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HOUSE BILL 2608

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State of Washington                      64th Legislature                      2016 Regular Session

By Representatives Magendanz, Muri, Griffey, Stambaugh, Harris,  
Haler, and Stokesbary

Read first time 01/15/16. Referred to Committee on Education.

1            AN ACT Relating to student and teacher data; amending RCW  
2 28A.300.042, 28A.300.505, and 28A.300.507; creating new sections; and  
3 providing an expiration date.

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

5            **Sec. 1.** RCW 28A.300.042 and 2013 2nd sp.s. c 18 s 307 are each  
6 amended to read as follows:

7            (1) Beginning with the 2017-18 school year, and using the phase-  
8 in provided in subsection (2) of this section, the superintendent of  
9 public instruction must collect and school districts must submit all  
10 student-level data using the United States department of education  
11 2007 race and ethnicity reporting guidelines, including the subracial  
12 and subethnic categories within those guidelines, with the following  
13 modifications:

14            (a) Further disaggregation of the Black category to differentiate  
15 students of African origin and students native to the United States  
16 with African ancestors;

17            (b) Further disaggregation of countries of origin for Asian  
18 students;

19            (c) Further disaggregation of the White category to include  
20 subethnic categories for Eastern European nationalities that have  
21 significant populations in Washington; and

1 (d) For students who report as multiracial, collection of their  
2 racial and ethnic combination of categories.

3 (2) Beginning with the 2017-18 school year, school districts  
4 shall collect student-level data as provided in subsection (1) of  
5 this section for all newly enrolled students, including transfer  
6 students. When the students enroll in a different school within the  
7 district, school districts shall resurvey the newly enrolled students  
8 for whom subracial and subethnic categories were not previously  
9 collected. School districts may resurvey other students.

10 (3) All student data-related reports required of the  
11 superintendent of public instruction in this title must be  
12 disaggregated by at least the following subgroups of students: White,  
13 Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific  
14 Islander/Hawaiian Native, low income, transitional bilingual,  
15 migrant, special education, and students covered by section 504 of  
16 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.  
17 794).

18 ~~((+2))~~ (4) All student data-related reports ~~((required of))~~  
19 prepared by the superintendent of public instruction regarding  
20 student suspensions and expulsions as required ~~((in RCW 28A.300.046))~~  
21 under this title are subject to disaggregation by subgroups  
22 including:

- 23 (a) Gender;
- 24 (b) Foster care;
- 25 (c) Homeless, if known;
- 26 (d) School district;
- 27 (e) School;
- 28 (f) Grade level;
- 29 (g) Behavior infraction code, including:
  - 30 (i) Bullying;
  - 31 (ii) Tobacco;
  - 32 (iii) Alcohol;
  - 33 (iv) Illicit drug;
  - 34 (v) Fighting without major injury;
  - 35 (vi) Violence without major injury;
  - 36 (vii) Violence with major injury;
  - 37 (viii) Possession of a weapon; and
  - 38 (ix) Other behavior resulting from a short-term or long-term
  - 39 suspension, expulsion, or interim alternative education setting
  - 40 intervention;

1 (h) Intervention applied, including:  
2 (i) Short-term suspension;  
3 (ii) Long-term suspension;  
4 (iii) Emergency expulsion;  
5 (iv) Expulsion;  
6 (v) Interim alternative education settings;  
7 (vi) No intervention applied; and  
8 (vii) Other intervention applied that is not described in this  
9 subsection (~~((2))~~) (4)(h);

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

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

14 (~~((3))~~) (5) All student data-related reports required of the  
15 superintendent of public instruction regarding student suspensions  
16 and expulsions as required in RCW 28A.300.046 are subject to cross-  
17 tabulation at a minimum by the following:

18 (a) School and district;

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

23 (c) Behavior infraction code; and

24 (d) Intervention applied.

25 (6) The K-12 data governance group shall develop the data  
26 protocols and guidance for school districts in the collection of data  
27 as required under this section, and the office of the superintendent  
28 of public instruction shall modify the statewide student data system  
29 as needed. The office of the superintendent of public instruction  
30 shall also incorporate training for school staff on best practices  
31 for collection of data on student race and ethnicity in other  
32 training or professional development related to data provided by the  
33 office.

34 NEW SECTION. Sec. 2. The office of the superintendent of public  
35 instruction shall convene a task force to review the United States  
36 department of education 2007 race and ethnicity reporting guidelines  
37 and develop race and ethnicity guidance for the state. The task force  
38 must include representatives from the educational opportunity gap  
39 oversight and accountability committee, the ethnic commissions, the

1 governor's office of Indian affairs, and a diverse group of parents.  
2 The guidance must clarify for students and families why information  
3 about race and ethnicity is collected and how students and families  
4 can help school administrators properly identify them. The guidance  
5 must also describe the best practices for school administrators to  
6 use when identifying the race and ethnicity of students and families.  
7 The task force must use the United States census and the American  
8 community survey in the development of the guidance.

9 **Sec. 3.** RCW 28A.300.505 and 2015 c 210 s 2 are each amended to  
10 read as follows:

11 (1) The office of the superintendent of public instruction shall  
12 develop standards for school data systems that focus on validation  
13 and verification of data entered into the systems to ensure accuracy  
14 and compatibility of data. The standards shall address but are not  
15 limited to the following topics:

- 16 (a) Date validation;
- 17 (b) Code validation, which includes gender, race or ethnicity,  
18 and other code elements;
- 19 (c) Decimal and integer validation; and
- 20 (d) Required field validation as defined by state and federal  
21 requirements.

22 (2) The superintendent of public instruction shall develop a  
23 reporting format and instructions for school districts to collect and  
24 submit data that must include:

25 (a) Data on student demographics that is disaggregated (~~by~~  
26 ~~distinct ethnic categories within racial subgroups so that analyses~~  
27 ~~may be conducted on student achievement using the disaggregated~~  
28 ~~data~~) as required by RCW 28A.300.042; and

29 (b) Starting no later than the 2016-17 school year, data on  
30 students from military families. The K-12 data governance group  
31 established in RCW 28A.300.507 must develop best practice guidelines  
32 for the collection and regular updating of this data on students from  
33 military families. Collection and updating of this data must use the  
34 United States department of education 2007 race and ethnicity  
35 reporting guidelines, including the subracial and subethnic  
36 categories within those guidelines, with the following modifications:

37 (i) Further disaggregation of the Black category to differentiate  
38 students of African origin and students native to the United States  
39 with African ancestors;

1 (ii) Further disaggregation of countries of origin for Asian  
2 students;

3 (iii) Further disaggregation of the White category to include  
4 subethnic categories for Eastern European nationalities that have  
5 significant populations in Washington; and

6 (iv) For students who report as multiracial, collection of their  
7 racial and ethnic combination of categories.

8 (3) For the purposes of this section, "students from military  
9 families" means the following categories of students, with data to be  
10 collected and submitted separately for each category:

11 (a) Students with a parent or guardian who is a member of the  
12 active duty United States armed forces; and

13 (b) Students with a parent or guardian who is a member of the  
14 reserves of the United States armed forces or a member of the  
15 Washington national guard.

16 NEW SECTION. **Sec. 4.** (1) To increase the visibility of the  
17 opportunity gap in schools with small subgroups of students and to  
18 hold schools accountable to individual student-level support, by  
19 August 1, 2016, the office of the superintendent of public  
20 instruction, in cooperation with the K-12 data governance group  
21 established within the office of the superintendent of public  
22 instruction, the education data center established within the office  
23 of financial management, and the state board of education, shall  
24 adopt a rule that the only student data that should not be reported  
25 for public reporting and accountability is data where the school or  
26 district has fewer than ten students in a grade level or student  
27 subgroup.

28 (2) This section expires August 1, 2017.

29 **Sec. 5.** RCW 28A.300.507 and 2009 c 548 s 203 are each amended to  
30 read as follows:

31 (1) A K-12 data governance group shall be established within the  
32 office of the superintendent of public instruction to assist in the  
33 design and implementation of a K-12 education data improvement system  
34 for financial, student, and educator data. It is the intent that the  
35 data system reporting specifically serve requirements for teachers,  
36 parents, superintendents, school boards, the office of the  
37 superintendent of public instruction, the legislature, and the  
38 public.

1 (2) The K-12 data governance group shall include representatives  
2 of the education data center, the office of the superintendent of  
3 public instruction, the legislative evaluation and accountability  
4 program committee, the professional educator standards board, the  
5 state board of education, and school district staff, including  
6 information technology staff. Additional entities with expertise in  
7 education data may be included in the K-12 data governance group.

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

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

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

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

19 (d) Conduct a gap analysis of current and planned information  
20 compared to the needs requirement document, including an analysis of  
21 the strengths and limitations of an education data system and  
22 programs currently used by school districts and the state, and  
23 specifically the gap analysis must look at the extent to which the  
24 existing data can be transformed into canonical form and where  
25 existing software can be used to meet the needs requirement document;

26 (e) Focus on financial and cost data necessary to support the new  
27 K-12 financial models and funding formulas, including any necessary  
28 changes to school district budgeting and accounting, and on assuring  
29 the capacity to link data across financial, student, and educator  
30 systems; and

31 (f) Define the operating rules and governance structure for K-12  
32 data collections, ensuring that data systems are flexible and able to  
33 adapt to evolving needs for information, within an objective and  
34 orderly data governance process for determining when changes are  
35 needed and how to implement them. Strong consideration must be made  
36 to the current practice and cost of migration to new requirements.  
37 The operating rules should delineate the coordination, delegation,  
38 and escalation authority for data collection issues, business rules,  
39 and performance goals for each K-12 data collection system,  
40 including:

1 (i) Defining and maintaining standards for privacy and  
2 confidentiality;  
3 (ii) Setting data collection priorities;  
4 (iii) Defining and updating a standard data dictionary;  
5 (iv) Ensuring data compliance with the data dictionary;  
6 (v) Ensuring data accuracy; and  
7 (vi) Establishing minimum standards for school, student,  
8 financial, and teacher data systems. Data elements may be specified  
9 "to the extent feasible" or "to the extent available" to collect more  
10 and better data sets from districts with more flexible software.  
11 Nothing in RCW 43.41.400, this section, or RCW 28A.655.210 should be  
12 construed to require that a data dictionary or reporting should be  
13 hobbled to the lowest common set. The work of the K-12 data  
14 governance group must specify which data are desirable. Districts  
15 that can meet these requirements shall report the desirable data.  
16 Funding from the legislature must establish which subset data are  
17 absolutely required.

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

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

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

29 (a) The percentage of data compliance and data accuracy by school  
30 district;

31 (b) The magnitude of spending per student, by student estimated  
32 by the following algorithm and reported as the detailed summation of  
33 the following components:

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

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

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

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

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

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

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

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

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

22 (h) Percentage of a classroom teacher per student on a per  
23 student basis; ((and))

24 (i) Percentage of classroom teachers per school district and per  
25 school disaggregated as described in RCW 28A.300.042(1) for student-  
26 level data;

27 (j) Average length of service of classroom teachers per school  
28 district and per school disaggregated as described in RCW  
29 28A.300.042(1) for student-level data; and

30 (k) The cost of K-12 education per student by school district  
31 sorted by federal, state, and local dollars.

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



1       (7) All reports and data referenced in this section and RCW  
2 43.41.400 and 28A.655.210 shall be made available in a manner  
3 consistent with the technical requirements of the legislative  
4 evaluation and accountability program committee and the education  
5 data center so that selected data can be provided to the legislature,  
6 governor, school districts, and the public.

7       (8) Reports shall contain data to the extent it is available. All  
8 reports must include documentation of which data are not available or  
9 are estimated. Reports must not be suppressed because of poor data  
10 accuracy or completeness. Reports may be accompanied with  
11 documentation to inform the reader of why some data are missing or  
12 inaccurate or estimated.

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