

---

ENGROSSED SECOND SUBSTITUTE SENATE BILL 5329

---

State of Washington

63rd Legislature

2013 Regular Session

By Senate Ways & Means (originally sponsored by Senators Litzow, Hobbs, Fain, Hatfield, Tom, Frockt, and Roach)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to transforming persistently failing schools;  
2 amending RCW 28A.657.050, 28A.657.050, 28A.657.060, 28A.657.090, and  
3 28A.657.100; adding new sections to chapter 28A.657 RCW; creating new  
4 sections; providing an effective date; and providing an expiration  
5 date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that in 2010 an  
8 accountability system was created for the Washington public schools,  
9 which was to be implemented in two phases. The first phase used  
10 federal guidelines to designate the persistently lowest-achieving  
11 schools that were eligible for federal Title I funds to apply for a  
12 federal school improvement grant to implement federal intervention  
13 strategies to improve student performance. The system was initially  
14 voluntary but a required action process was to begin in 2011. The  
15 legislature further finds that under the required action process four  
16 of the persistently lowest-achieving schools that were on a downward  
17 trend were offered the opportunity to use the federal school  
18 improvement grants to take required actions. The legislature further  
19 finds that the Renton and Onalaska school districts show promising

1 improvement that other districts can build upon. The legislature  
2 intends to implement phase two of the accountability process beginning  
3 in the 2013-14 school year to assist the ten most persistently lowest-  
4 achieving schools. Additionally, the legislature intends to create a  
5 second level in the required action process that authorizes the office  
6 of the superintendent of public instruction to take certain actions.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.657  
8 RCW to read as follows:

9 (1) By December 1, 2013, the office of the superintendent of public  
10 instruction must identify the ten most persistently lowest-achieving  
11 schools using the student results on the statewide reading and  
12 mathematics assessments.

13 (2) A school district with at least one school identified as one of  
14 the ten most persistently lowest-achieving schools shall be designated  
15 as a required action district.

16 (3) The superintendent of public instruction shall provide each  
17 required action school district superintendent with written notice by  
18 certified mail or personal service of the identification of the school  
19 within the district as one of the most persistently lowest-achieving  
20 schools causing the district to be designated a required action  
21 district.

22 (4) A district designated as a required action district must notify  
23 all parents of students attending a school identified as one of the  
24 most persistently lowest-achieving schools in the district, the  
25 designation of the district as a required action district, and the  
26 process for complying with the required action process in RCW  
27 28A.657.040 through 28A.657.100.

28 (5) Each required action district designated under this section  
29 must follow the process and comply with the requirements in RCW  
30 28A.657.040 through 28A.657.100, to the extent state funding is  
31 provided to support the process.

32 **Sec. 3.** RCW 28A.657.050 and 2012 c 53 s 10 are each amended to  
33 read as follows:

34 (1) The local district superintendent and local school board of a  
35 school district designated as a required action district must submit a  
36 required action plan to the state board of education for approval.

1 Unless otherwise required by subsection (3) of this section, the plan  
2 must be submitted under a schedule as required by the state board. A  
3 required action plan must be developed in collaboration with  
4 administrators, teachers, and other staff, parents, unions representing  
5 any employees within the district, students, and other representatives  
6 of the local community. The superintendent of public instruction shall  
7 provide a district with assistance in developing its plan if requested.  
8 The school board must conduct a public hearing to allow for comment on  
9 a proposed required action plan. The local school district shall  
10 submit the plan first to the office of the superintendent of public  
11 instruction to review and approve that the plan is consistent with  
12 federal guidelines. After the office of the superintendent of public  
13 instruction has approved that the plan is consistent with federal  
14 guidelines, the local school district must submit its required action  
15 plan to the state board of education for approval, unless the district  
16 is designated a required action district in accordance with section 2  
17 of this act.

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

19 (a) Implementation of one of the four federal intervention models  
20 required for the receipt of a federal school improvement grant, for  
21 those persistently lowest-achieving schools that the district will be  
22 focusing on for required action, or for a district designated a  
23 required action district in accordance with section 2 of this act, one  
24 of the four federal intervention models or the collaborative schools  
25 for innovation and success model in accordance with chapter 28A.630  
26 RCW. However, a district may not establish a charter school under a  
27 federal intervention model without express legislative authority,  
28 unless the district is designated a required action district in  
29 accordance with section 2 of this act. If a required action district  
30 chooses to establish a charter school as the intervention model, then  
31 the charter school that is established counts towards the maximum  
32 number of charter schools that may be established in accordance with  
33 RCW 28A.710.150. The intervention models are the turnaround, restart,  
34 school closure, and transformation models, or for a district designated  
35 a required action district in accordance with section 2 of this act,  
36 the intervention models are the four federal intervention models or the  
37 collaborative schools for innovation and success model in accordance  
38 with chapter 28A.630 RCW. The intervention model selected must address

1 the concerns raised in the academic performance audit and be intended  
2 to improve student performance to allow a school district to be removed  
3 from the list of districts designated as a required action district by  
4 the state board of education within three years of implementation of  
5 the plan;

6 (b) Submission of an application for a federal school improvement  
7 grant or a grant from other federal funds for school improvement to the  
8 superintendent of public instruction, except that a district designated  
9 as a required action district in accordance with section 2 of this act  
10 shall receive the state funds appropriated for this purpose;

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

13 (d) A description of the changes in the district's or school's  
14 existing policies, structures, agreements, processes, and practices  
15 that are intended to attain significant achievement gains for all  
16 students enrolled in the school and how the district intends to address  
17 the findings of the academic performance audit; and

18 (e) Identification of the measures that the school district will  
19 use in assessing student achievement at a school identified as a  
20 persistently lowest-achieving school, which include improving  
21 mathematics and reading student achievement and graduation rates as  
22 defined by the office of the superintendent of public instruction that  
23 enable the school to no longer be identified as a persistently lowest-  
24 achieving school.

25 (3)(a) For any district designated for required action, the parties  
26 to any collective bargaining agreement negotiated, renewed, or extended  
27 under chapter 41.59 or 41.56 RCW after June 10, 2010, and for a school  
28 district designated a required action district in accordance with  
29 section 2 of this act after the effective date of this section, must  
30 reopen the agreement, or negotiate an addendum, if needed, to make  
31 changes to terms and conditions of employment that are necessary to  
32 implement a required action plan. For any district applying to  
33 participate in a collaborative schools for innovation and success pilot  
34 project under RCW 28A.630.104, the parties to any collective bargaining  
35 agreement negotiated, renewed, or extended under chapter 41.59 or 41.56  
36 RCW after June 7, 2012, must reopen the agreement, or negotiate an  
37 addendum, if needed, to make changes to terms and conditions of

1 employment that are necessary to implement an innovation and success  
2 plan.

3 (b) If the school district and the employee organizations are  
4 unable to agree on the terms of an addendum or modification to an  
5 existing collective bargaining agreement, the parties, including all  
6 labor organizations affected under the required action plan, shall  
7 request the public employment relations commission to, and the  
8 commission shall, appoint an employee of the commission to act as a  
9 mediator to assist in the resolution of a dispute between the school  
10 district and the employee organizations. Beginning in 2011, and each  
11 year thereafter, mediation shall commence no later than April 15th.  
12 All mediations held under this section shall include the employer and  
13 representatives of all affected bargaining units.

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

23 (d) The process for filing with the court in this subsection (3)(d)  
24 must be used in the case where the executive director certifies issues  
25 for a decision by the superior court.

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

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

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

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

34 (D) A copy of the unresolved issues certified by the executive  
35 director for a final and binding decision by the court; and

36 (E) The academic performance audit that the office of the  
37 superintendent of public instruction completed for the school district

1 in the case of a required action district, or the comprehensive needs  
2 assessment in the case of a collaborative schools for innovation and  
3 success pilot project.

4 (ii) Within seven days after the filing of the petition, each party  
5 shall file with the court the proposal it is asking the court to order  
6 be implemented in a required action plan or innovation and success plan  
7 for the district for each issue certified by the executive director.  
8 Contemporaneously with the filing of the proposal, a party must file a  
9 brief with the court setting forth the reasons why the court should  
10 order implementation of its proposal in the final plan.

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

16 (iv) The court must enter an order selecting the proposal for  
17 inclusion in a required action plan that best responds to the issues  
18 raised in the school district's academic performance audit, and allows  
19 for the award of a federal school improvement grant or a grant from  
20 other federal or state funds for school improvement to the district  
21 from the office of the superintendent of public instruction to  
22 implement one of the ((~~four federal~~)) intervention models. In the case  
23 of an innovation and success plan, the court must enter an order  
24 selecting the proposal for inclusion in the plan that best responds to  
25 the issues raised in the school's comprehensive needs assessment. The  
26 court's decision must be issued no later than June 15th of the year in  
27 which the petition is filed and is final and binding on the parties;  
28 however the court's decision is subject to appeal only in the case  
29 where it does not allow the school district to implement a required  
30 action plan consistent with the requirements for the award of a federal  
31 school improvement grant or other federal or state funds for school  
32 improvement by the superintendent of public instruction.

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

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

1 (4) All contracts entered into between a school district and an  
2 employee must be consistent with this section and allow school  
3 districts designated as required action districts to implement one of  
4 the (~~four federal~~) intervention models in a required action plan.

5 **Sec. 4.** RCW 28A.657.050 and 2010 c 235 s 105 are each amended to  
6 read as follows:

7 (1) The local district superintendent and local school board of a  
8 school district designated as a required action district must submit a  
9 required action plan to the state board of education for approval.  
10 Unless otherwise required by subsection (3) of this section, the plan  
11 must be submitted under a schedule as required by the state board. A  
12 required action plan must be developed in collaboration with  
13 administrators, teachers, and other staff, parents, unions representing  
14 any employees within the district, students, and other representatives  
15 of the local community. The superintendent of public instruction shall  
16 provide a district with assistance in developing its plan if requested.  
17 The school board must conduct a public hearing to allow for comment on  
18 a proposed required action plan. The local school district shall  
19 submit the plan first to the office of the superintendent of public  
20 instruction to review and approve that the plan is consistent with  
21 federal guidelines. After the office of the superintendent of public  
22 instruction has approved that the plan is consistent with federal  
23 guidelines, the local school district must submit its required action  
24 plan to the state board of education for approval.

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

26 (a) Implementation of one of the four federal intervention models  
27 required for the receipt of a federal school improvement grant, for  
28 those persistently lowest-achieving schools that the district will be  
29 focusing on for required action, or for a district designated a  
30 required action district in accordance with section 2 of this act, one  
31 of the four federal intervention models or the collaborative schools  
32 for innovation and success model in accordance with chapter 28A.630  
33 RCW. However, a district may not establish a charter school under a  
34 federal intervention model without express legislative authority,  
35 unless the district is designated a required action district in  
36 accordance with section 2 of this act. If a required action district  
37 chooses to establish a charter school as the intervention model, then

1 the charter school that is established counts towards the maximum  
2 number of charter schools that may be established in accordance with  
3 RCW 28A.710.150. The intervention models are the turnaround, restart,  
4 school closure, and transformation models, or for a district designated  
5 a required action district in accordance with section 2 of this act,  
6 the intervention models are the four federal intervention models or the  
7 collaborative schools for innovation and success model in accordance  
8 with chapter 28A.630 RCW. The intervention model selected must address  
9 the concerns raised in the academic performance audit and be intended  
10 to improve student performance to allow a school district to be removed  
11 from the list of districts designated as a required action district by  
12 the state board of education within three years of implementation of  
13 the plan;

14 (b) Submission of an application for a federal school improvement  
15 grant or a grant from other federal funds for school improvement to the  
16 superintendent of public instruction, except that a district designated  
17 as a required action district in accordance with section 2 of this act  
18 shall receive the state funds appropriated for this purpose;

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

21 (d) A description of the changes in the district's or school's  
22 existing policies, structures, agreements, processes, and practices  
23 that are intended to attain significant achievement gains for all  
24 students enrolled in the school and how the district intends to address  
25 the findings of the academic performance audit; and

26 (e) Identification of the measures that the school district will  
27 use in assessing student achievement at a school identified as a  
28 persistently lowest-achieving school, which include improving  
29 mathematics and reading student achievement and graduation rates as  
30 defined by the office of the superintendent of public instruction that  
31 enable the school to no longer be identified as a persistently lowest-  
32 achieving school.

33 (3)(a) For any district designated for required action, the parties  
34 to any collective bargaining agreement negotiated, renewed, or extended  
35 under chapter 41.59 or 41.56 RCW after June 10, 2010, and for a school  
36 district designated a required action district in accordance with  
37 section 2 of this act after the effective date of this section, must



1 reopen the agreement, or negotiate an addendum, if needed, to make  
2 changes to terms and conditions of employment that are necessary to  
3 implement a required action plan.

4 (b) If the school district and the employee organizations are  
5 unable to agree on the terms of an addendum or modification to an  
6 existing collective bargaining agreement, the parties, including all  
7 labor organizations affected under the required action plan, shall  
8 request the public employment relations commission to, and the  
9 commission shall, appoint an employee of the commission to act as a  
10 mediator to assist in the resolution of a dispute between the school  
11 district and the employee organizations. Beginning in 2011, and each  
12 year thereafter, mediation shall commence no later than April 15th.  
13 All mediations held under this section shall include the employer and  
14 representatives of all affected bargaining units.

15 (c) If the executive director of the public employment relations  
16 commission, upon the recommendation of the assigned mediator, finds  
17 that the employer and any affected bargaining unit are unable to reach  
18 agreement following a reasonable period of negotiations and mediation,  
19 but by no later than May 15th of the year in which mediation occurred,  
20 the executive director shall certify any disputed issues for a decision  
21 by the superior court in the county where the school district is  
22 located. The issues for determination by the superior court must be  
23 limited to the issues certified by the executive director.

24 (d) The process for filing with the court in this subsection (3)(d)  
25 must be used in the case where the executive director certifies issues  
26 for a decision by the superior court.

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

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

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

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

35 (D) A copy of the unresolved issues certified by the executive  
36 director for a final and binding decision by the court; and

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

1 (ii) Within seven days after the filing of the petition, each party  
2 shall file with the court the proposal it is asking the court to order  
3 be implemented in a required action plan for the district for each  
4 issue certified by the executive director. Contemporaneously with the  
5 filing of the proposal, a party must file a brief with the court  
6 setting forth the reasons why the court should order implementation of  
7 its proposal in the final plan.

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

13 (iv) The court must enter an order selecting the proposal for  
14 inclusion in a required action plan that best responds to the issues  
15 raised in the school district's academic performance audit, and allows  
16 for the award of a federal school improvement grant or a grant from  
17 other federal or state funds for school improvement to the district  
18 from the office of the superintendent of public instruction to  
19 implement one of the ((~~four federal~~)) intervention models. The court's  
20 decision must be issued no later than June 15th of the year in which  
21 the petition is filed and is final and binding on the parties; however  
22 the court's decision is subject to appeal only in the case where it  
23 does not allow the school district to implement a required action plan  
24 consistent with the requirements for the award of a federal school  
25 improvement grant or other federal or state funds for school  
26 improvement by the superintendent of public instruction.

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

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

33 (4) All contracts entered into between a school district and an  
34 employee must be consistent with this section and allow school  
35 districts designated as required action districts to implement one of  
36 the ((~~four federal~~)) intervention models in a required action plan.

1       **Sec. 5.** RCW 28A.657.060 and 2010 c 235 s 106 are each amended to  
2 read as follows:

3       A required action plan developed by a district's school board and  
4 superintendent must be submitted to the state board of education for  
5 approval. The state board must accept for inclusion in any required  
6 action plan the final decision by the superior court on any issue  
7 certified by the executive director of the public employment relations  
8 commission under the process in RCW 28A.657.050. The state board of  
9 education shall approve a plan proposed by a school district only if  
10 the plan meets the requirements in RCW 28A.657.050 and provides  
11 sufficient remedies to address the findings in the academic performance  
12 audit to improve student achievement. Any addendum or modification to  
13 an existing collective bargaining agreement, negotiated under RCW  
14 28A.657.050 or by agreement of the district and the exclusive  
15 bargaining unit, related to student achievement or school improvement  
16 shall not go into effect until approval of a required action plan by  
17 the state board of education. If the state board does not approve a  
18 proposed plan, it must notify the local school board and local  
19 district's superintendent in writing with an explicit rationale for why  
20 the plan was not approved. Nonapproval by the state board of education  
21 of the local school district's initial required action plan submitted  
22 is not intended to trigger any actions under RCW 28A.657.080. With the  
23 assistance of the office of the superintendent of public instruction,  
24 the superintendent and school board of the required action district  
25 shall either: (~~(a)-(1)~~) (1) Submit a new plan to the state board  
26 of education for approval within forty days of notification that its  
27 plan was rejected, or (~~(b)-(2)~~) (2) submit a request to the  
28 required action plan review panel established under RCW 28A.657.070 for  
29 reconsideration of the state board's rejection within ten days of the  
30 notification that the plan was rejected. If federal or state funds are  
31 not available, the plan is not required to be implemented until such  
32 funding becomes available. If federal or state funds for this purpose  
33 are available, a required action plan must be implemented in the  
34 immediate school year following the district's designation as a  
35 required action district.

36       **Sec. 6.** RCW 28A.657.090 and 2010 c 235 s 109 are each amended to  
37 read as follows:

1 A school district must implement a required action plan upon  
2 approval by the state board of education. The office of (~~the~~) the  
3 superintendent of public instruction must provide the required action  
4 district with technical assistance and federal school improvement grant  
5 funds or other federal funds for school improvement, if available, or  
6 state funds, to implement an approved plan. The district must submit  
7 a report to the superintendent of public instruction that provides the  
8 progress the district is making in meeting the student achievement  
9 goals based on the state's assessments, identifying strategies and  
10 assets used to solve audit findings, and establishing evidence of  
11 meeting plan implementation benchmarks as set forth in the required  
12 action plan.

13 **Sec. 7.** RCW 28A.657.100 and 2010 c 235 s 110 are each amended to  
14 read as follows:

15 (1) The superintendent of public instruction must provide a report  
16 twice per year to the state board of education regarding the progress  
17 made by all school districts designated as required action districts.

18 (2) The superintendent of public instruction must recommend to the  
19 state board of education that a school district be released from the  
20 designation as a required action district after the district implements  
21 a required action plan for a period of three years; has made progress,  
22 as defined by the superintendent of public instruction, in reading and  
23 mathematics on the state's assessment over the past three consecutive  
24 years; and no longer has a school within the district identified as  
25 persistently lowest-achieving. The state board shall release a school  
26 district from the designation as a required action district upon  
27 confirmation that the district has met the requirements for a release.

28 (3)(a) If the state board of education determines that the required  
29 action district has not met the requirements for release and the  
30 required action district has received adequate federal or state funding  
31 for three years to implement one of the intervention models as  
32 determined by the office of the superintendent of public instruction,  
33 the district (~~remains in required action and must submit a new or~~  
34 ~~revised plan under the process in RCW 28A.657.050~~) enters level two of  
35 the required action process. The office of the superintendent of  
36 public instruction shall review the actions taken in accordance with  
37 the required action process and create a new three-year plan with input

1 from the school district board of directors to be implemented by the  
2 office of the superintendent of public instruction using a management  
3 structure chosen by the superintendent of public instruction. The  
4 superintendent of public instruction may choose to implement one of the  
5 federal intervention models as provided in RCW 28A.657.050 or the  
6 collaborative schools for innovation and success model in accordance  
7 with chapter 28A.630 RCW. If the superintendent chooses to establish  
8 a charter school as the intervention model, then the charter school  
9 that is established counts towards the maximum number of charter  
10 schools that may be established in accordance with RCW 28A.710.150.

11 (b) The three-year plan for level two of the required action  
12 process must contain a performance framework that sets out the  
13 indicators, measures, and metrics for improvement of student learning  
14 including: Student academic proficiency, student academic growth,  
15 achievement gap among subgroups, attendance, recurrent enrollment  
16 graduation rates, postsecondary readiness, financial performance, and  
17 sustainability.

18 (c) A required action district that is designated to enter level  
19 two of the required action process must notify all parents of students  
20 attending a school identified as one of the most persistently lowest-  
21 achieving schools in the district of the designation of the district as  
22 a level two required action district, and the process for complying  
23 with the requirements in this subsection (3).

24 (d) The superintendent of public instruction must provide a report  
25 twice per year to the state board of education regarding the progress  
26 made by all school districts designated for level two of the required  
27 action process. The biannual report must include data on student  
28 learning indicators identified in the required action district level  
29 two plan; outline implementation success, challenges, and risks; and  
30 include a sustainability plan. The state board of education may  
31 provide input and recommended actions if it deems the three-year plan  
32 is not making sufficient improvement.

33 (4) If at the end of the three-year plan instituted in accordance  
34 with subsection (3) of this section the state board of education  
35 determines that the required action district has not made sufficient  
36 improvement as determined by the office of the superintendent of public  
37 instruction, the school must be closed and the students assigned to

1 another school, unless there is no viable option to accommodate the  
2 students due to lack of capacity or inability to provide equitable  
3 access to educational programs and services.

4 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.657  
5 RCW to read as follows:

6 (1) Certificated and classified employees assigned to a school that  
7 is scheduled to enter level two of the required action process may  
8 apply to the original school district for a transfer of assignment  
9 within the original district, which request must be considered  
10 according to the policies and procedures of the district regarding  
11 transfers of assignment.

12 (2) The superintendent of public instruction shall exercise the  
13 powers of a school district board of directors under RCW 28A.400.300  
14 with regard to employment of certificated and classified employees  
15 assigned at the schools entering level two of the required action  
16 process.

17 (3) The superintendent of public instruction may delegate the  
18 responsibility to hire, assign, evaluate, and dismiss employees  
19 assigned at the schools entering level two of the required action  
20 process.

21 (4) For any district designated for level two of the required  
22 action process, the parties to any collective bargaining agreement  
23 negotiated, renewed, or extended under chapter 41.59 or 41.56 RCW after  
24 the effective date of this section must reopen the agreement, or  
25 negotiate an addendum, if needed, to make changes to terms and  
26 conditions of employment that are necessary to implement a required  
27 action plan.

28 NEW SECTION. **Sec. 9.** Section 3 of this act expires June 30, 2019.

29 NEW SECTION. **Sec. 10.** Section 4 of this act takes effect June 30,  
30 2019.

31 NEW SECTION. **Sec. 11.** If specific funding for the purposes of  
32 this act, referencing this act by bill or chapter number, is not

1 provided by June 30, 2013, in the omnibus appropriations act, this act  
2 is null and void.

--- END ---