
SENATE BILL 5573

State of Washington

63rd Legislature

2013 Regular Session

By Senators Rolfes, Billig, McAuliffe, Frockt, Cleveland, Kohl-Welles, Keiser, and Murray

Read first time 02/04/13. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to implementing the first biennium spending plan
2 recommendations of the joint task force on education funding; amending
3 RCW 28A.150.220, 28A.150.260, 28A.150.315, 28A.160.192, 28A.405.106,
4 and 28A.657.020; adding a new section to chapter 28A.310 RCW; creating
5 new sections; making appropriations; and providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** The Washington supreme court order from
8 December 2012 directed the 2013 legislature to establish a phase-in
9 plan that addresses "all areas of K-12 education identified in ESHB
10 2261." While Substitute House Bill No. 2776 established the end goal
11 enhancements for portions of the new basic education obligations under
12 Engrossed Substitute House Bill No. 2261, that legislation did not
13 establish the plan in which those enhancements would be phased-in over
14 time. The legislature intends to establish a linear phase-in plan for
15 funding the enhancements identified in Substitute House Bill No. 2776
16 but acknowledges that future legislatures may consider alternate
17 phase-in schedules to reflect legislative priorities and emerging
18 research. The legislature also recognizes that Substitute House Bill
19 No. 2776 did not establish 2018 enhancement values for the many other

1 components of the new prototypical funding formula and did not address
2 how funding for the increased instructional hours and credit hours
3 would be phased-in. It is the intent of the legislature to have
4 end-goal values and a complete phase-in plan for all the 2018 basic
5 education enhancements by the end of the 2013-2015 biennium after
6 reviewing the relevant work and recommendations of the quality
7 education council, the office of the superintendent of public
8 instruction, the compensation technical working group, and the
9 educational opportunity gap oversight and accountability committee. As
10 a first step, additional initial enhancements are included that are
11 beyond those identified in Substitute House Bill No. 2776 and that are
12 targeted to those areas that support legislative reforms to provide
13 students the opportunity to be career and college ready. It is the
14 legislature's intent that the final 2018 values for the additional
15 enhancements also be adopted by the legislature by the end of the
16 2013-2015 biennium.

17 **Sec. 2.** RCW 28A.150.220 and 2011 1st sp.s. c 27 s 1 are each
18 amended to read as follows:

19 (1) In order for students to have the opportunity to develop the
20 basic education knowledge and skills under RCW 28A.150.210, school
21 districts must provide instruction of sufficient quantity and quality
22 and give students the opportunity to complete graduation requirements
23 that are intended to prepare them for postsecondary education, gainful
24 employment, and citizenship. The program established under this
25 section shall be the minimum instructional program of basic education
26 offered by school districts.

27 (2) Each school district shall make available to students the
28 following minimum instructional offering each school year:

29 (a) For students enrolled in grades one through twelve, at least a
30 district-wide annual average of one thousand hours, which shall be
31 increased to at least one thousand eighty instructional hours for
32 students enrolled in each of grades seven through twelve and at least
33 one thousand instructional hours for students in each of grades one
34 through six according to an implementation schedule adopted by the
35 legislature(~~(, but not before the 2014-15 school year)~~). Beginning in
36 the 2013-2015 biennium, the legislature shall begin a linear phase-in

1 of the funding enhancements necessary to accomplish the district-wide
2 eighty hour increase in instructional hours for students in grades
3 seven through twelve by 2018; and

4 (b) For students enrolled in kindergarten, at least four hundred
5 fifty instructional hours, which shall be increased to at least one
6 thousand instructional hours according to the implementation schedule
7 under RCW 28A.150.315.

8 (3) The instructional program of basic education provided by each
9 school district shall include:

10 (a) Instruction in the essential academic learning requirements
11 under RCW 28A.655.070;

12 (b) Instruction that provides students the opportunity to complete
13 twenty-four credits for high school graduation, subject to a phased-in
14 implementation of the twenty-four credits as established by the
15 legislature. Beginning in the 2013-2015 biennium, the legislature
16 shall begin a linear phase-in of the funding enhancements necessary to
17 allow students the opportunity to graduate with twenty-four credits by
18 2018. Course distribution requirements may be established by the state
19 board of education under RCW 28A.230.090;

20 (c) If the essential academic learning requirements include a
21 requirement of languages other than English, the requirement may be met
22 by students receiving instruction in one or more American Indian
23 languages;

24 (d) Supplemental instruction and services for underachieving
25 students through the learning assistance program under RCW 28A.165.005
26 through 28A.165.065;

27 (e) Supplemental instruction and services for eligible and enrolled
28 students whose primary language is other than English through the
29 transitional bilingual instruction program under RCW 28A.180.010
30 through 28A.180.080;

31 (f) The opportunity for an appropriate education at public expense
32 as defined by RCW 28A.155.020 for all eligible students with
33 disabilities as defined in RCW 28A.155.020; and

34 (g) Programs for highly capable students under RCW 28A.185.010
35 through 28A.185.030.

36 (4) Nothing contained in this section shall be construed to require
37 individual students to attend school for any particular number of hours
38 per day or to take any particular courses.

1 (5) Each school district's kindergarten through twelfth grade basic
2 educational program shall be accessible to all students who are five
3 years of age, as provided by RCW 28A.225.160, and less than twenty-one
4 years of age and shall consist of a minimum of one hundred eighty
5 school days per school year in such grades as are conducted by a school
6 district, and one hundred eighty half-days of instruction, or
7 equivalent, in kindergarten, to be increased to a minimum of one
8 hundred eighty school days per school year according to the
9 implementation schedule under RCW 28A.150.315. However, effective May
10 1, 1979, a school district may schedule the last five school days of
11 the one hundred and eighty day school year for noninstructional
12 purposes in the case of students who are graduating from high school,
13 including, but not limited to, the observance of graduation and early
14 release from school upon the request of a student, and all such
15 students may be claimed as a full-time equivalent student to the extent
16 they could otherwise have been so claimed for the purposes of RCW
17 28A.150.250 and 28A.150.260.

18 (6) Nothing in this section precludes a school district from
19 enriching the instructional program of basic education, such as
20 offering additional instruction or providing additional services,
21 programs, or activities that the school district determines to be
22 appropriate for the education of the school district's students.

23 (7) The state board of education shall adopt rules to implement and
24 ensure compliance with the program requirements imposed by this
25 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental
26 program approval requirements as the state board may establish.

27 **Sec. 3.** RCW 28A.150.260 and 2011 1st sp.s. c 27 s 2 are each
28 amended to read as follows:

29 The purpose of this section is to provide for the allocation of
30 state funding that the legislature deems necessary to support school
31 districts in offering the minimum instructional program of basic
32 education under RCW 28A.150.220. The allocation shall be determined as
33 follows:

34 (1) The governor shall and the superintendent of public instruction
35 may recommend to the legislature a formula for the distribution of a
36 basic education instructional allocation for each common school
37 district.

1 (2) The distribution formula under this section shall be for
2 allocation purposes only. Except as may be required under chapter
3 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and
4 regulations, nothing in this section requires school districts to use
5 basic education instructional funds to implement a particular
6 instructional approach or service. Nothing in this section requires
7 school districts to maintain a particular classroom teacher-to-student
8 ratio or other staff-to-student ratio or to use allocated funds to pay
9 for particular types or classifications of staff. Nothing in this
10 section entitles an individual teacher to a particular teacher planning
11 period.

12 (3)(a) To the extent the technical details of the formula have been
13 adopted by the legislature and except when specifically provided as a
14 school district allocation, the distribution formula for the basic
15 education instructional allocation shall be based on minimum staffing
16 and nonstaff costs the legislature deems necessary to support
17 instruction and operations in prototypical schools serving high,
18 middle, and elementary school students as provided in this section.
19 The use of prototypical schools for the distribution formula does not
20 constitute legislative intent that schools should be operated or
21 structured in a similar fashion as the prototypes. Prototypical
22 schools illustrate the level of resources needed to operate a school of
23 a particular size with particular types and grade levels of students
24 using commonly understood terms and inputs, such as class size, hours
25 of instruction, and various categories of school staff. It is the
26 intent that the funding allocations to school districts be adjusted
27 from the school prototypes based on the actual number of annual average
28 full-time equivalent students in each grade level at each school in the
29 district and not based on the grade-level configuration of the school
30 to the extent that data is available. The allocations shall be further
31 adjusted from the school prototypes with minimum allocations for small
32 schools and to reflect other factors identified in the omnibus
33 appropriations act.

34 (b) For the purposes of this section, prototypical schools are
35 defined as follows:

36 (i) A prototypical high school has six hundred average annual full-
37 time equivalent students in grades nine through twelve;

1 (ii) A prototypical middle school has four hundred thirty-two
2 average annual full-time equivalent students in grades seven and eight;
3 and

4 (iii) A prototypical elementary school has four hundred average
5 annual full-time equivalent students in grades kindergarten through
6 six.

7 (4)(a) The minimum allocation for each level of prototypical school
8 shall be based on the number of full-time equivalent classroom teachers
9 needed to provide instruction over the minimum required annual
10 instructional hours under RCW 28A.150.220 and provide at least one
11 teacher planning period per school day, and based on the following
12 general education average class size of full-time equivalent students
13 per teacher:

	General education average class size
14	
15	
16	
17	Grades K-3 25.23
18	Grade 4 27.00
19	Grades 5-6 27.00
20	Grades 7-8 28.53
21	Grades 9-12 28.74

22 (b) (~~During~~) Beginning with the (~~2011-2013~~) 2013-2015 biennium
23 and beginning with schools with the highest percentage of students
24 eligible for free and reduced-price meals in the prior school year, the
25 general education average class size for grades K-3 shall be reduced
26 (~~until the~~) in a linear fashion each biennium in order to achieve an
27 average class size funded under this subsection (4) (~~is~~) of no more
28 than 17.0 full-time equivalent students per teacher (~~beginning in~~) by
29 the 2017-18 school year.

30 (c) The minimum allocation for each prototypical middle and high
31 school shall also provide for full-time equivalent classroom teachers
32 based on the following number of full-time equivalent students per
33 teacher in career and technical education:

	Career and technical education average class size
34	
35	
36	
37	Approved career and technical education offered at

1 the middle school and high school level 26.57
 2 Skill center programs meeting the standards established
 3 by the office of the superintendent of public
 4 instruction 22.76

5 (d) In addition, the omnibus appropriations act shall at a minimum
 6 specify:

7 (i) A high-poverty average class size in schools where more than
 8 fifty percent of the students are eligible for free and reduced-price
 9 meals; and

10 (ii) A specialty average class size for laboratory science,
 11 advanced placement, and international baccalaureate courses.

12 (5) The minimum allocation for each level of prototypical school
 13 shall include allocations for the following types of staff in addition
 14 to classroom teachers:
 15

	Elementary	Middle	High
	School	School	School
18 Principals, assistant principals, and other certificated building-level			
19 administrators	1.253	1.353	1.880
20 Teacher librarians, a function that includes information literacy, technology,			
21 and media to support school library media programs	0.663	0.519	0.523
22 Health and social services:			
23 School nurses	0.076	0.060	0.096
24 Social workers	0.042	0.006	0.015
25 Psychologists	0.017	0.002	0.007
26 Guidance counselors, a function that includes parent outreach and graduation			
27 advising	0.493	((1.116))	((1.909))
28		<u>1.216</u>	<u>2.009</u>
29 Teaching assistance, including any aspect of educational instructional			
30 services provided by classified employees	0.936	0.700	0.652
31 Office support and other noninstructional aides	2.012	2.325	3.269
32 Custodians	1.657	1.942	2.965
33 Classified staff providing student and staff safety	0.079	0.092	0.141
34 ((Parent involvement)) <u>Family and community engagement</u> coordinators	((0.00)) <u>0.10</u>	0.00	0.00

1 (6)(a) The minimum staffing allocation for each school district to
2 provide district-wide support services shall be allocated per one
3 thousand annual average full-time equivalent students in grades K-12 as
4 follows:

	Staff per 1,000 K-12 students
5 Technology	0.628
6 Facilities, maintenance, and grounds	1.813
7 Warehouse, laborers, and mechanics	0.332

8
9
10 (b) The minimum allocation of staff units for each school district
11 to support certificated and classified staffing of central
12 administration shall be 5.30 percent of the staff units generated under
13 subsections (4)(a) and (b) and (5) of this section and (a) of this
14 subsection.

15 (7) The distribution formula shall include staffing allocations to
16 school districts for career and technical education and skill center
17 administrative and other school-level certificated staff, as specified
18 in the omnibus appropriations act.

19 (8)(a) Except as provided in (b) of this subsection, the minimum
20 allocation for each school district shall include allocations per
21 annual average full-time equivalent student for the following
22 materials, supplies, and operating costs, to be adjusted for inflation
23 from the 2008-09 school year:

	Per annual average full-time equivalent student in grades K-12
24 Technology	\$54.43
25 Utilities and insurance	\$147.90
26 Curriculum and textbooks	\$58.44
27 Other supplies and library materials	\$124.07
28 Instructional professional development for certified and 29 classified staff	\$9.04
30 Facilities maintenance	\$73.27
31 Security and central office	\$50.76

32
33
34
35 (b) (~~During~~) Beginning with the (~~2011-2013~~) 2013-2015 biennium,
36 the minimum allocation for maintenance, supplies, and operating costs
37 shall be increased (~~as specified in the omnibus appropriations act~~)

1 in a linear fashion each biennium in order to achieve the 2015-16
2 allocation values by the 2015-16 school year. The following
3 allocations, adjusted for inflation from the 2007-08 school year, are
4 provided in the 2015-16 school year, after which the allocations shall
5 be adjusted annually for inflation as specified in the omnibus
6 appropriations act:

	Per annual average full-time equivalent student in grades K-12
7	
8	
9	
10 Technology	\$113.80
11 Utilities and insurance	\$309.21
12 Curriculum and textbooks	\$122.17
13 Other supplies and library materials	\$259.39
14 Instructional professional development for certificated and 15 classified staff	\$18.89
16 Facilities maintenance	\$153.18
17 Security and central office administration	\$106.12

18 (9) In addition to the amounts provided in subsection (8) of this
19 section, the omnibus appropriations act shall provide an amount based
20 on full-time equivalent student enrollment in each of the following:

21 (a) Exploratory career and technical education courses for students
22 in grades seven through twelve;

23 (b) Laboratory science courses for students in grades nine through
24 twelve;

25 (c) Preparatory career and technical education courses for students
26 in grades nine through twelve offered in a high school; and

27 (d) Preparatory career and technical education courses for students
28 in grades eleven and twelve offered through a skill center.

29 (10) In addition to the allocations otherwise provided under this
30 section, amounts shall be provided to support the following programs
31 and services:

32 (a) To provide supplemental instruction and services for
33 underachieving students through the learning assistance program under
34 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the
35 district percentage of students in grades K-12 who were eligible for
36 free or reduced-price meals in the prior school year. The minimum
37 allocation for the program shall provide for each level of prototypical

1 school resources to provide, on a statewide average, (~~1.5156~~) two
2 hours per week in extra instruction with a class size of fifteen
3 learning assistance program students per teacher.

4 (b) To provide supplemental instruction and services for students
5 whose primary language is other than English, allocations shall be
6 based on the head count number of students in each school who are
7 eligible for and enrolled in the transitional bilingual instruction
8 program under RCW 28A.180.010 through 28A.180.080. The minimum
9 allocation for each level of prototypical school shall provide
10 resources to provide, on a statewide average, 4.7780 hours per week in
11 extra instruction with fifteen transitional bilingual instruction
12 program students per teacher in elementary school, six hours per week
13 in extra instruction with fifteen transitional bilingual instruction
14 program students per teacher in middle school, and eight hours per week
15 in extra instruction with fifteen transitional bilingual instruction
16 program students per teacher in high school. An additional three hours
17 per week of transition support shall be provided for each student for
18 two years after exiting the transitional bilingual instructional
19 program. Notwithstanding other provisions of this subsection (10), the
20 actual per-student allocation may be scaled to provide a larger
21 allocation for students needing more intensive intervention and a
22 commensurate reduced allocation for students needing less intensive
23 intervention, as detailed in the omnibus appropriations act.

24 (c) To provide additional allocations to support programs for
25 highly capable students under RCW 28A.185.010 through 28A.185.030,
26 allocations shall be based on two and three hundred fourteen one-
27 thousandths percent of each school district's full-time equivalent
28 basic education enrollment. The minimum allocation for the programs
29 shall provide resources to provide, on a statewide average, 2.1590
30 hours per week in extra instruction with fifteen highly capable program
31 students per teacher.

32 (d) To provide additional allocations to support the increased
33 instructional hours requirements established under RCW
34 28A.150.220(2)(a), allocations must be based on the full-time
35 equivalent student enrollment in grades seven through twelve. The
36 minimum allocation for the programs must provide resources to provide,
37 on a statewide average, 2.220 hours per week in extra instruction with
38 fifteen eligible students per teacher.

1 (11) The allocations under subsections (4)(a) and (b), (5), (6),
2 and (8) of this section shall be enhanced as provided under RCW
3 28A.150.390 on an excess cost basis to provide supplemental
4 instructional resources for students with disabilities.

5 (12)(a) For the purposes of allocations for prototypical high
6 schools and middle schools under subsections (4) and (10) of this
7 section that are based on the percent of students in the school who are
8 eligible for free and reduced-price meals, the actual percent of such
9 students in a school shall be adjusted by a factor identified in the
10 omnibus appropriations act to reflect underreporting of free and
11 reduced-price meal eligibility among middle and high school students.

12 (b) Allocations or enhancements provided under subsections (4),
13 (7), and (9) of this section for exploratory and preparatory career and
14 technical education courses shall be provided only for courses approved
15 by the office of the superintendent of public instruction under chapter
16 28A.700 RCW.

17 (13)(a) This formula for distribution of basic education funds
18 shall be reviewed biennially by the superintendent and governor. The
19 recommended formula shall be subject to approval, amendment or
20 rejection by the legislature.

21 (b) In the event the legislature rejects the distribution formula
22 recommended by the governor, without adopting a new distribution
23 formula, the distribution formula for the previous school year shall
24 remain in effect.

25 (c) The enrollment of any district shall be the annual average
26 number of full-time equivalent students and part-time students as
27 provided in RCW 28A.150.350, enrolled on the first school day of each
28 month, including students who are in attendance pursuant to RCW
29 28A.335.160 and 28A.225.250 who do not reside within the servicing
30 school district. The definition of full-time equivalent student shall
31 be determined by rules of the superintendent of public instruction and
32 shall be included as part of the superintendent's biennial budget
33 request. The definition shall be based on the minimum instructional
34 hour offerings required under RCW 28A.150.220. Any revision of the
35 present definition shall not take effect until approved by the house
36 ways and means committee and the senate ways and means committee.

37 (d) The office of financial management shall make a monthly review

1 of the superintendent's reported full-time equivalent students in the
2 common schools in conjunction with RCW 43.62.050.

3 **Sec. 4.** RCW 28A.150.315 and 2012 c 51 s 1 are each amended to read
4 as follows:

5 (1) Beginning with the 2007-08 school year, funding for voluntary
6 all-day kindergarten programs shall be phased-in beginning with schools
7 with the highest poverty levels, defined as those schools with the
8 highest percentages of students qualifying for free and reduced-price
9 lunch support in the prior school year. (~~During~~) Beginning with the
10 (~~2011-2013~~) 2013-2015 biennium, funding enhancements shall (~~continue~~
11 ~~to~~) be phased-in each year (~~until~~) in a linear fashion each biennium
12 in order to achieve full statewide implementation of all-day
13 kindergarten is achieved in the 2017-18 school year. Once a school
14 receives funding for the all-day kindergarten program, that school
15 shall remain eligible for funding in subsequent school years regardless
16 of changes in the school's percentage of students eligible for free and
17 reduced-price lunches as long as other program requirements are
18 fulfilled. Additionally, schools receiving all-day kindergarten
19 program support shall agree to the following conditions:

- 20 (a) Provide at least a one thousand-hour instructional program;
- 21 (b) Provide a curriculum that offers a rich, varied set of
22 experiences that assist students in:
- 23 (i) Developing initial skills in the academic areas of reading,
24 mathematics, and writing;
- 25 (ii) Developing a variety of communication skills;
- 26 (iii) Providing experiences in science, social studies, arts,
27 health and physical education, and a world language other than English;
- 28 (iv) Acquiring large and small motor skills;
- 29 (v) Acquiring social and emotional skills including successful
30 participation in learning activities as an individual and as part of a
31 group; and
- 32 (vi) Learning through hands-on experiences;
- 33 (c) Establish learning environments that are developmentally
34 appropriate and promote creativity;
- 35 (d) Demonstrate strong connections and communication with early
36 learning community providers; and

1 (e) Participate in kindergarten program readiness activities with
2 early learning providers and parents.

3 (2)(a) It is the intent of the legislature that administration of
4 the Washington kindergarten inventory of developing skills as required
5 in this subsection (2) and RCW 28A.655.080 replace administration of
6 other assessments being required by school districts or that other
7 assessments only be administered if they seek to obtain information not
8 covered by the Washington kindergarten inventory of developing skills.

9 (b) In addition to the requirements in subsection (1) of this
10 section and to the extent funds are available, beginning with the 2011-
11 12 school year on a voluntary basis, schools must identify the skills,
12 knowledge, and characteristics of kindergarten students at the
13 beginning of the school year in order to support social-emotional,
14 physical, and cognitive growth and development of individual children;
15 support early learning provider and parent involvement; and inform
16 instruction. Kindergarten teachers shall administer the Washington
17 kindergarten inventory of developing skills, as directed by the
18 superintendent of public instruction in consultation with the
19 department of early learning and in collaboration with the
20 nongovernmental private-public partnership designated in RCW
21 43.215.070, and report the results to the superintendent. The
22 superintendent shall share the results with the director of the
23 department of early learning.

24 (c) School districts shall provide an opportunity for parents and
25 guardians to excuse their children from participation in the Washington
26 kindergarten inventory of developing skills.

27 (3) Subject to funds appropriated for this purpose, the
28 superintendent of public instruction shall designate one or more school
29 districts to serve as resources and examples of best practices in
30 designing and operating a high-quality all-day kindergarten program.
31 Designated school districts shall serve as lighthouse programs and
32 provide technical assistance to other school districts in the initial
33 stages of implementing an all-day kindergarten program. Examples of
34 topics addressed by the technical assistance include strategic
35 planning, developing the instructional program and curriculum, working
36 with early learning providers to identify students and communicate with
37 parents, and developing kindergarten program readiness activities.

1 **Sec. 5.** RCW 28A.160.192 and 2011 1st sp.s. c 27 s 3 are each
2 amended to read as follows:

3 (1) The superintendent of public instruction shall phase-in the
4 implementation of the distribution formula under this chapter for
5 allocating state funds to school districts for the transportation of
6 students to and from school. The phase-in shall (~~begin no later than~~
7 ~~the 2011-2013 biennium and~~) be fully implemented by the end of the
8 2013-2015 biennium.

9 (a) The formula must be developed and revised on an ongoing basis
10 using the major cost factors in student transportation, including basic
11 and special student loads, school district land area, average distance
12 to school, roadway miles, and number of locations served. Factors must
13 include all those site characteristics that are statistically
14 significant after analysis of the data required by the revised
15 reporting process.

16 (b) The formula must allocate funds to school districts based on
17 the average predicted costs of transporting students to and from
18 school, using a regression analysis. Only factors that are
19 statistically significant shall be used in the regression analysis.
20 Employee compensation costs included in the allowable transportation
21 expenditures used for the purpose of establishing each school
22 district's independent variable in the regression analysis shall be
23 limited to the base salary or hourly wage rates, fringe benefit rates,
24 and applicable health care rates provided in the omnibus appropriations
25 act.

26 (2) During the phase-in period, funding provided to school
27 districts for student transportation operations shall be distributed on
28 the following basis:

29 (a) Annually, each school district shall receive the lesser of the
30 previous school year's pupil transportation operations allocation, or
31 the total of allowable pupil transportation expenditures identified on
32 the previous school year's final expenditure report to the state plus
33 district indirect expenses using the federal restricted indirect rate
34 as calculated in the district annual financial report;

35 (b) Annually, the amount identified in (a) of this subsection shall
36 be adjusted for any budgeted increases provided in the omnibus
37 appropriations act for salaries or fringe benefits;

1 (c) Annually, any funds appropriated by the legislature in excess
2 of the maintenance level funding amount for student transportation
3 shall be distributed among school districts on a prorated basis using
4 the difference between the amount identified in (a) adjusted by (b) of
5 this subsection and the amount determined under the formula in RCW
6 28A.160.180; and

7 (d) Allocations provided to recognize the cost of depreciation to
8 districts contracting with private carriers for student transportation
9 shall be deducted from the allowable transportation expenditures in (a)
10 of this subsection.

11 **Sec. 6.** RCW 28A.405.106 and 2012 c 35 s 5 are each amended to read
12 as follows:

13 (1) (~~Subject to funds appropriated for this purpose,~~) The office
14 of the superintendent of public instruction must develop and make
15 available a professional development program to support the
16 implementation of the evaluation systems required by RCW 28A.405.100.
17 The program components may be organized into professional development
18 modules for principals, administrators, and teachers. The professional
19 development program shall include a comprehensive online training
20 package.

21 (2) The training program must include, but not be limited to, the
22 following topics:

23 (a) Introduction of the evaluation criteria for teachers and
24 principals and the four-level rating system;

25 (b) Orientation to and use of instructional frameworks;

26 (c) Orientation to and use of the leadership frameworks;

27 (d) Best practices in developing and using data in the evaluation
28 systems, including multiple measures, student growth data, classroom
29 observations, and other measures and evidence;

30 (e) Strategies for achieving maximum rater agreement;

31 (f) Evaluator feedback protocols in the evaluation systems;

32 (g) Examples of high quality teaching and leadership; and

33 (h) Methods to link the evaluation process to ongoing educator
34 professional development.

35 (3) To the maximum extent feasible, the professional development
36 program must incorporate or adapt existing online training or
37 curriculum, including securing materials or curriculum under contract

1 or purchase agreements within available funds. Multiple modes of
2 instruction should be incorporated including videos of classroom
3 teaching, participatory exercises, and other engaging combinations of
4 online audio, video, and print presentation.

5 (4) The professional development program must be developed in
6 modules that allow:

7 (a) Access to material over a reasonable number of training
8 sessions;

9 (b) Delivery in person or online; and

10 (c) Use in a self-directed manner.

11 (5) The office of the superintendent of public instruction must
12 maintain a web site that includes the online professional development
13 materials along with sample evaluation forms and templates, links to
14 relevant research on evaluation and on high quality teaching and
15 leadership, samples of contract and collective bargaining language on
16 key topics, examples of multiple measures of teacher and principal
17 performance, suggestions for data to measure student growth, and other
18 tools that will assist school districts in implementing the revised
19 evaluation systems.

20 (6) The office of the superintendent of public instruction must
21 identify the number of in-service training hours associated with each
22 professional development module and develop a way for users to document
23 their completion of the training. Documented completion of the
24 training under this section is considered approved in-service training
25 for the purposes of RCW 28A.415.020.

26 (7) The office of the superintendent of public instruction shall
27 periodically update the modules to reflect new topics and research on
28 performance evaluation so that the training serves as an ongoing source
29 of continuing education and professional development.

30 (8) The office of the superintendent of public instruction shall
31 work with the educational service districts to provide clearinghouse
32 services for the identification and publication of professional
33 development opportunities for teachers and principals that align with
34 performance evaluation criteria.

35 (9) The training program must be funded at a level that allows for
36 training of both principals and teachers on both an initial and ongoing
37 basis and provides for the development of a small team of staff from

1 each district on the appropriate use of student growth measures. The
2 training program must provide eight hours of training for every teacher
3 in the state.

4 **Sec. 7.** RCW 28A.657.020 and 2010 c 235 s 102 are each amended to
5 read as follows:

6 (1) Beginning in 2010, and each year thereafter, by December 1st,
7 the superintendent of public instruction shall annually identify
8 schools as one of the state's persistently lowest-achieving schools if
9 the school is a Title I school, or a school that is eligible for but
10 does not receive Title I funds, that is among the lowest-achieving five
11 percent of Title I or Title I eligible schools in the state.

12 (2) The criteria for determining whether a school is among the
13 persistently lowest-achieving five percent of Title I schools, or Title
14 I eligible schools, under subsection (1) of this section shall be
15 established by the superintendent of public instruction. The criteria
16 must meet all applicable requirements for the receipt of a federal
17 school improvement grant under the American recovery and reinvestment
18 act of 2009 and Title I of the elementary and secondary education act
19 of 1965, and take into account both:

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

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

25 (3) Beginning in 2013, and each year thereafter, as part of phase
26 II of the accountability system, schools that are not Title I schools
27 may be identified as one of the state's persistently lowest-achieving
28 schools by the superintendent of public instruction under the same
29 criteria established under the authority of subsections (1) and (2) of
30 this section and shall be eligible for state funding as provided in
31 this chapter. Non-Title I schools identified under this section are
32 subject to the same requirements under this chapter as Title I schools.

33 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.310
34 RCW to read as follows:

35 (1) An English language arts instructional coach program is
36 authorized, which shall consist of an English language arts

1 instructional coach at each educational service district. The purpose
2 of the English language arts instructional coach program is to build
3 statewide capacity at the regional levels for implementing the new
4 common core standards in English language arts and enable all educators
5 within all programs to successfully support strong teaching and
6 learning in English language arts.

7 (2) Educational service districts shall carefully select the
8 individuals to perform the role of English language arts instructional
9 coach. Characteristics to be considered for a successful coach
10 include:

11 (a) Expertise in content area;

12 (b) Expertise in various instructional methodologies and
13 personalizing learning;

14 (c) Personal skills that include skilled listening, questioning,
15 trust building, and problem solving;

16 (d) Understanding and appreciation for the differences in adult
17 learners and student learners; and

18 (e) Capacity for strategic planning and quality program
19 implementation.

20 (3) The role of the English language arts instructional coach is
21 focused on supporting teachers as they apply knowledge, develop skills,
22 polish techniques, and deepen their understanding of content and
23 instructional practices. This work takes a number of forms including:
24 Individualized professional development, department-wide and school-
25 wide professional development, guidance in student data interpretation,
26 and using assessments to guide instruction.

27 (4) The English language arts instructional coach program in this
28 section shall be implemented to the extent funds are available for that
29 purpose.

30 NEW SECTION. **Sec. 9.** (1) Beginning in the 2013-14 school year,
31 the legislature shall provide the following average state salary
32 allocations for one full-time equivalent certificated administrative
33 staff and classified staff recognized in the prototypical school model
34 in RCW 28A.150.260 or the certificated administrative and classified
35 salary allocation amounts shown on LEAP Document 2 for the 2010-11
36 school year, whichever is higher:

1 general fund to the office of the superintendent of public instruction
2 to be distributed to the educational service districts for the purposes
3 of section 8 of this act.

4 (2) The sum of one million two hundred eighty-five thousand
5 dollars, or as much thereof as may be necessary, is appropriated for
6 the fiscal year ending June 30, 2015, from the general fund to the
7 office of the superintendent of public instruction to be distributed to
8 the educational service districts for the purposes of section 8 of this
9 act.

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