
SENATE BILL 5718

State of Washington

64th Legislature

2015 Regular Session

By Senators Jayapal, McAuliffe, Dammeier, Rolfes, Darneille, Roach, Frockt, Hasegawa, Billig, McCoy, Cleveland, Fraser, Ranker, Keiser, Chase, and Conway

Read first time 01/30/15. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to consideration of equity and social justice
2 impacts from public education system decision making; adding a new
3 section to chapter 28A.300 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** As the state of Washington continues to
6 make significant increased investments in education and modifications
7 in educational policy, it is important that those investments and
8 policy changes do not inadvertently or disproportionately impact
9 communities of color or students already at risk. Equally important
10 is the need to recognize and actively promote policies that will have
11 a positive impact on eliminating the opportunity gap and enhancing
12 those positive impacts if possible. The legislature finds that
13 government agencies are often unaware of the negative or potential
14 positive impacts that policy decisions may have on these groups until
15 after the policy has already been implemented. It is the intent of
16 the legislature to establish a process for formal consideration of
17 potential equity and social justice impacts resulting from policy and
18 fiscal decision making in the state's public education system.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
20 RCW to read as follows:

1 (1) The definitions in this subsection apply throughout this
2 section unless the context clearly requires otherwise.

3 (a) "Community" means a group of people who share some or all of
4 the following characteristics: Geographic boundaries, sense of
5 membership, culture, language, or common norms and interests.
6 Community includes, but is not limited to, populations distinguished
7 by their special education status, sexual orientation, ethnicity,
8 primary language, or race.

9 (b) "Determinants of equity" means the social, economic,
10 geographic, political, and physical environment conditions in which
11 people in the state of Washington are born, grow, live, work, and age
12 that lead to the creation of a fair and just society. Access to the
13 determinants of equity is necessary to have equity for all people
14 regardless of race, class, gender, or language spoken.

15 (c) "Equity" means all people have full and equal access to
16 opportunities that enable them to reach their full potential.

17 (2) The office of the superintendent of public instruction must
18 convene a work group consisting of representatives of the department
19 of early learning, the student achievement council, the state board
20 of education, the state board for community and technical colleges,
21 the professional educator standards board, one representative of all
22 federally recognized Indian tribes whose traditional lands and
23 territories lie within the borders of Washington state, designated by
24 the federally recognized tribes; and four members appointed by the
25 governor in consultation with the state ethnic commissions, one of
26 each representing the following populations: African Americans,
27 Hispanic Americans, Asian Americans, and Pacific Islander Americans.
28 The work group shall design a uniform equity impact review process to
29 identify, evaluate, and communicate the potential impacts of proposed
30 administrative rules and budget requests that affect educational
31 equity.

32 (3) Within four months from the date when the governor signs the
33 2015 omnibus operating appropriations act, the work group must
34 establish an equity impact review process for screening proposed
35 administrative rules and budget proposals. The equity impact review
36 process shall, at a minimum:

37 (a) Determine whether there is an impact, either positive or
38 negative, of the proposed administrative rule or budget proposal on
39 the determinants of equity;

1 (b) If there is an impact, identify the communities subject to
2 either positive or negative equity impacts as a result of the
3 proposed rule or budget request and the potential equity impact;

4 (c) Identify the type and degree of equity impact, including
5 whether the proposed rule or budget request will impact the
6 opportunity gap either positively or negatively;

7 (d) Identify the types of involvement stakeholders from the
8 communities impacted by the proposed rule or budget request have had
9 in the development of the proposed rule or budget request; and

10 (e) Recommend ways to mitigate or eliminate negative equity
11 impacts or enhance positive impacts and identify any barriers to
12 implementing those alternative options.

13 (4) Beginning January 1, 2016, the office of the superintendent
14 of public instruction, the department of early learning, the student
15 achievement council, the state board of education, the state board
16 for community and technical colleges, and the professional educator
17 standards board must make equity impact reviews available for public
18 comment when:

19 (a) Notice of a public hearing on any proposed administrative
20 rule is published in the Washington State Register in accordance with
21 RCW 34.05.230; or

22 (b) Any budget request is submitted to the office of financial
23 management.

24 (5) Each agency responsible for creating equity impact reviews
25 shall aggregate its agency equity impact reviews into an annual
26 report to be submitted to the educational opportunity gap oversight
27 and accountability committee established by RCW 28A.300.136 and the
28 legislature by January 15, 2017, and by December 31st of each year
29 thereafter. Each agency shall include in this report whether the
30 agency took actions to alter a proposed rule or budget request based
31 on the equity review and if so what those actions included.

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