by the (~~Washington professional educator~~
22 ~~standards board~~) superintendent of public instruction are excluded
23 unless they elect to become licensed under this chapter. However, a
24 person certified by the (~~state board of education~~) superintendent of
25 public instruction as an educational staff associate who practices
26 outside the school setting must be a licensed audiologist.

27 (3) Effective January 1, 2003, no person shall engage in the
28 practice of speech-language pathology or imply or represent that he or
29 she is engaged in the practice of speech-language pathology unless he
30 or she is a licensed speech-language pathologist or holds a speech-
31 language pathology interim permit issued by the department as provided
32 in this chapter. Speech-language pathologists who are certified as
33 educational staff associates by the (~~state board of education~~)
34 superintendent of public instruction are excluded unless they elect to
35 become licensed under this chapter. However, a person certified by the
36 (~~state board of education~~) superintendent of public instruction as an
37 educational staff associate who practices outside the school setting
38 must be a licensed speech-language pathologist.

1 **Sec. 257.** RCW 18.35.195 and 2006 c 263 s 802 are each amended to
2 read as follows:

3 (1) This chapter shall not apply to military or federal government
4 employees.

5 (2) This chapter does not prohibit or regulate:

6 (a) Fitting or dispensing by students enrolled in a board-approved
7 program who are directly supervised by a licensed hearing instrument
8 fitter/dispenser, a licensed audiologist under the provisions of this
9 chapter, or an instructor at a two-year hearing instrument
10 fitter/dispenser degree program that is approved by the board;

11 (b) Hearing instrument fitter/dispensers, speech-language
12 pathologists, or audiologists of other states, territories, or
13 countries, or the District of Columbia while appearing as clinicians of
14 bona fide educational seminars sponsored by speech-language pathology,
15 audiology, hearing instrument fitter/dispenser, medical, or other
16 healing art professional associations so long as such activities do not
17 go beyond the scope of practice defined by this chapter; and

18 (c) The practice of audiology or speech-language pathology by
19 persons certified by the (~~Washington professional educator standards~~
20 ~~board~~) superintendent of public instruction as educational staff
21 associates, except for those persons electing to be licensed under this
22 chapter. However, a person certified by the (~~board~~) superintendent
23 of public instruction as an educational staff associate who practices
24 outside the school setting must be a licensed audiologist or licensed
25 speech-language pathologist.

26 **Sec. 258.** RCW 18.83.200 and 2006 c 263 s 803 are each amended to
27 read as follows:

28 This chapter shall not apply to:

29 (1) Any person teaching, lecturing, consulting, or engaging in
30 research in psychology but only insofar as such activities are
31 performed as a part of or are dependent upon a position in a college or
32 university in the state of Washington.

33 (2) Any person who holds a valid school psychologist credential
34 from the (~~Washington professional educator standards board~~)
35 superintendent of public instruction but only when such a person is
36 practicing psychology in the course of his or her employment.

1 (3) Any person employed by a local, state, or federal government
2 agency whose psychologists must qualify for employment under federal or
3 state certification or civil service regulations; but only at those
4 times when that person is carrying out the functions of his or her
5 employment.

6 (4) Any person who must qualify under the employment requirements
7 of a business or industry and who is employed by a business or industry
8 which is not engaged in offering psychological services to the public,
9 but only when such person is carrying out the functions of his or her
10 employment: PROVIDED, That no person exempt from licensing under this
11 subsection shall engage in the clinical practice of psychology.

12 (5) Any person who is a student of psychology, psychological
13 intern, or resident in psychology preparing for the profession of
14 psychology under supervision in a training institution or facilities
15 and who is designated by the title such as "psychological trainee,"
16 "psychology student," which thereby indicates his or her training
17 status.

18 (6) Any person who has received a doctoral degree from an
19 accredited institution of higher learning with an adequate major in
20 sociology or social psychology as determined by the board and who has
21 passed comprehensive examinations in the field of social psychology as
22 part of the requirements for the doctoral degree. Such persons may use
23 the title "social psychologist" provided that they file a statement of
24 their education with the board.

25 **Sec. 259.** RCW 18.118.010 and 2005 c 497 s 218 are each amended to
26 read as follows:

27 (1) The purpose of this chapter is to establish guidelines for the
28 regulation of the real estate profession and other business professions
29 which may seek legislation to substantially increase their scope of
30 practice or the level of regulation of the profession, and for the
31 regulation of business professions not licensed or regulated on July
32 26, 1987: PROVIDED, That the provisions of this chapter are not
33 intended and shall not be construed to: (a) Apply to any regulatory
34 entity created prior to July 26, 1987, except as provided in this
35 chapter; (b) affect the powers and responsibilities of the
36 superintendent of public instruction (~~or Washington professional~~
37 ~~educator standards board~~)) under RCW 28A.410.210 and 28A.410.010; (c)

1 apply to or interfere in any way with the practice of religion or to
2 any kind of treatment by prayer; (d) apply to any remedial or technical
3 amendments to any statutes which licensed or regulated activity before
4 July 26, 1987; and (e) apply to proposals relating solely to continuing
5 education. The legislature believes that all individuals should be
6 permitted to enter into a business profession unless there is an
7 overwhelming need for the state to protect the interests of the public
8 by restricting entry into the profession. Where such a need is
9 identified, the regulation adopted by the state should be set at the
10 least restrictive level consistent with the public interest to be
11 protected.

12 (2) It is the intent of this chapter that no regulation shall be
13 imposed upon any business profession except for the exclusive purpose
14 of protecting the public interest. All bills introduced in the
15 legislature to regulate a business profession for the first time should
16 be reviewed according to the following criteria. A business profession
17 should be regulated by the state only when:

18 (a) Unregulated practice can clearly harm or endanger the health,
19 safety, or welfare of the public, and the potential for the harm is
20 easily recognizable and not remote or dependent upon tenuous argument;

21 (b) The public needs and can reasonably be expected to benefit from
22 an assurance of initial and continuing professional ability; and

23 (c) The public cannot be effectively protected by other means in a
24 more cost-beneficial manner.

25 (3) After evaluating the criteria in subsection (2) of this section
26 and considering governmental and societal costs and benefits, if the
27 legislature finds that it is necessary to regulate a business
28 profession not previously regulated by law, the least restrictive
29 alternative method of regulation should be implemented, consistent with
30 the public interest and this section:

31 (a) Where existing common law and statutory civil actions and
32 criminal prohibitions are not sufficient to eradicate existing harm,
33 the regulation should provide for stricter civil actions and criminal
34 prosecutions;

35 (b) Where a service is being performed for individuals involving a
36 hazard to the public health, safety, or welfare, the regulation should
37 impose inspection requirements and enable an appropriate state agency

1 to enforce violations by injunctive relief in court, including, but not
2 limited to, regulation of the business activity providing the service
3 rather than the employees of the business;

4 (c) Where the threat to the public health, safety, or economic
5 well-being is relatively small as a result of the operation of the
6 business profession, the regulation should implement a system of
7 registration;

8 (d) Where the consumer may have a substantial basis for relying on
9 the services of a practitioner, the regulation should implement a
10 system of certification; or

11 (e) Where apparent that adequate regulation cannot be achieved by
12 means other than licensing, the regulation should implement a system of
13 licensing.

14 **Sec. 260.** RCW 18.120.010 and 2005 c 497 s 219 are each amended to
15 read as follows:

16 (1) The purpose of this chapter is to establish guidelines for the
17 regulation of health professions not licensed or regulated prior to
18 July 24, 1983, and those licensed or regulated health professions which
19 seek to substantially increase their scope of practice: PROVIDED, That
20 the provisions of this chapter are not intended and shall not be
21 construed to: (a) Apply to any regulatory entity created prior to July
22 24, 1983, except as provided in this chapter; (b) affect the powers and
23 responsibilities of the superintendent of public instruction (~~or~~
24 ~~Washington professional educator standards board~~) under RCW
25 28A.410.210 and 28A.410.010; (c) apply to or interfere in any way with
26 the practice of religion or to any kind of treatment by prayer; and (d)
27 apply to any remedial or technical amendments to any statutes which
28 licensed or regulated activity before July 24, 1983. The legislature
29 believes that all individuals should be permitted to enter into a
30 health profession unless there is an overwhelming need for the state to
31 protect the interests of the public by restricting entry into the
32 profession. Where such a need is identified, the regulation adopted by
33 the state should be set at the least restrictive level consistent with
34 the public interest to be protected.

35 (2) It is the intent of this chapter that no regulation shall,
36 after July 24, 1983, be imposed upon any health profession except for
37 the exclusive purpose of protecting the public interest. All bills

1 introduced in the legislature to regulate a health profession for the
2 first time should be reviewed according to the following criteria. A
3 health profession should be regulated by the state only when:

4 (a) Unregulated practice can clearly harm or endanger the health,
5 safety, or welfare of the public, and the potential for the harm is
6 easily recognizable and not remote or dependent upon tenuous argument;

7 (b) The public needs and can reasonably be expected to benefit from
8 an assurance of initial and continuing professional ability; and

9 (c) The public cannot be effectively protected by other means in a
10 more cost-beneficial manner.

11 (3) After evaluating the criteria in subsection (2) of this section
12 and considering governmental and societal costs and benefits, if the
13 legislature finds that it is necessary to regulate a health profession
14 not previously regulated by law, the least restrictive alternative
15 method of regulation should be implemented, consistent with the public
16 interest and this section:

17 (a) Where existing common law and statutory civil actions and
18 criminal prohibitions are not sufficient to eradicate existing harm,
19 the regulation should provide for stricter civil actions and criminal
20 prosecutions;

21 (b) Where a service is being performed for individuals involving a
22 hazard to the public health, safety, or welfare, the regulation should
23 impose inspection requirements and enable an appropriate state agency
24 to enforce violations by injunctive relief in court, including, but not
25 limited to, regulation of the business activity providing the service
26 rather than the employees of the business;

27 (c) Where the threat to the public health, safety, or economic
28 well-being is relatively small as a result of the operation of the
29 health profession, the regulation should implement a system of
30 registration;

31 (d) Where the consumer may have a substantial basis for relying on
32 the services of a practitioner, the regulation should implement a
33 system of certification; or

34 (e) Where apparent that adequate regulation cannot be achieved by
35 means other than licensing, the regulation should implement a system of
36 licensing.

