
SENATE BILL 5901

State of Washington

63rd Legislature

2013 Regular Session

By Senators Litzow and Tom

Read first time 04/05/13. Referred to Committee on Ways & Means.

1 AN ACT Relating to education; amending RCW 28A.150.520,
2 28A.300.118, 28A.300.150, 28A.405.106, 28A.655.061, 39.35D.040,
3 28A.400.200, 28A.150.260, 28A.160.192, 28A.655.180, 28A.655.180,
4 28A.600.015, 28A.600.020, 28A.600.410, 28A.300.046, 28A.300.042, and
5 28A.300.507; adding new sections to chapter 28A.655 RCW; adding a new
6 section to chapter 28A.150 RCW; adding a new section to chapter 28A.400
7 RCW; adding a new section to chapter 41.56 RCW; adding a new section to
8 chapter 41.59 RCW; adding a new section to chapter 28A.600 RCW;
9 creating new sections; repealing RCW 28A.400.201, 28A.220.050,
10 28A.220.080, 28A.230.150, and 28A.320.185; making appropriations;
11 providing effective dates; providing expiration dates; and declaring an
12 emergency.

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

14 NEW SECTION. **Sec. 1.** Part I of this act addresses providing
15 greater flexibility to school districts by removing excessive
16 requirements that prevent school districts from fully realigning
17 resources around the evidence-based practices that will lead to better
18 student achievement.

1 Part II of this act addresses issues that the *McCleary* decision
2 identified regarding school districts currently relying too heavily on
3 local levy funds for costs relating to materials, supplies, certain
4 operating costs, and student transportation to and from school. The
5 legislature intends to amply address these areas in the 2013-2015
6 fiscal biennium.

7 Part III of this act addresses the celebration of school district,
8 school, and student success through recognition of the achievement with
9 an awards program and a rewards program for innovation. Additionally,
10 the legislature intends to create a locally administered school reform
11 program to assist struggling schools. The legislature also intends to
12 gain additional research-based and evidence-based information to guide
13 future state and school district actions to improve student success.

14 Part IV of this act addresses school discipline and school
15 expulsion. The legislature intends to provide school districts with a
16 model policy to help standardize these disciplinary practices and data
17 collection of suspensions and expulsions. The legislature further
18 intends to create opportunities for reentry and reengagement in school
19 for long-term suspended or expelled students through an individually
20 tailored plan.

21 **PART I**

22 **SCHOOL DISTRICT FLEXIBILITY**

23 **Sec. 101.** RCW 28A.150.520 and 2005 c 12 s 9 are each amended to
24 read as follows:

25 To the extent funds are available, public school districts must
26 comply with high-performance public (~~(building[s])~~) buildings
27 requirements under RCW 39.35D.010, 39.35D.020, 39.35D.040, 39.35D.060,
28 and 28A.150.530.

29 **Sec. 102.** RCW 28A.300.118 and 2000 c 126 s 1 are each amended to
30 read as follows:

31 (1) Beginning with the 2000-01 school year, the superintendent of
32 public instruction shall notify senior high schools and any other
33 public school that includes ninth grade of the names and contact
34 information of public and private entities offering programs leading to

1 college credit, including information about online advanced placement
2 classes, if the superintendent has knowledge of such entities and if
3 the cost of reporting these entities is minimal.

4 (2) Beginning with the 2000-01 school year, each senior high school
5 and any other public school that includes ninth grade shall publish
6 annually and deliver to each parent with children enrolled in ninth
7 through twelfth grades, information concerning the entrance
8 requirements and the availability of programs in the local area that
9 lead to college credit, including classes such as advanced placement,
10 running start, tech-prep, skill centers, college in the high school,
11 and international baccalaureate programs. The information may be
12 included with other information the school regularly mails to parents.
13 In addition, each senior high school and any other public school that
14 includes ninth grade shall enclose information of the names and contact
15 information of other public or private entities offering such programs,
16 including online advanced placement programs, to its ninth through
17 twelfth grade students if the school has knowledge of such entities.

18 (3) This section is suspended until July 1, 2015.

19 **Sec. 103.** RCW 28A.300.150 and 2006 c 263 s 705 are each amended to
20 read as follows:

21 The superintendent of public instruction shall collect and
22 disseminate to school districts information on child abuse and neglect
23 prevention curriculum and shall adopt rules dealing with the prevention
24 of child abuse for purposes of curriculum use in the common schools.
25 The superintendent of public instruction and the departments of social
26 and health services and (~~community, trade, and economic development~~)
27 commerce shall share relevant information. Providing online access to
28 the information satisfies the requirements of this section unless a
29 parent or guardian specifically requests information to be provided in
30 written form.

31 **Sec. 104.** RCW 28A.405.106 and 2012 c 35 s 5 are each amended to
32 read as follows:

33 (1) Subject to funds appropriated for this purpose, the office of
34 the superintendent of public instruction must develop and make
35 available a professional development program to support the
36 implementation of the evaluation systems required by RCW 28A.405.100.

1 The program components may be organized into professional development
2 modules for principals, administrators, and teachers. The professional
3 development program shall include a comprehensive online training
4 package.

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

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

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

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

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

14 (e) Strategies for achieving maximum rater agreement;

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

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

17 (h) Methods to link the evaluation process to ongoing educator
18 professional development.

19 (3) To the maximum extent feasible, the professional development
20 program must incorporate or adapt existing online training or
21 curriculum, including securing materials or curriculum under contract
22 or purchase agreements within available funds. Multiple modes of
23 instruction should be incorporated including videos of classroom
24 teaching, participatory exercises, and other engaging combinations of
25 online audio, video, and print presentation.

26 (4) The professional development program must be developed in
27 modules that allow:

28 (a) Access to material over a reasonable number of training
29 sessions;

30 (b) Delivery in person or online; and

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

32 (5) The office of the superintendent of public instruction must
33 maintain a web site that includes the online professional development
34 materials along with sample evaluation forms and templates, links to
35 relevant research on evaluation and on high quality teaching and
36 leadership, samples of contract and collective bargaining language on
37 key topics, examples of multiple measures of teacher and principal

1 performance, suggestions for data to measure student growth, and other
2 tools that will assist school districts in implementing the revised
3 evaluation systems.

4 (6) The office of the superintendent of public instruction must
5 identify the number of in-service training hours associated with each
6 professional development module and develop a way for users to document
7 their completion of the training. ~~((Documented completion of the
8 training under this section is considered approved in-service training
9 for the purposes of RCW 28A.415.020.))~~

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

14 (8) The office of the superintendent of public instruction shall
15 work with the educational service districts to provide clearinghouse
16 services for the identification and publication of professional
17 development opportunities for teachers and principals that align with
18 performance evaluation criteria.

19 **Sec. 105.** RCW 28A.655.061 and 2011 1st sp.s. c 22 s 2 are each
20 amended to read as follows:

21 (1) The high school assessment system shall include but need not be
22 limited to the statewide student assessment, opportunities for a
23 student to retake the content areas of the assessment in which the
24 student was not successful, and, if approved by the legislature
25 pursuant to subsection (10) of this section, one or more objective
26 alternative assessments for a student to demonstrate achievement of
27 state academic standards. The objective alternative assessments for
28 each content area shall be comparable in rigor to the skills and
29 knowledge that the student must demonstrate on the statewide student
30 assessment for each content area.

31 (2) Subject to the conditions in this section, a certificate of
32 academic achievement shall be obtained by most students at about the
33 age of sixteen, and is evidence that the students have successfully met
34 the state standard in the content areas included in the certificate.
35 With the exception of students satisfying the provisions of RCW
36 28A.155.045 or 28A.655.0611, acquisition of the certificate is required

1 for graduation from a public high school but is not the only
2 requirement for graduation.

3 (3) Beginning with the graduating class of 2008, with the exception
4 of students satisfying the provisions of RCW 28A.155.045, a student who
5 meets the state standards on the reading, writing, and mathematics
6 content areas of the high school statewide student assessment shall
7 earn a certificate of academic achievement. If a student does not
8 successfully meet the state standards in one or more content areas
9 required for the certificate of academic achievement, then the student
10 may retake the assessment in the content area up to four times at no
11 cost to the student. If the student successfully meets the state
12 standards on a retake of the assessment then the student shall earn a
13 certificate of academic achievement. Once objective alternative
14 assessments are authorized pursuant to subsection (10) of this section,
15 a student may use the objective alternative assessments to demonstrate
16 that the student successfully meets the state standards for that
17 content area if the student has taken the statewide student assessment
18 at least once. If the student successfully meets the state standards
19 on the objective alternative assessments then the student shall earn a
20 certificate of academic achievement.

21 (4) Beginning with the graduating class of 2015, a student must
22 meet the state standards in science in addition to the other content
23 areas required under subsection (3) of this section on the statewide
24 student assessment or the objective alternative assessments in order to
25 earn a certificate of academic achievement.

26 (5) The state board of education may not require the acquisition of
27 the certificate of academic achievement for students in home-based
28 instruction under chapter 28A.200 RCW, for students enrolled in private
29 schools under chapter 28A.195 RCW, or for students satisfying the
30 provisions of RCW 28A.155.045.

31 (6) A student may retain and use the highest result from each
32 successfully completed content area of the high school assessment.

33 (7) School districts must make available to students the following
34 options:

35 (a) To retake the statewide student assessment up to four times in
36 the content areas in which the student did not meet the state standards
37 if the student is enrolled in a public school; or

1 (b) To retake the statewide student assessment up to four times in
2 the content areas in which the student did not meet the state standards
3 if the student is enrolled in a high school completion program at a
4 community or technical college. The superintendent of public
5 instruction and the state board for community and technical colleges
6 shall jointly identify means by which students in these programs can be
7 assessed.

8 (8) Students who achieve the standard in a content area of the high
9 school assessment but who wish to improve their results shall pay for
10 retaking the assessment, using a uniform cost determined by the
11 superintendent of public instruction.

12 (9) Opportunities to retake the assessment at least twice a year
13 shall be available to each school district.

14 (10)(a) The office of the superintendent of public instruction
15 shall develop options for implementing objective alternative
16 assessments, which may include an appeals process for students' scores,
17 for students to demonstrate achievement of the state academic
18 standards. The objective alternative assessments shall be comparable
19 in rigor to the skills and knowledge that the student must demonstrate
20 on the statewide student assessment and be objective in its
21 determination of student achievement of the state standards. Before
22 any objective alternative assessments in addition to those authorized
23 in RCW 28A.655.065 or (b) of this subsection are used by a student to
24 demonstrate that the student has met the state standards in a content
25 area required to obtain a certificate, the legislature shall formally
26 approve the use of any objective alternative assessments through the
27 omnibus appropriations act or by statute or concurrent resolution.

28 (b)(i) A student's score on the mathematics, reading or English, or
29 writing portion of the SAT or the ACT may be used as an objective
30 alternative assessment under this section for demonstrating that a
31 student has met or exceeded the state standards for the certificate of
32 academic achievement. The state board of education shall identify the
33 scores students must achieve on the relevant portion of the SAT or ACT
34 to meet or exceed the state standard in the relevant content area on
35 the statewide student assessment. A student's score on the science
36 portion of the ACT or the science subject area tests of the SAT may be
37 used as an objective alternative assessment under this section as soon
38 as the state board of education determines that sufficient data is

1 available to identify reliable equivalent scores for the science
2 content area of the statewide student assessment. After the first
3 scores are established, the state board may increase but not decrease
4 the scores required for students to meet or exceed the state standards.

5 (ii) A student who scores at least a three on the grading scale of
6 one to five for selected AP examinations may use the score as an
7 objective alternative assessment under this section for demonstrating
8 that a student has met or exceeded state standards for the certificate
9 of academic achievement. A score of three on the AP examinations in
10 calculus or statistics may be used as an alternative assessment for the
11 mathematics portion of the statewide student assessment. A score of
12 three on the AP examinations in English language and composition may be
13 used as an alternative assessment for the writing portion of the
14 statewide student assessment. A score of three on the AP examinations
15 in English literature and composition, macroeconomics, microeconomics,
16 psychology, United States history, world history, United States
17 government and politics, or comparative government and politics may be
18 used as an alternative assessment for the reading portion of the
19 statewide student assessment. A score of three on the AP examination
20 in biology, physics, chemistry, or environmental science may be used as
21 an alternative assessment for the science portion of the statewide
22 student assessment.

23 (11) By December 15, 2004, the house of representatives and senate
24 education committees shall obtain information and conclusions from
25 recognized, independent, national assessment experts regarding the
26 validity and reliability of the high school Washington assessment of
27 student learning for making individual student high school graduation
28 determinations.

29 ~~((12) To help assure continued progress in academic achievement as
30 a foundation for high school graduation and to assure that students are
31 on track for high school graduation, each school district shall prepare
32 plans for and notify students and their parents or legal guardians as
33 provided in this subsection. Student learning plans are required for
34 eighth grade students who were not successful on any or all of the
35 content areas of the state assessment during the previous school year
36 or who may not be on track to graduate due to credit deficiencies or
37 absences. The parent or legal guardian shall be notified about the
38 information in the student learning plan, preferably through a parent~~

1 ~~conference and at least annually. To the extent feasible, schools~~
2 ~~servicing English language learner students and their parents shall~~
3 ~~translate the plan into the primary language of the family. The plan~~
4 ~~shall include the following information as applicable:~~

5 ~~(a) The student's results on the state assessment;~~

6 ~~(b) If the student is in the transitional bilingual program, the~~
7 ~~score on his or her Washington language proficiency test II;~~

8 ~~(c) Any credit deficiencies;~~

9 ~~(d) The student's attendance rates over the previous two years;~~

10 ~~(e) The student's progress toward meeting state and local~~
11 ~~graduation requirements;~~

12 ~~(f) The courses, competencies, and other steps needed to be taken~~
13 ~~by the student to meet state academic standards and stay on track for~~
14 ~~graduation;~~

15 ~~(g) Remediation strategies and alternative education options~~
16 ~~available to students, including informing students of the option to~~
17 ~~continue to receive instructional services after grade twelve or until~~
18 ~~the age of twenty-one;~~

19 ~~(h) The alternative assessment options available to students under~~
20 ~~this section and RCW 28A.655.065;~~

21 ~~(i) School district programs, high school courses, and career and~~
22 ~~technical education options available for students to meet graduation~~
23 ~~requirements; and~~

24 ~~(j) Available programs offered through skill centers or community~~
25 ~~and technical colleges, including the college high school diploma~~
26 ~~options under RCW 28B.50.535.)~~

27 **Sec. 106.** RCW 39.35D.040 and 2011 c 99 s 2 are each amended to
28 read as follows:

29 (1) All major facility projects of public school districts
30 receiving any funding in a state capital budget must be designed and
31 constructed to at least the LEED silver standard or the Washington
32 sustainable school design protocol. To the extent appropriate LEED
33 silver or Washington sustainable school design protocol standards exist
34 for the type of building or facility, this subsection applies to major
35 facility projects that have not received project approval from the
36 superintendent of public instruction prior to: (a) July 1, 2006, for

1 volunteering school districts; (b) July 1, 2007, for class one school
2 districts; and (c) July 1, 2008, for class two school districts.

3 (2) Public school districts under this section shall: (a) Monitor
4 and document appropriate operating benefits and savings resulting from
5 major facility projects designed and constructed as required under this
6 section for a minimum of five years following local board acceptance of
7 a project receiving state funding; and (b) report annually to the
8 superintendent of public instruction. The form and content of each
9 report must be mutually developed by the office of the superintendent
10 of public instruction in consultation with school districts.

11 (3) The superintendent of public instruction shall consolidate the
12 reports required in subsection (2) of this section into one report and
13 report to the governor and legislature by September 1st of each even-
14 numbered year beginning in 2006 and ending in 2016. In its report, the
15 superintendent of public instruction shall also report on the
16 implementation of this chapter, including reasons why the LEED standard
17 or Washington sustainable school design protocol was not used as
18 required by RCW 39.35D.020(5)(b). The superintendent of public
19 instruction shall make recommendations regarding the ongoing
20 implementation of this chapter, including a discussion of incentives
21 and disincentives related to implementing this chapter.

22 (4) The superintendent of public instruction shall develop and
23 issue guidelines for administering this chapter for public school
24 districts. The purpose of the guidelines is to define a procedure and
25 method for employing and verifying compliance with the LEED silver
26 standard or the Washington sustainable school design protocol.

27 (5) The superintendent of public instruction shall utilize the
28 school facilities advisory board as a high-performance buildings
29 advisory committee comprised of affected public schools, the
30 superintendent of public instruction, the department, and others at the
31 superintendent of public instruction's discretion to provide advice on
32 implementing this chapter. Among other duties, the advisory committee
33 shall make recommendations regarding an education and training process
34 and an ongoing evaluation or feedback process to help the
35 superintendent of public instruction implement this chapter.

36 (6) For projects that comply with this section by meeting the LEED
37 silver standard, the superintendent of public instruction must credit
38 one additional point for a project that uses wood products with a

1 credible third-party sustainable forest certification or from forests
2 regulated under chapter 76.09 RCW, the Washington forest practices act.
3 For projects that qualify for this additional point, and for which an
4 additional point would have resulted in formal certification under the
5 LEED silver standard, the project must be deemed to meet the
6 requirements of subsection (1) of this section.

7 (7) School districts are required to comply with this section only
8 to the extent federal or state funds are available.

9 **Sec. 107.** RCW 28A.400.200 and 2010 c 235 s 401 are each amended to
10 read as follows:

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

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

18 (b) Salaries for certificated instructional staff with a master's
19 degree shall not be less than the salary provided in the appropriations
20 act in the statewide salary allocation schedule for an employee with a
21 master's degree and zero years of service.

22 (3)(a) The actual average salary paid to certificated instructional
23 staff shall not exceed the district's average certificated
24 instructional staff salary used for the state basic education
25 allocations for that school year as determined pursuant to RCW
26 28A.150.410.

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

1 in excess of the insurance benefits allocation provided per
2 certificated instructional staff unit in the state operating
3 appropriations act in effect at the time the compensation is payable.
4 A school district may not use state funds to provide employer
5 contributions for such excess health benefits.

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

10 (4)(a) Salaries and benefits for certificated instructional staff
11 may exceed the limitations in subsection (3) of this section only by
12 separate contract for additional time, for additional responsibilities,
13 for incentives, or for implementing specific measurable innovative
14 activities, including professional development, specified by the school
15 district to: ~~((a))~~ (i) Close one or more achievement gaps, ~~((b))~~
16 (ii) focus on development of science, technology, engineering, and
17 mathematics (STEM) learning opportunities, or ~~((c))~~ (iii) provide
18 arts education. Beginning September 1, 2011, school districts shall
19 annually provide a brief description of the innovative activities
20 included in any supplemental contract to the office of the
21 superintendent of public instruction. The office of the superintendent
22 of public instruction shall summarize the district information and
23 submit an annual report to the education committees of the house of
24 representatives and the senate. Supplemental contracts shall not cause
25 the state to incur any present or future funding obligation.
26 Supplemental contracts shall be subject to the collective bargaining
27 provisions of chapter 41.59 RCW and the provisions of RCW 28A.405.240,
28 shall not exceed one year, and if not renewed shall not constitute
29 adverse change in accordance with RCW 28A.405.300 through 28A.405.380.
30 No district may enter into a supplemental contract under this
31 subsection for the provision of services which are a part of the basic
32 education program required by Article IX, section 3 of the state
33 Constitution.

34 (b)(i) Beginning July 1, 2013, the excess salary and benefits
35 authorized under this subsection (4)(b) shall not exceed the excess
36 salary and benefits, measured as the percentage over the base salary,
37 provided to certificated instructional staff by separate contract
38 during the 2012-13 school year.

1 (ii) Beginning July 1, 2015, school districts may apply to the
2 state board of education to increase the percentage over base salary
3 provided. The state board shall authorize such increases solely based
4 on the number of schools in the district that receive an "A," "B," or
5 "C" under the school-grading program in section 302 of this act. The
6 state board of education shall create an application process, criteria
7 addressing the number of schools that are required to receive an "A,"
8 "B," or "C" to justify an increase, and the range of increases that may
9 be authorized that corresponds to that criteria.

10 (5) Strategic innovative grants awarded under section 307 of this
11 act are not subject to this section.

12 (6) Employee benefit plans offered by any district shall comply
13 with RCW 28A.400.350 ((and)), 28A.400.275, and 28A.400.280.

14 NEW SECTION. Sec. 108. Section 107 of this act does not affect or
15 impair any collective bargaining agreements in effect on the effective
16 date of this section between an employer and educational employees or
17 employee organization under chapter 41.59 RCW. Any collective
18 bargaining agreement entered into or renewed after the effective date
19 of this section shall be consistent with section 107 of this act.

20 NEW SECTION. Sec. 109. RCW 28A.400.201 (Enhanced salary
21 allocation model for educator development and certification--Technical
22 working group--Report and recommendation) and 2011 1st sp.s. c 43 s
23 468, 2010 c 236 s 7, & 2009 c 548 s 601 are each repealed.

24 NEW SECTION. Sec. 110. (1) A joint select committee on educator
25 compensation is created to provide oversight, monitoring, and direction
26 to revise the current salary allocation schedule to create a new
27 educator compensation model for certificated instructional staff and
28 principals that links the educator compensation policies of the state
29 to research-based practices shown to increase an educator's
30 effectiveness and positive impact on student learning. The new model
31 is intended to have a more flexible structure, be more data-driven, and
32 encourage innovation by using salary differentials to reflect effective
33 educator skills and working conditions.

34 (2) The members of the joint select committee shall be as follows:

1 (a) The chair of the house of representatives committee on
2 appropriations;

3 (b) The chair of the house of representatives committee on
4 education;

5 (c) The chair of the senate committee on ways and means; and

6 (d) The chair of the senate committee on early learning and K-12
7 education.

8 (3) A chair may appoint a designee to function in his or her place.

9 (4) The chair of the house of representatives committee on
10 appropriations and the chair of the senate ways and means committee
11 shall convene the initial meeting.

12 (5) The staff of the house of representatives committee on
13 appropriations and the staff of the senate ways and means committee
14 shall provide staff support for any public meetings.

15 (6) The members of the joint select committee must be reimbursed
16 for travel expenses in accordance with RCW 44.04.120. Expenses of the
17 committee must be paid jointly by the senate and the house of
18 representatives, and committee expenditures are subject to approval by
19 the senate facilities and operations committee and the house of
20 representatives executive rules committee, or their successor
21 committees.

22 (7) This section expires July 1, 2016.

23 NEW SECTION. **Sec. 111.** The following acts or parts of acts are
24 each repealed:

25 (1) RCW 28A.220.050 (Information on proper use of left-hand lane)
26 and 1986 c 93 s 4;

27 (2) RCW 28A.220.080 (Information on motorcycle awareness) and 2007
28 c 97 s 4 & 2004 c 126 s 1;

29 (3) RCW 28A.230.150 (Temperance and Good Citizenship Day--Aids in
30 programming) and 1969 ex.s. c 223 s 28A.02.090; and

31 (4) RCW 28A.320.185 (School gardens or farms) and 2008 c 215 s 7.

32 **PART II**

33 **TARGETING ENHANCEMENTS TO BASIC EDUCATION**

34 **Sec. 201.** RCW 28A.150.260 and 2011 1st sp.s. c 27 s 2 are each
35 amended to read as follows:

1 The purpose of this section is to provide for the allocation of
2 state funding that the legislature deems necessary to support school
3 districts in offering the minimum instructional program of basic
4 education under RCW 28A.150.220. The allocation shall be determined as
5 follows:

6 (1) The governor shall and the superintendent of public instruction
7 may recommend to the legislature a formula for the distribution of a
8 basic education instructional allocation for each common school
9 district.

10 (2) The distribution formula under this section shall be for
11 allocation purposes only. Except as may be required under chapter
12 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and
13 regulations, nothing in this section requires school districts to use
14 basic education instructional funds to implement a particular
15 instructional approach or service. Nothing in this section requires
16 school districts to maintain a particular classroom teacher-to-student
17 ratio or other staff-to-student ratio or to use allocated funds to pay
18 for particular types or classifications of staff. Nothing in this
19 section entitles an individual teacher to a particular teacher planning
20 period.

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

1 to the extent that data is available. The allocations shall be further
2 adjusted from the school prototypes with minimum allocations for small
3 schools and to reflect other factors identified in the omnibus
4 appropriations act.

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

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

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

12 (iii) A prototypical elementary school has four hundred average
13 annual full-time equivalent students in grades kindergarten through
14 six.

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

	General education average class size
22	
23	
24	
25 Grades K-3	25.23
26 Grade 4	27.00
27 Grades 5-6	27.00
28 Grades 7-8	28.53
29 Grades 9-12	28.74

30 (b) During the 2011-2013 biennium and beginning with schools with
31 the highest percentage of students eligible for free and reduced-price
32 meals in the prior school year, the general education average class
33 size for grades K-3 shall be reduced until the average class size
34 funded under this subsection (4) is no more than 17.0 full-time
35 equivalent students per teacher beginning in the 2017-18 school year.

36 (c) The minimum allocation for each prototypical middle and high
37 school shall also provide for full-time equivalent classroom teachers

1 based on the following number of full-time equivalent students per
 2 teacher in career and technical education:

	Career and technical	
	education average	
	class size	
6	Approved career and technical education offered at	
7	the middle school and high school level	26.57
8	Skill center programs meeting the standards established	
9	by the office of the superintendent of public	
10	instruction	22.76

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

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

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

18 (5) The minimum allocation for each level of prototypical school
 19 shall include allocations for the following types of staff in addition
 20 to classroom teachers:

	Elementary	Middle	High
	School	School	School
26 Principals, assistant principals, and other certificated building-level			
27 administrators	1.253	1.353	1.880
28 Teacher librarians, a function that includes information literacy, technology,			
29 and media to support school library media programs	0.663	0.519	0.523
30 Health and social services:			
31 School nurses	0.076	0.060	0.096
32 Social workers	0.042	0.006	0.015
33 Psychologists	0.017	0.002	0.007
34 Guidance counselors, a function that includes parent outreach and graduation			
35 advising	0.493	1.116	1.909

1	Teaching assistance, including any aspect of educational instructional			
2	services provided by classified employees	0.936	0.700	0.652
3	Office support and other noninstructional aides	2.012	2.325	3.269
4	Custodians	1.657	1.942	2.965
5	Classified staff providing student and staff safety	0.079	0.092	0.141
6	Parent involvement coordinators	0.00	0.00	0.00

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

11		Staff per 1,000
12		K-12 students
13	Technology	0.628
14	Facilities, maintenance, and grounds	1.813
15	Warehouse, laborers, and mechanics	0.332

16 (b) The minimum allocation of staff units for each school district
17 to support certificated and classified staffing of central
18 administration shall be 5.30 percent of the staff units generated under
19 subsections (4)(a) and (b) and (5) of this section and (a) of this
20 subsection.

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

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

30		Per annual average
31		full-time equivalent student
32		in grades K-12
33	Technology	\$54.43
34	Utilities and insurance	\$147.90
35	Curriculum and textbooks	\$58.44
36	Other supplies and library materials	\$124.07

1 Instructional professional development for certified and
 2 classified staff \$9.04
 3 Facilities maintenance \$73.27
 4 Security and central office \$50.76

5 (b) During the ((2011-2013 biennium)) 2014-15 school year, the
 6 minimum allocation for ((maintenance)) each school district for
 7 materials, supplies, and operating costs shall be increased ((as
 8 specified in the omnibus appropriations act. The following
 9 allocations, adjusted for inflation from the 2007-08 school year, are
 10 provided in the 2015-16 school year, after which)) as provided in this
 11 subsection, and thereafter the allocations shall be adjusted annually
 12 for inflation as specified in the omnibus appropriations act:

	((Per annual average full-time equivalent student in grades K-12))
	<u>Materials, supplies, and operating costs (MSOC)</u>
	<u>rates per student full-time equivalent</u>
18 <u>MSOC component</u>	<u>2014-15 school year</u>
19 Technology	(((\$113.80)) <u>\$127.29</u>
20 Utilities and insurance	(((\$309.21)) <u>\$345.88</u>
21 Curriculum and textbooks	(((\$122.17)) <u>\$136.66</u>
22 Other supplies and library materials	(((\$259.39)) <u>\$290.15</u>
23 Instructional professional development for certificated and 24 classified staff	(((\$18.89)) <u>\$21.13</u>
25 Facilities maintenance	(((\$153.18)) <u>\$171.34</u>
26 Security and central office administration	(((\$106.12)) <u>\$118.70</u>
27 <u>Total basic education MSOC per student FTE</u>	<u>\$1,211.15</u>

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

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

33 (b) Laboratory science courses for students in grades nine through
 34 twelve;

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

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

3 (10) In addition to the allocations otherwise provided under this
4 section, amounts shall be provided to support the following programs
5 and services:

6 (a) To provide supplemental instruction and services for
7 underachieving students through the learning assistance program under
8 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the
9 district percentage of students in grades K-12 who were eligible for
10 free or reduced-price meals in the prior school year. The minimum
11 allocation for the program shall provide for each level of prototypical
12 school resources to provide, on a statewide average, 1.5156 hours per
13 week in extra instruction with a class size of fifteen learning
14 assistance program students per teacher.

15 (b) To provide supplemental instruction and services for students
16 whose primary language is other than English, allocations shall be
17 based on the head count number of students in each school who are
18 eligible for and enrolled in the transitional bilingual instruction
19 program under RCW 28A.180.010 through 28A.180.080. The minimum
20 allocation for each level of prototypical school shall provide
21 resources to provide, on a statewide average, 4.7780 hours per week in
22 extra instruction with fifteen transitional bilingual instruction
23 program students per teacher. Notwithstanding other provisions of this
24 subsection (10), the actual per-student allocation may be scaled to
25 provide a larger allocation for students needing more intensive
26 intervention and a commensurate reduced allocation for students needing
27 less intensive intervention, as detailed in the omnibus appropriations
28 act.

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

37 (11) The allocations under subsections (4)(a) and (b), (5), (6),

1 and (8) of this section shall be enhanced as provided under RCW
2 28A.150.390 on an excess cost basis to provide supplemental
3 instructional resources for students with disabilities.

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

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

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

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

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

36 (d) The office of financial management shall make a monthly review
37 of the superintendent's reported full-time equivalent students in the
38 common schools in conjunction with RCW 43.62.050.

1 **Sec. 202.** RCW 28A.160.192 and 2011 1st sp.s. c 27 s 3 are each
2 amended to read as follows:

3 (1) The phase-in of the implementation of the distribution formula
4 under this chapter for allocating state funds for the transportation of
5 students to and from school shall be fully implemented in the 2013-2015
6 biennium.

7 (2) The superintendent of public instruction shall (~~phase-in the~~
8 ~~implementation of the distribution formula under this chapter for~~
9 ~~allocating~~) allocate state funds to school districts for the
10 transportation of students to and from school (~~(. The phase-in shall~~
11 ~~begin no later than the 2011-2013 biennium and be fully implemented by~~
12 ~~the 2013-2015 biennium)) as provided in this section.~~

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

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

30 (~~(2) During the phase-in period,~~) (3) Funding provided to school
31 districts for student transportation operations shall be distributed on
32 the following basis:

33 (a) Annually, each school district shall receive the lesser of the
34 (~~previous school year's pupil transportation operations allocation~~)
35 expected cost as predicted by the regression analysis plus adjustments,
36 or the total of allowable pupil transportation expenditures identified
37 on the previous school year's final expenditure report to the state

1 plus district indirect expenses using the federal restricted indirect
2 rate as calculated in the district annual financial report; and

3 (b) Annually, the amount identified in (a) of this subsection shall
4 be adjusted for any budgeted (~~increases~~) revisions provided in the
5 omnibus appropriations act for salaries or fringe benefits; and

6 (~~(c) ((Annually, any funds appropriated by the legislature in excess
7 of the maintenance level funding amount for student transportation
8 shall be distributed among school districts on a prorated basis using
9 the difference between the amount identified in (a) adjusted by (b) of
10 this subsection and the amount determined under the formula in RCW
11 28A.160.180; and~~

12 ~~(d))~~) Allocations provided to recognize the cost of depreciation to
13 districts contracting with private carriers for student transportation
14 shall be deducted from the allowable transportation expenditures in (a)
15 of this subsection.

16 PART III

17 RECOGNITION AND REFORMS

18 NEW SECTION. Sec. 301. The legislature finds that there is a need
19 to recognize highly productive public schools and reward innovation.
20 The legislature further finds that there is a parallel need to assist
21 public schools that are struggling. The legislature intends to address
22 both of these needs by creating a recognition program, a grant program
23 to reward innovation, and a locally administered school reform program.

24 NEW SECTION. Sec. 302. A new section is added to chapter 28A.655
25 RCW to read as follows:

26 (1) The primary purposes of a school-grading program are to enhance
27 the learning gains of all students, provide feedback to schools and
28 school districts, supply parents and community members with
29 understandable information about their schools, and provide information
30 regarding school accountability and recognition.

31 (2) Beginning with the 2013-14 school year, the state board of
32 education must implement a school-grading program that identifies
33 schools as having one of the following grades:

34 (a) "A" for schools making excellent progress;

35 (b) "B" for schools making above average progress;

1 (c) "C" for schools making satisfactory progress;

2 (d) "D" for schools making less than satisfactory progress; and

3 (e) "F" for schools failing to make adequate progress.

4 (3) Each school that has students who are tested using the
5 assessments administered statewide in reading, writing, mathematics,
6 and science required under RCW 28A.655.061, 28A.655.066, and
7 28A.655.070 shall earn a school grade, except as follows:

8 (a) To protect the privacy of students, schools, and districts,
9 schools testing fewer than ten students in a grade level; and

10 (b) A school that serves any combination of students in
11 kindergarten through grade three shall not earn a school grade based on
12 test scores because its students are not tested. Such schools shall be
13 included in the school-grading program by earning the grade designation
14 of the K-3 feeder-pattern school identified by the office of the
15 superintendent of public instruction and verified by the school
16 district. A school feeder pattern exists if at least sixty percent of
17 the students in the school serving a combination of students in
18 kindergarten through grade three are scheduled to be assigned to the
19 graded school. The school with students in kindergarten through grade
20 three will earn the grade earned by its feeder-pattern school.

21 (4)(a) A school's grade shall be determined by the state board of
22 education using the accountability index, cooperatively developed under
23 RCW 28A.657.110 by the state board of education and the office of the
24 superintendent of public instruction. The index must measure the
25 increase in student achievement on the statewide administered
26 assessments in reading, writing, mathematics, and science; and the
27 reduction in student achievement gaps. The index may include other
28 student outcome measurements.

29 (b) For schools with any combination of grades nine, ten, eleven,
30 and twelve, at least fifty percent of a school's grade shall be
31 determined using the accountability index and the remaining percentage
32 shall be based on the following factors, if the factors are not already
33 included in the accountability index:

34 (i) The high school graduation rate of the school as calculated by
35 the office of the superintendent of public instruction;

36 (ii) As valid data becomes available, the performance and
37 participation of the school's students in AP courses, international

1 baccalaureate courses, and dual enrollment courses; and student
2 achievement of national industry certification;

3 (iii) Postsecondary readiness of all of the school's on-time
4 graduates as measured by the SAT, the ACT, or a placement test; and

5 (iv) The high school graduation rate of at-risk students.

6 (5)(a) The state board of education shall adopt appropriate
7 criteria for each school grade.

8 (b) The criteria must give added weight to student achievement in
9 reading.

10 (c) Schools earning a grade of "C" or higher must demonstrate that
11 at least half of the students in the school who are in the lowest
12 twenty-fifth percentile in reading and mathematics on the statewide
13 administered assessments are making adequate progress; if not, the
14 school letter grade is decreased by one letter.

15 (d) For schools with any combination of grades nine, ten, eleven,
16 and twelve, the criteria for school grades must also give added weight
17 to the graduation rate of all eligible at-risk students. In order for
18 a high school to earn a grade of "A," the school must demonstrate that
19 its at-risk students are making adequate progress.

20 (6) The office of the superintendent of public instruction must
21 annually report each school district's grade to the governor and the
22 legislature. A school district's grade must be calculated using
23 student performance and learning gains data on statewide assessments
24 used for determining school grades under subsection (4) of this section
25 for each eligible student enrolled for a full school year in the
26 district. This calculation methodology captures information describing
27 each eligible student in the district who may have transferred among
28 schools within the district or who is enrolled in a school that does
29 not earn a grade.

30 (7) By August 1, 2014, the office of the superintendent of public
31 instruction shall adapt the model school performance report and the
32 agency web site originally developed under RCW 28A.655.110 to include
33 each school district's grade and each school's grade. Each school
34 district's and school's report card shall be published annually, with
35 the school and district grade history, by the agency on its web site.

36 (8) Each school district must include in its annual school
37 performance report required under RCW 28A.655.110 each school's grade
38 and must also include the school district's grade.

1 (9) For the purposes of this section, "at-risk students" means
2 students scoring at level one or level two on the eighth grade
3 statewide administered reading and mathematics assessment.

4 (10) The state board of education and the office of the
5 superintendent of public instruction shall adopt rules, as necessary,
6 to administer this section.

7 (11)(a) The school-grading program shall be a pilot program during
8 the 2013-14 school year. The office of the superintendent of public
9 instruction shall conduct the pilot program in five geographically
10 diverse school districts, including urban, rural, large, and small
11 districts.

12 (b) The office of the superintendent of public instruction shall
13 contract with an organization in Washington state that conducts and
14 disseminates action research, partners with state and local agencies
15 and organizations, and provides data services and support for school
16 and district improvement planning to conduct an independent evaluation
17 of the school-grading pilot program. The evaluation shall be submitted
18 to the office of the superintendent of public instruction, the
19 governor, and the legislature by December 1, 2014. The evaluation must
20 include recommendations on any necessary modifications, if any, to the
21 criteria or the process used to grade schools and districts.

22 (12) The state board of education and the office of the
23 superintendent of public instruction must make all the modifications
24 recommended in the evaluation and implement the school-grading program
25 statewide in the 2014-15 school year.

26 NEW SECTION. **Sec. 303.** A new section is added to chapter 28A.150
27 RCW to read as follows:

28 (1) By August 1, 2014, the Washington institute for public policy
29 shall compile an in-depth cost-benefit analysis and list of the most
30 effective research-proven practices and programs for the delivery of K-
31 12 public school instruction. The analysis must include a prioritized
32 list based on positive impact on student performance, the highest and
33 best use of resources, and the largest return on investment. The
34 purpose of this effort is to inform executive and legislative branch
35 decisions in making future additional K-12 funding enhancements. The
36 list shall be updated every two years.

1 (2) By August 1, 2014, the Washington institute for public policy
2 shall prepare an initial inventory of evidence-based and research-based
3 effective practices, activities, and programs for use by school
4 districts in the delivery of instruction. The inventory must include
5 information on the best methods and practices for providing educational
6 opportunities for students in specific categorical programs of basic
7 education and must also include information on effective educator and
8 school leadership compensation systems. In addition, the inventory
9 must include information on evidence-based and research-based practices
10 for closing opportunity gaps and for the best and highest use of
11 learning assistance program funds to serve underachieving students or
12 students in poverty. To the extent possible, this information will be
13 informed by a review of successful schools meeting or exceeding
14 anticipated educational outcomes based on demographic challenges. The
15 inventory must be updated every two years.

16 NEW SECTION. **Sec. 304.** A new section is added to chapter 28A.655
17 RCW to read as follows:

18 (1) The school-grading program created in section 302 of this act
19 and the research and information gathered from the efforts outlined in
20 section 303 of this act must be used to recognize highly productive
21 public schools and identify struggling public schools.

22 (2) Beginning with the 2015-2017 fiscal biennium, the
23 superintendent of public instruction shall implement a school
24 recognition program for public schools. Schools that are designated as
25 making excellent progress and thereby receiving an "A" grade under
26 section 302 of this act shall receive the Washington achievement award
27 to be presented jointly by the office of the superintendent of public
28 instruction and the state board of education at an annual award
29 ceremony. Award winning schools shall receive a banner and acrylic
30 award to proudly display in their buildings.

31 (3)(a) Beginning with the 2015-2017 fiscal biennium, the
32 superintendent of public instruction shall implement a locally
33 administered school reform program to assist struggling schools.
34 Beginning in the 2015-16 school year, any school district with at least
35 one school failing to make adequate progress and thereby receiving an
36 "F" grade under section 302 of this act for three consecutive years
37 shall develop and implement a school district three-year school reform

1 plan for the designated school that makes significant changes to
2 address issues identified as potential reasons for the school's low
3 performance and lack of progress. The school reform plan must be
4 developed in collaboration with the school board, school
5 administrators, teachers and other school staff, parents, students, and
6 other representatives of the local community. If requested, the
7 superintendent of public instruction shall provide a district with
8 assistance in developing its school reform plan. The plan must include
9 a review of the degree to which the school's current programs and
10 expenditures fall within the inventory of evidence-based and research-
11 based effective practices, activities, and programs identified in
12 section 303 of this act. The plan must include the specific steps that
13 will be taken to increase the portion of school programs that are
14 evidence-based and research-based. Any collective bargaining
15 agreements negotiated with the school district must be reopened or an
16 addendum must be negotiated to make the significant changes that are
17 necessary to implement the school's reform plan. The school district
18 may apply to the office of the superintendent of public instruction or
19 the state board of education for waivers in accordance with RCW
20 28A.655.180 to administer the school reform plan. The school board of
21 directors must conduct a public hearing to allow for public comment on
22 the school district's proposed school reform plan.

23 (b) The superintendent of public instruction shall use monitoring
24 and quality control procedures designed to measure school district
25 fidelity in implementing the programs identified in the inventory
26 developed under section 303 of this act.

27 (c) The school district superintendent shall provide an annual
28 report to the school district board of directors on the progress of
29 each school participating in the locally administered school reform
30 program and make recommendations to improve educational outcomes and
31 increase the realignment of resources around school programs that are
32 evidence-based and research-based as identified in the inventory
33 developed under section 303 of this act.

34 (d) At the completion of the district's three-year school reform
35 plan, the superintendent of public instruction shall conduct an
36 evaluation of the progress of each school participating in the local
37 reform program and submit the evaluation to the state board of
38 education. Based on this report and the relevant school grading

1 results, the state board of education, in consultation with the school
2 district, must make a determination regarding appropriate next steps
3 for continuous school improvement for each school. This determination
4 may include a recommendation for designation as a required action
5 district under chapter 28A.657 RCW, including possible designation at
6 level two of the required action process, if appropriate.

7 (e) By August 1, 2018, based on the results of the school
8 recognition program and the school reform program created in this
9 section, the state board of education and the superintendent of public
10 instruction shall submit a report to the appropriate committees of the
11 legislature on the outcomes of the two programs and make
12 recommendations for sustaining and improving the programs in the
13 future.

14 **Sec. 305.** RCW 28A.655.180 and 2012 c 53 s 9 are each amended to
15 read as follows:

16 (1) The state board of education, where appropriate, or the
17 superintendent of public instruction, where appropriate, may grant
18 waivers to districts from the provisions of statutes or rules relating
19 to((+)) the length of the school year((~~student to teacher ratios~~))
20 and other administrative rules that in the opinion of the state board
21 of education or the opinion of the superintendent of public instruction
22 may need to be waived in order for a district to implement a plan for
23 restructuring its educational program or the educational program of
24 individual schools within the district ((~~or~~)), including the locally
25 administered school reform plans developed in accordance with section
26 304 of this act; to implement an innovation school or innovation zone
27 designated under RCW 28A.630.081; or to implement a collaborative
28 schools for innovation and success pilot project approved under RCW
29 28A.630.104.

30 (2) School districts may use the application process in RCW
31 28A.305.140 to apply for the waivers under this section.

32 **Sec. 306.** RCW 28A.655.180 and 2009 c 543 s 3 are each amended to
33 read as follows:

34 (1) The state board of education, where appropriate, or the
35 superintendent of public instruction, where appropriate, may grant
36 waivers to districts from the provisions of statutes or rules relating

1 to((+)) the length of the school year((~~student to teacher ratios~~))
2 and other administrative rules that in the opinion of the state board
3 of education or the opinion of the superintendent of public instruction
4 may need to be waived in order for a district to implement a plan for
5 restructuring its educational program or the educational program of
6 individual schools within the district, including the locally
7 administered school reform plans developed in accordance with section
8 304 of this act.

9 (2) School districts may use the application process in RCW
10 28A.305.140 to apply for the waivers under this section.

11 NEW SECTION. Sec. 307. A new section is added to chapter 28A.400
12 RCW to read as follows:

13 (1) The strategic innovative grant account is created in the state
14 treasury to be used for awarding grants to public school districts for
15 the implementation of effective educator and school leadership
16 compensation systems. Moneys in the account may be spent only after
17 appropriation. The account may receive gifts, grants, and donations
18 from individuals or public or private entities.

19 (2) By August 1st of each odd-numbered year, school districts may
20 submit applications to the professional educator standards board for
21 strategic innovative grants for the fiscal biennium. The applications
22 may include plans for any or all of the following to:

23 (a) Reward teachers and other educators who help students make
24 significant academic progress;

25 (b) Provide incentives for team and individual staff performance in
26 schools achieving educational and other outcomes specified by the
27 school district;

28 (c) Provide monetary incentives to effective teachers who have
29 essential expertise and who are willing to transfer employment to
30 positions at hard-to-staff or low-performing schools;

31 (d) Provide monetary or other rewards to effective teachers who are
32 assigned to teach in critical shortage areas or subjects;

33 (e) Augment any existing funds or reallocated funds to maximize the
34 amount of remuneration directed at strategic innovative research-based
35 compensation systems; and

36 (f) Offer bonus payments to school building leaders based on
37 improved teacher and student performance.

1 (3) Each application under subsection (2) of this section must
2 include appropriate achievement goals for student academic progress and
3 plans for the professional development of the designated teachers and
4 other staff. Any teacher or certificated instructional staff person
5 receiving an award under this section must be evaluated at least level
6 3 - proficient under RCW 28A.405.100.

7 (4)(a) The professional educator standards board, in consultation
8 with the Washington state institute for public policy, shall award
9 grants to school districts based on the level of innovation and the
10 degree to which the proposal implements compensation systems that are
11 evidence-based and research-based.

12 (b) By December 1st of each odd-numbered year, the professional
13 educator standards board must report to the education and fiscal
14 committees of the house of representatives and the senate regarding the
15 amounts and the purposes of the grants that are awarded.

16 (5) The monetary awards granted under this section are not subject
17 to the limitations of RCW 28A.400.200 and may not be used to supplant
18 any new or existing state, federal, or local funding for compensation.

19 NEW SECTION. **Sec. 308.** A new section is added to chapter 41.56
20 RCW to read as follows:

21 All collective bargaining agreements entered into between a school
22 district employer and school district employees under this chapter
23 after the effective date of this section, and bargaining agreements
24 existing on the effective date of this section but renewed or extended
25 after the effective date of this section, shall be consistent with
26 sections 304 and 307 of this act.

27 NEW SECTION. **Sec. 309.** A new section is added to chapter 41.59
28 RCW to read as follows:

29 All collective bargaining agreements entered into between a school
30 district employer and school district employees under this chapter
31 after the effective date of this section, and bargaining agreements
32 existing on the effective date of this section but renewed or extended
33 after the effective date of this section, shall be consistent with
34 sections 304 and 307 of this act.

1 PART IV

2 SCHOOL SUSPENSIONS AND EXPULSIONS

3 Sec. 401. RCW 28A.600.015 and 2006 c 263 s 701 are each amended to
4 read as follows:

5 (1) The superintendent of public instruction shall adopt and
6 distribute to all school districts lawful and reasonable rules
7 prescribing the substantive and procedural due process guarantees of
8 pupils in the common schools. Such rules shall authorize a school
9 district to use informal due process procedures in connection with the
10 short-term suspension of students to the extent constitutionally
11 permissible: PROVIDED, That the superintendent of public instruction
12 deems the interest of students to be adequately protected. When a
13 student suspension or expulsion is appealed, the rules shall authorize
14 a school district to impose the suspension or expulsion temporarily
15 after an initial hearing for no more than ten consecutive school days
16 or until the appeal is decided, whichever is earlier. Any days that
17 the student is temporarily suspended or expelled before the appeal is
18 decided shall be applied to the term of the student suspension or
19 expulsion and shall not limit or extend the term of the student
20 suspension or expulsion. An expulsion or suspension of a student may
21 not be for an indefinite period of time.

22 (2) Short-term suspension procedures may be used for suspensions of
23 students up to and including, ten consecutive school days.

24 (3) Emergency expulsions must end or be converted to another form
25 of corrective action within ten school days from the date of the
26 emergency removal from school. Notice and due process rights must be
27 provided when an emergency expulsion is converted to another form of
28 corrective action.

29 Sec. 402. RCW 28A.600.020 and 2006 c 263 s 706 are each amended to
30 read as follows:

31 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
32 interpreted to ensure that the optimum learning atmosphere of the
33 classroom is maintained, and that the highest consideration is given to
34 the judgment of qualified certificated educators regarding conditions
35 necessary to maintain the optimum learning atmosphere.

36 (2) Any student who creates a disruption of the educational process
37 in violation of the building disciplinary standards while under a

1 teacher's immediate supervision may be excluded by the teacher from his
2 or her individual classroom and instructional or activity area for all
3 or any portion of the balance of the school day, or up to the following
4 two days, or until the principal or designee and teacher have
5 conferred, whichever occurs first. Except in emergency circumstances,
6 the teacher first must attempt one or more alternative forms of
7 corrective action. In no event without the consent of the teacher may
8 an excluded student return to the class during the balance of that
9 class or activity period or up to the following two days, or until the
10 principal or his or her designee and the teacher have conferred.

11 (3) In order to preserve a beneficial learning environment for all
12 students and to maintain good order and discipline in each classroom,
13 every school district board of directors shall provide that written
14 procedures are developed for administering discipline at each school
15 within the district. Such procedures shall be developed with the
16 participation of parents and the community, and shall provide that the
17 teacher, principal or designee, and other authorities designated by the
18 board of directors, make every reasonable attempt to involve the parent
19 or guardian and the student in the resolution of student discipline
20 problems. Such procedures shall provide that students may be excluded
21 from their individual classes or activities for periods of time in
22 excess of that provided in subsection (2) of this section if such
23 students have repeatedly disrupted the learning of other students. The
24 procedures must be consistent with the rules of the superintendent of
25 public instruction and must provide for early involvement of parents in
26 attempts to improve the student's behavior.

27 (4) The procedures shall assure, pursuant to RCW 28A.400.110, that
28 all staff work cooperatively toward consistent enforcement of proper
29 student behavior throughout each school as well as within each
30 classroom.

31 (5)(a) A principal shall consider imposing long-term suspension or
32 expulsion as a sanction when deciding the appropriate disciplinary
33 action for a student who, after July 27, 1997:

34 ((+a)) (i) Engages in two or more violations within a three-year
35 period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460,
36 28A.635.020, 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

37 ((+b)) (ii) Engages in one or more of the offenses listed in RCW
38 13.04.155.

1 **(b)** The principal shall communicate the disciplinary action taken
2 by the principal to the school personnel who referred the student to
3 the principal for disciplinary action.

4 **(6)** Any corrective action involving a suspension or expulsion from
5 school for more than ten days must have an end date of not more than
6 one calendar year from the time of corrective action. Districts shall
7 make reasonable efforts to assist students and parents in returning to
8 an educational setting prior to and no later than the end date of the
9 corrective action. Where warranted based on public health or safety,
10 a school district may petition the superintendent of public
11 instruction, pursuant to policies and procedures adopted by the
12 superintendent of public instruction, for authorization to exceed the
13 one calendar year limitation provided in this subsection. The office
14 of the superintendent of public instruction shall adopt rules outlining
15 the limited circumstances in which a school district may petition the
16 superintendent of public instruction to exceed the one calendar year
17 limitation, including safeguards to ensure that the district has made
18 every effort to plan for the student's return to school and that the
19 student's extended expulsion from the district does not impair the
20 student's constitutional right to education.

21 **(7)** Nothing in this section prevents a public school district,
22 educational service district, the Washington state center for childhood
23 deafness and hearing loss, or the state school for the blind if it has
24 suspended or expelled a student from the student's regular school
25 setting from providing educational services to the student in an
26 alternative setting or modifying the suspension or expulsion on a case-
27 by-case basis.

28 **Sec. 403.** RCW 28A.600.410 and 1992 c 155 s 1 are each amended to
29 read as follows:

30 The state of Washington excludes tens of thousands of students from
31 school each year due to out-of-school suspensions and expulsions. Out-
32 of-school suspensions and expulsions contribute to poor academic
33 achievement, lower graduation rates, and higher dropout rates. It is
34 the intent of the legislature to minimize the use of out-of-school
35 suspension and expulsion and its impact on student achievement by
36 reducing the number of days that students are excluded from school due

1 to disciplinary action. Student behavior should not result in the
2 permanent loss of educational opportunity in the public school system.

3 School districts are encouraged to find alternatives to suspension
4 including reducing the length of a student's suspension conditioned by
5 the commencement of counseling or other treatment services. Consistent
6 with current law, the conditioning of a student's suspension does not
7 obligate the school district to pay for the counseling or other
8 treatment services except for those stipulated and agreed to by the
9 district at the inception of the suspension.

10 **Sec. 404.** RCW 28A.300.046 and 2011 c 288 s 10 are each amended to
11 read as follows:

12 (1)(a) The superintendent of public instruction shall adopt rules
13 establishing a standard definition of student absence from school. In
14 adopting the definition, the superintendent shall review current
15 practices in Washington school districts, definitions used in other
16 states, and any national standards or definitions used by the national
17 center for education statistics or other national groups. The
18 superintendent shall also consult with the building bridges work group
19 established under RCW 28A.175.075.

20 (b) Using the definition of student absence adopted under this
21 section, the superintendent shall establish an indicator for measuring
22 student attendance in high schools for purposes of the PASS program
23 under RCW 28A.175.130.

24 (2)(a) The K-12 data governance group under RCW 28A.300.507 shall
25 establish the parameters and an implementation schedule for statewide
26 collection through the comprehensive education and data research system
27 of: (i) Student attendance data using the definitions of student
28 absence adopted under this section; and (ii) student discipline data
29 with a focus on suspensions and expulsions from school.

30 (b) ((At a minimum,)) Student suspension and expulsion data
31 collected for the purposes of this subsection (2) must be:

32 (i) Made publicly available and easily accessible on the
33 superintendent of public instruction's web site; and

34 (ii) Disaggregated and crosstabulated as established under RCW
35 28A.300.042.

36 (c) School districts must collect and submit student attendance
37 data and student discipline data for high school students through the

1 comprehensive education and data research system for purposes of the
2 PASS program under RCW 28A.175.130 beginning in the 2012-13 school
3 year.

4 **Sec. 405.** RCW 28A.300.042 and 2009 c 468 s 4 are each amended to
5 read as follows:

6 (1) All student data-related reports required of the superintendent
7 of public instruction in this title must be disaggregated by at least
8 the following subgroups of students: White, Black, Hispanic, American
9 Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low
10 income, transitional bilingual, migrant, special education, and
11 students covered by section 504 of the federal rehabilitation act of
12 1973, as amended (29 U.S.C. Sec. 794).

13 (2) All student data-related reports required of the superintendent
14 of public instruction regarding student suspensions and expulsions as
15 required in RCW 28A.300.046 are subject to disaggregation by subgroups
16 including:

17 (a) Gender;

18 (b) Foster care;

19 (c) Homeless;

20 (d) School district;

21 (e) School;

22 (f) Grade level;

23 (g) Behavior infraction code, including:

24 (i) Bullying;

25 (ii) Tobacco;

26 (iii) Alcohol;

27 (iv) Illicit drug;

28 (v) Fighting without major injury;

29 (vi) Violence without major injury;

30 (vii) Violence with major injury;

31 (viii) Possession of a weapon; and

32 (ix) Other behavior resulting from a short-term or long-term
33 suspension, expulsion, or interim alternative education setting
34 intervention;

35 (h) Intervention applied, including:

36 (i) Short-term suspension;

37 (ii) Long-term suspension;

1 (iii) Emergency expulsion;
2 (iv) Expulsion;
3 (v) Interim alternative education settings;
4 (vi) No intervention applied; and
5 (vii) Other intervention applied that is not described in this
6 subsection (2)(h);

7 (i) Number of days a student is suspended or expelled, to be
8 counted in half or full days; and

9 (j) Any other categories added at a future date by the data
10 governance group.

11 (3) All student data-related reports required of the superintendent
12 of public instruction regarding student suspensions and expulsions as
13 required in RCW 28A.300.046 are subject to cross-tabulation at a
14 minimum by the following:

15 (a) School and district;

16 (b) Race, low income, special education, transitional bilingual,
17 migrant, foster care, homeless, students covered by section 504 of the
18 federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794),
19 and categories to be added in the future;

20 (c) Behavior infraction code; and

21 (d) Intervention applied.

22 **Sec. 406.** RCW 28A.300.507 and 2009 c 548 s 203 are each amended to
23 read as follows:

24 (1) A K-12 data governance group shall be established within the
25 office of the superintendent of public instruction to assist in the
26 design and implementation of a K-12 education data improvement system
27 for financial, student, and educator data. It is the intent that the
28 data system reporting specifically serve requirements for teachers,
29 parents, superintendents, school boards, the office of the
30 superintendent of public instruction, the legislature, and the public.

31 (2) The K-12 data governance group shall include representatives of
32 the education data center, the office of the superintendent of public
33 instruction, the legislative evaluation and accountability program
34 committee, the professional educator standards board, the state board
35 of education, and school district staff, including information
36 technology staff. Additional entities with expertise in education data
37 may be included in the K-12 data governance group.

- 1 (3) The K-12 data governance group shall:
- 2 (a) Identify the critical research and policy questions that need
3 to be addressed by the K-12 education data improvement system;
- 4 (b) Identify reports and other information that should be made
5 available on the internet in addition to the reports identified in
6 subsection (5) of this section;
- 7 (c) Create a comprehensive needs requirement document detailing the
8 specific information and technical capacity needed by school districts
9 and the state to meet the legislature's expectations for a
10 comprehensive K-12 education data improvement system as described under
11 RCW 28A.655.210;
- 12 (d) Conduct a gap analysis of current and planned information
13 compared to the needs requirement document, including an analysis of
14 the strengths and limitations of an education data system and programs
15 currently used by school districts and the state, and specifically the
16 gap analysis must look at the extent to which the existing data can be
17 transformed into canonical form and where existing software can be used
18 to meet the needs requirement document;
- 19 (e) Focus on financial and cost data necessary to support the new
20 K-12 financial models and funding formulas, including any necessary
21 changes to school district budgeting and accounting, and on assuring
22 the capacity to link data across financial, student, and educator
23 systems; and
- 24 (f) Define the operating rules and governance structure for K-12
25 data collections, ensuring that data systems are flexible and able to
26 adapt to evolving needs for information, within an objective and
27 orderly data governance process for determining when changes are needed
28 and how to implement them. Strong consideration must be made to the
29 current practice and cost of migration to new requirements. The
30 operating rules should delineate the coordination, delegation, and
31 escalation authority for data collection issues, business rules, and
32 performance goals for each K-12 data collection system, including:
- 33 (i) Defining and maintaining standards for privacy and
34 confidentiality;
- 35 (ii) Setting data collection priorities;
- 36 (iii) Defining and updating a standard data dictionary;
- 37 (iv) Ensuring data compliance with the data dictionary;
- 38 (v) Ensuring data accuracy; and

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

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

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

17 (5) To the extent data is available, the office of the
18 superintendent of public instruction shall make the following minimum
19 reports available on the internet. The reports must either be run on
20 demand against current data, or, if a static report, must have been run
21 against the most recent data:

22 (a) The percentage of data compliance and data accuracy by school
23 district;

24 (b) The magnitude of spending per student, by student estimated by
25 the following algorithm and reported as the detailed summation of the
26 following components:

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

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

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

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

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

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

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

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

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

16 (h) Percentage of a classroom teacher per student on a per student
17 basis; and

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

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

28 ~~(7))~~ All reports and data referenced in this section and RCW
29 43.41.400 and 28A.655.210 shall be made available in a manner
30 consistent with the technical requirements of the legislative
31 evaluation and accountability program committee and the education data
32 center so that selected data can be provided to the legislature,
33 governor, school districts, and the public.

34 ~~((8))~~ (7) Reports shall contain data to the extent it is
35 available. All reports must include documentation of which data are
36 not available or are estimated. Reports must not be suppressed because
37 of poor data accuracy or completeness. Reports may be accompanied with

1 documentation to inform the reader of why some data are missing or
2 inaccurate or estimated.

3 (8) The K-12 data governance group shall examine the data collected
4 under the behavior infraction subgroup in RCW 28A.300.042(2)(g)(ix) and
5 create at least four additional behavior infraction codes including the
6 four most common behaviors reported under the behavior infraction
7 subgroup in RCW 28A.300.042(2)(g)(ix), and may create other categories
8 as needed, by December 1, 2013.

9 NEW SECTION. Sec. 407. A new section is added to chapter 28A.600
10 RCW to read as follows:

11 (1) School districts should make efforts to have suspended or
12 expelled students return to the educational setting they were suspended
13 or expelled from as soon as possible. School districts should convene
14 a school reentry meeting with the student and the student's parents or
15 guardians within twenty days of the student's long-term suspension or
16 expulsion to discuss a plan to reenter and reengage the student in a
17 school program.

18 (2) In developing a reentry and reengagement plan, school districts
19 should consider shortening the length of time that the student is
20 suspended or expelled, other forms of corrective action, and supportive
21 interventions that aid in the student's academic success and keep the
22 student engaged and on track to graduate. School districts must create
23 a reentry and reengagement plan tailored to the student's individual
24 circumstances, including consideration of the incident that led to the
25 student's long-term suspension or expulsion. The plan should aid the
26 student in taking the necessary steps to remedy the situation that led
27 to the student's suspension or expulsion.

28 (3) Any reentry meetings conducted by the school district involving
29 the suspended or expelled student and his or her parents or guardians
30 are not intended to replace a petition for readmission.

31 NEW SECTION. Sec. 408. (1) The Washington state school directors'
32 association in partnership with the office of the education ombudsman
33 shall seek community input and develop a model policy for school
34 districts to implement changes to suspension and expulsion policies.

35 (2) The model policy must include at a minimum: Appropriate
36 discipline actions for unwanted student behavior, training in cultural

1 sensitivity regarding school discipline policies and procedures;
2 prevention and intervention guidance including best practices; and
3 parental engagement.

4 (3) The model policy must be made available on the Washington state
5 school directors' association web site by May 1, 2014.

6 NEW SECTION. **Sec. 409.** Nothing in chapter . . . , Laws of 2013
7 (this act) prevents a public school district, law enforcement agencies,
8 or law enforcement personnel from enforcing laws protecting health and
9 human safety.

10 **PART V**
11 **MISCELLANEOUS**

12 NEW SECTION. **Sec. 501.** Section 102 of this act expires July 1,
13 2015.

14 NEW SECTION. **Sec. 502.** Sections 107, 108, 304, 307, and 507 of
15 this act are necessary for the immediate preservation of the public
16 peace, health, or safety, or support of the state government and its
17 existing public institutions, and take effect immediately.

18 NEW SECTION. **Sec. 503.** Section 109 of this act takes effect
19 September 1, 2013.

20 NEW SECTION. **Sec. 504.** Section 202 of this act takes effect
21 September 1, 2015.

22 NEW SECTION. **Sec. 505.** Section 305 of this act expires June 30,
23 2019.

24 NEW SECTION. **Sec. 506.** Section 306 of this act takes effect June
25 30, 2019.

26 NEW SECTION. **Sec. 507.** (1) The sum of two million five hundred
27 thousand dollars, or as much thereof as may be necessary, is
28 appropriated for the fiscal year ending June 30, 2014, from the general

1 fund to the professional educator standards board for the purposes of
2 providing the strategic innovative grants in section 307 of this act.

3 (2) The sum of two million five hundred thousand dollars, or as
4 much thereof as may be necessary, is appropriated for the fiscal year
5 ending June 30, 2015, from the general fund to the professional
6 educator standards board for the purposes of providing the strategic
7 innovative grants in section 307 of this act.

8 NEW SECTION. **Sec. 508.** If any provision of this act or its
9 application to any person or circumstance is held invalid, the
10 remainder of the act or the application of the provision to other
11 persons or circumstances is not affected.

--- END ---