
SENATE BILL 6244

State of Washington

64th Legislature

2016 Regular Session

By Senators Litzow, Fain, Dammeier, Rivers, Becker, Hill, and Bailey

Read first time 01/13/16. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to implementing strategies to close the
2 educational opportunity gap; amending RCW 28A.300.042, 28A.300.505,
3 28A.300.507, 28A.600.015, 28A.600.020, 28A.180.040, and 28A.180.090;
4 adding new sections to chapter 28A.235 RCW; adding a new section to
5 chapter 28A.320 RCW; adding a new section to chapter 28A.345 RCW;
6 adding new sections to chapter 28A.660 RCW; adding a new section to
7 chapter 28A.405 RCW; creating new sections; and providing expiration
8 dates.

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

10 **PART I**

11 **STUDENT DATA**

12 **Sec. 101.** RCW 28A.300.042 and 2013 2nd sp.s. c 18 s 307 are each
13 amended to read as follows:

14 (1) Beginning with the 2018-19 school year, and using the phase-
15 in provided in subsection (2) of this section, the superintendent of
16 public instruction must collect and school districts must submit all
17 student-level data using the United States department of education
18 2007 race and ethnicity reporting guidelines, including the subracial
19 and subethnic categories within those guidelines, with the following
20 modifications:

1 (a) Further disaggregation of the Black category to differentiate
2 students of African origin and students native to the United States
3 with African ancestors;

4 (b) Further disaggregation of countries of origin for Asian
5 students;

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

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

11 (2) Beginning with the 2018-19 school year, school districts
12 shall collect student-level data as provided in subsection (1) of
13 this section for all newly enrolled students, including transfer
14 students. When the students enroll in a different school within the
15 district, school districts shall resurvey the newly enrolled students
16 for whom subracial and subethnic categories were not previously
17 collected. School districts may resurvey other students.

18 (3) All student data-related reports required of the
19 superintendent of public instruction in this title must be
20 disaggregated by at least the following subgroups of students: White,
21 Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific
22 Islander/Hawaiian Native, low income, transitional bilingual,
23 migrant, special education, and students covered by section 504 of
24 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.
25 794).

26 ~~((+2))~~ (4) All student data-related reports ~~((required of))~~
27 prepared by the superintendent of public instruction regarding
28 student suspensions and expulsions as required ~~((in RCW 28A.300.046))~~
29 under this title are subject to disaggregation by subgroups
30 including:

- 31 (a) Gender;
- 32 (b) Foster care;
- 33 (c) Homeless, if known;
- 34 (d) School district;
- 35 (e) School;
- 36 (f) Grade level;
- 37 (g) Behavior infraction code, including:
 - 38 (i) Bullying;
 - 39 (ii) Tobacco;
 - 40 (iii) Alcohol;

1 (iv) Illicit drug;
2 (v) Fighting without major injury;
3 (vi) Violence without major injury;
4 (vii) Violence with major injury;
5 (viii) Possession of a weapon; and
6 (ix) Other behavior resulting from a short-term or long-term
7 suspension, expulsion, or interim alternative education setting
8 intervention;
9 (h) Intervention applied, including:
10 (i) Short-term suspension;
11 (ii) Long-term suspension;
12 (iii) Emergency expulsion;
13 (iv) Expulsion;
14 (v) Interim alternative education settings;
15 (vi) No intervention applied; and
16 (vii) Other intervention applied that is not described in this
17 subsection (~~((+2))~~) (4)(h);
18 (i) Number of days a student is suspended or expelled, to be
19 counted in half or full days; and
20 (j) Any other categories added at a future date by the data
21 governance group.
22 (~~((+3))~~) (5) All student data-related reports required of the
23 superintendent of public instruction regarding student suspensions
24 and expulsions as required in RCW 28A.300.046 are subject to cross-
25 tabulation at a minimum by the following:
26 (a) School and district;
27 (b) Race, low income, special education, transitional bilingual,
28 migrant, foster care, homeless, students covered by section 504 of
29 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.
30 794), and categories to be added in the future;
31 (c) Behavior infraction code; and
32 (d) Intervention applied.
33 (6) The K-12 data governance group shall develop the data
34 protocols and guidance for school districts in the collection of data
35 as required under this section, and the office of the superintendent
36 of public instruction shall modify the statewide student data system
37 as needed. The office of the superintendent of public instruction
38 shall also incorporate training for school staff on best practices
39 for collection of data on student race and ethnicity in other

1 training or professional development related to data provided by the
2 office.

3 NEW SECTION. **Sec. 102.** (1) To increase the visibility of the
4 opportunity gap in schools with small subgroups of students and to
5 hold schools accountable to individual student-level support, by July
6 1, 2017, the office of the superintendent of public instruction, in
7 cooperation with the K-12 data governance group established within
8 the office of the superintendent of public instruction, the education
9 data center established within the office of financial management,
10 and the state board of education, shall adopt a rule that the only
11 student data that should not be reported for public reporting and
12 accountability is data where the school or district has fewer than
13 ten students in a grade level or student subgroup.

14 (2) This section expires August 1, 2018.

15 **Sec. 103.** RCW 28A.300.505 and 2015 c 210 s 2 are each amended to
16 read as follows:

17 (1) The office of the superintendent of public instruction shall
18 develop standards for school data systems that focus on validation
19 and verification of data entered into the systems to ensure accuracy
20 and compatibility of data. The standards shall address but are not
21 limited to the following topics:

22 (a) Date validation;

23 (b) Code validation, which includes gender, race or ethnicity,
24 and other code elements;

25 (c) Decimal and integer validation; and

26 (d) Required field validation as defined by state and federal
27 requirements.

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

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

35 (b) Starting no later than the 2016-17 school year, data on
36 students from military families. The K-12 data governance group
37 established in RCW 28A.300.507 must develop best practice guidelines
38 for the collection and regular updating of this data on students from

1 military families. Collection and updating of this data must use the
2 United States department of education 2007 race and ethnicity
3 reporting guidelines, including the subracial and subethnic
4 categories within those guidelines, with the following modifications:

5 (i) Further disaggregation of the Black category to differentiate
6 students of African origin and students native to the United States
7 with African ancestors;

8 (ii) Further disaggregation of countries of origin for Asian
9 students;

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

13 (iv) For students who report as multiracial, collection of their
14 racial and ethnic combination of categories; and

15 (c) Starting no later than the 2017-18 school year, data on the
16 certificate of academic achievement established in RCW 28A.655.061
17 and the certificate of individual achievement established in RCW
18 28A.155.045. This data must be disaggregated as required under RCW
19 28A.300.042 and by disability categories in the smallest units
20 allowable by law that do not identify an individual student.

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

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

26 (b) Students with a parent or guardian who is a member of the
27 reserves of the United States armed forces or a member of the
28 Washington national guard.

29 **Sec. 104.** RCW 28A.300.507 and 2009 c 548 s 203 are each amended
30 to 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; and

18 (g) Analyze the ability of data to move between school districts
19 when a student with an individualized education program or a plan
20 developed under section 504 of the rehabilitation act of 1973 moves
21 between districts and consider ways to improve the movement of this
22 data.

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

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

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

34 (a) The percentage of data compliance and data accuracy by school
35 district;

36 (b) The magnitude of spending per student, by student estimated
37 by the following algorithm and reported as the detailed summation of
38 the following components:

39 (i) An approximate, prorated fraction of each teacher or human
40 resource element that directly serves the student. Each human

1 resource element must be listed or accessible through online
2 tunneling in the report;

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

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

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

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

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

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

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

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

26 (h) Percentage of a classroom teacher per student on a per
27 student basis; and

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

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

38 (7) The superintendent of public instruction shall submit a
39 report to the education committees of the legislature by September 1,

1 2017, including the analyses by the K-12 data governance group under
2 subsection (3)(g) of this section.

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

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

15 **PART II**

16 **EXPANDING NUTRITION OPPORTUNITIES**

17 NEW SECTION. **Sec. 201.** A new section is added to chapter
18 28A.235 RCW to read as follows:

19 The definitions in this section apply throughout sections 202 and
20 203 of this act unless the context clearly requires otherwise.

21 (1) "Eligible for free or reduced-price meals" means a student
22 who is eligible under a national meal program to receive a meal at no
23 cost to the student or at a reduced cost to the student.

24 (2) "High-needs school" means any public school that: (a) Has
25 enrollment of seventy percent or more students eligible for free or
26 reduced-price meals in the prior school year; or (b) is using
27 provision two of the national school lunch act or the community
28 eligibility provision under section 104(a) of the federal healthy,
29 hunger-free kids act of 2010 to provide universal meals and that has
30 a claiming percentage for free or reduced-price meals of seventy
31 percent or more.

32 (3) "Public school" has the same meaning as provided in RCW
33 28A.150.010.

34 (4) "A national meal program" means a program meeting federal
35 requirements under 42 U.S.C. Sec. 1773 or 42 U.S.C. Sec. 1751 et seq.

36 NEW SECTION. **Sec. 202.** A new section is added to chapter
37 28A.235 RCW to read as follows:

1 (1)(a)(i) Subject to the availability of amounts appropriated for
2 this specific purpose and except as provided in subsection (2) of
3 this section, the superintendent of public instruction shall
4 administer one-time start-up allocation grants of up to six thousand
5 dollars to each high-needs school expanding nutrition opportunities.
6 The grant must be used for the costs associated with launching a
7 program that provides nutrition during the school day including, but
8 not limited to, equipment purchases, training, additional staff
9 costs, and janitorial services.

10 (ii) In the 2017-18 school year, grants must be provided
11 beginning with the top third of high-needs schools ranked by the
12 percentage of students eligible for free and reduced-price meals. In
13 the 2018-19 school year, grants must be provided to the top fifty
14 percent of high-needs schools ranked by the percentage of students
15 eligible for free and reduced-price meals that did not receive a
16 prior grant under this section. In the 2019-20 school year, the
17 remaining high-needs schools that did not receive a prior grant under
18 this section must be provided grants.

19 (b) Beginning in the school year that the school receives the
20 grant, the school must offer nutrition during the school day to each
21 student and provide adequate time for students to eat.

22 (c) All public schools are encouraged to expand nutrition
23 opportunities even if not required to do so under this section.

24 (2) High-needs schools with at least seventy percent of eligible
25 children participating in the free or reduced-price meals program
26 receiving two school meals are exempt from the provisions of
27 subsection (1) of this section. The office of the superintendent of
28 public instruction shall evaluate individual participation rates
29 annually, and make the participation rates publicly available.

30 (3)(a) Each high-needs school may determine the nutrition service
31 model that best suits its students. Service models include, but are
32 not limited to:

33 (i) "Grab and go," where easy-to-eat foods are available for
34 students to take at the start of the school day or in between morning
35 classes;

36 (ii) "Second chance nutrition," where foods are available during
37 recess, a break, or later in the morning, for students who are not
38 hungry first thing in the morning, or who arrive late to school; and

39 (iii) "Nutrition in the classroom," where food is served in the
40 classroom, often during homeroom or first period.

1 (b) If all students in a high-needs school are provided the
2 opportunity to engage in educational activity planned by and under
3 the direction of school district staff concurrently with the
4 consumption of food, the period of time designated for the
5 consumption of food may be provided during instructional hours under
6 RCW 28A.150.205.

7 (4) Any rules adopted by the state board of education must permit
8 student participation in nutrition opportunities during instructional
9 hours.

10 (5) All programs with nutrition during the school day must comply
11 with federal meal patterns and nutrition standards for the program
12 under 42 U.S.C. Sec. 1773 and any federal regulations implementing
13 that program.

14 (6) The legislature does not intend to include the funding for
15 programs under this section within the state's obligation for basic
16 education funding under Article IX of the state Constitution.

17 NEW SECTION. **Sec. 203.** A new section is added to chapter
18 28A.235 RCW to read as follows:

19 (1) Before January 2, 2017, the office of the superintendent of
20 public instruction shall develop and distribute procedures and
21 guidelines for the implementation of section 202 of this act, which
22 must be in compliance with federal regulations governing the program
23 under 42 U.S.C. Sec. 1773. These guidelines must include ways schools
24 and districts can solicit and consider the input of families
25 regarding implementation and continued operation of programs
26 providing nutrition during the school day.

27 (2) The office of the superintendent of public instruction shall
28 dedicate staff within the office to offer training and technical and
29 marketing assistance to all public schools and school districts
30 related to providing nutrition during the school day, including
31 assistance with various funding options available to high-needs
32 schools, including the community eligibility provision under 42
33 U.S.C. Sec. 1759a(a)(1), programs under provision two of the national
34 school lunch act, and claims for reimbursement under 42 U.S.C. Sec.
35 1773.

36 (3) In fulfilling its responsibilities under this section, the
37 office of the superintendent of public instruction shall collaborate
38 with nonprofit organizations knowledgeable about equity, the
39 opportunity gap, hunger and food security issues, and best practices

1 for improving student access to nutrition during the school day. The
2 office shall maintain a list of opportunities for philanthropic
3 support of school meal programs and make the list available to
4 schools interested in expanding nutrition opportunities.

5 (4) The office of the superintendent of public instruction shall
6 incorporate the annual collection of information about nutrition
7 delivery models into existing data systems and make the information
8 publicly available.

9 **PART III**
10 **STUDENT DISCIPLINE**

11 NEW SECTION. **Sec. 301.** A new section is added to chapter
12 28A.320 RCW to read as follows:

13 (1) School districts shall annually disseminate discipline
14 policies and procedures to students, families, and the community.

15 (2) School districts shall use disaggregated data collected
16 pursuant to RCW 28A.300.042 to monitor the impact of the school
17 district's discipline policies and procedures.

18 (3) School districts, in consultation with school district staff,
19 students, families, and the community, shall periodically review and
20 update their discipline rules, policies, and procedures.

21 NEW SECTION. **Sec. 302.** A new section is added to chapter
22 28A.345 RCW to read as follows:

23 (1) The Washington state school directors' association shall
24 create model school district discipline policies and procedures and
25 post these models publicly by December 1, 2016. In developing these
26 model policies and procedures, the association shall request
27 technical assistance and guidance from the equity and civil rights
28 office within the office of the superintendent of public instruction
29 and the Washington state human rights commission. The model policies
30 and procedures shall be updated as necessary.

31 (2) School districts shall adopt discipline policies and
32 procedures consistent with the model policy by April 1, 2017.

33 **Sec. 303.** RCW 28A.600.015 and 2013 2nd sp.s. c 18 s 302 are each
34 amended to read as follows:

35 (1) The superintendent of public instruction shall adopt and
36 distribute to all school districts lawful and reasonable rules

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

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

18 (3) Emergency expulsions must end or be converted to another form
19 of corrective action within ten school days from the date of the
20 emergency removal from school. Notice and due process rights must be
21 provided when an emergency expulsion is converted to another form of
22 corrective action.

23 (4) School districts may not impose long-term suspension or
24 expulsion as a form of discretionary discipline.

25 (5) As used in this chapter, "discretionary discipline" means a
26 disciplinary action taken by a school district for student behavior
27 that violates rules of student conduct adopted by a school district
28 board of directors under this section and RCW 28A.600.010, but does
29 not constitute action taken in response to any of the following:

30 (a) A violation of RCW 28A.600.420;

31 (b) An offense in RCW 13.04.155; or

32 (c) Two or more violations of RCW 9A.46.120, 9.41.280,
33 28A.600.455, 28A.635.020, or 28A.635.060 within a three-year period.

34 (6) Except as provided in RCW 28A.600.420, school districts are
35 not required to impose long-term suspension or expulsion for behavior
36 that constitutes a violation or offense listed under subsection
37 (5)(a) through (c) of this section and should first consider
38 alternative actions.

39 (7) School districts may not suspend the provision of educational
40 services to a student as a disciplinary action. A student may be

1 excluded from a particular classroom or instructional or activity
2 area for the period of suspension or expulsion, but the school
3 district must provide an opportunity for a student to receive
4 educational services during a period of suspension or expulsion.

5 **Sec. 304.** RCW 28A.600.020 and 2013 2nd sp.s. c 18 s 303 are each
6 amended to read as follows:

7 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
8 interpreted to ensure that the optimum learning atmosphere of the
9 classroom is maintained, and that the highest consideration is given
10 to the judgment of qualified certificated educators regarding
11 conditions necessary to maintain the optimum learning atmosphere.

12 (2) Any student who creates a disruption of the educational
13 process in violation of the building disciplinary standards while
14 under a teacher's immediate supervision may be excluded by the
15 teacher from his or her individual classroom and instructional or
16 activity area for all or any portion of the balance of the school
17 day, or up to the following two days, or until the principal or
18 designee and teacher have conferred, whichever occurs first. Except
19 in emergency circumstances, the teacher first must attempt one or
20 more alternative forms of corrective action. In no event without the
21 consent of the teacher may an excluded student return to the class
22 during the balance of that class or activity period or up to the
23 following two days, or until the principal or his or her designee and
24 the teacher have conferred.

25 (3) In order to preserve a beneficial learning environment for
26 all students and to maintain good order and discipline in each
27 classroom, every school district board of directors shall provide
28 that written procedures are developed for administering discipline at
29 each school within the district. Such procedures shall be developed
30 with the participation of parents and the community, and shall
31 provide that the teacher, principal or designee, and other
32 authorities designated by the board of directors, make every
33 reasonable attempt to involve the parent or guardian and the student
34 in the resolution of student discipline problems. Such procedures
35 shall provide that students may be excluded from their individual
36 classes or activities for periods of time in excess of that provided
37 in subsection (2) of this section if such students have repeatedly
38 disrupted the learning of other students. The procedures must be
39 consistent with the rules of the superintendent of public instruction

1 and must provide for early involvement of parents in attempts to
2 improve the student's behavior.

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

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

10 (i) Engages in two or more violations within a three-year period
11 of RCW 9A.46.120, (~~(28A.320.135,)~~) 28A.600.455, 28A.600.460,
12 28A.635.020, 28A.600.020, 28A.635.060, or 9.41.280(~~(, — or~~
13 ~~28A.320.140))~~); or

14 (ii) Engages in one or more of the offenses listed in RCW
15 13.04.155.

16 (b) The principal shall communicate the disciplinary action taken
17 by the principal to the school personnel who referred the student to
18 the principal for disciplinary action.

19 (6) Any corrective action involving a suspension or expulsion
20 from school for more than ten days must have an end date of not more
21 than (~~one calendar year~~) the length of an academic term, as defined
22 by the school board, from the time of corrective action. Districts
23 shall make reasonable efforts to assist students and parents in
24 returning to an educational setting prior to and no later than the
25 end date of the corrective action. Where warranted based on public
26 health or safety, a school may petition the superintendent of the
27 school district, pursuant to policies and procedures adopted by the
28 office of the superintendent of public instruction, for authorization
29 to exceed the (~~one calendar year~~) academic term limitation provided
30 in this subsection. The superintendent of public instruction shall
31 adopt rules outlining the limited circumstances in which a school may
32 petition to exceed the (~~one calendar year~~) academic term
33 limitation, including safeguards to ensure that the school district
34 has made every effort to plan for the student's return to school.
35 School districts shall report to the office of the superintendent of
36 public instruction the number of petitions made to the school board
37 and the number of petitions granted on an annual basis.

38 (7) Nothing in this section prevents a public school district,
39 educational service district, the Washington state center for
40 childhood deafness and hearing loss, or the state school for the

1 blind if it has suspended or expelled a student from the student's
2 regular school setting from providing educational services to the
3 student in an alternative setting or modifying the suspension or
4 expulsion on a case-by-case basis. An alternative setting should be
5 comparable and appropriate to the regular education services a
6 student would have received without the exclusionary discipline.
7 Example alternative settings include alternative high schools, one-
8 on-one tutoring, and online learning.

9 **PART IV**

10 **TEACHER LOAN REPAYMENT**

11 NEW SECTION. **Sec. 401.** The purpose of sections 402 through 405
12 of this act is to encourage individuals to enter and continue in the
13 teaching profession, and to encourage teachers to work in
14 challenging, high poverty schools.

15 NEW SECTION. **Sec. 402.** The definitions in this section apply
16 throughout sections 403 through 405 of this act unless the context
17 clearly requires otherwise.

18 (1) "Challenging, high poverty schools" means schools where, for
19 the prior school year, the student headcount enrollment eligible for
20 the federal free or reduced-price lunch program was, as determined by
21 the October 1st count of the comprehensive education data and
22 research system (CEDARS) or successor data collection and reporting
23 systems of the office of the superintendent of public instruction on
24 May 1st of that prior year, at least:

25 (a) Seventy percent for elementary schools;

26 (b) Sixty percent for middle schools; or

27 (c) Fifty percent for high schools.

28 (2) "Eligible teacher" means a teacher who qualifies for a
29 student loan repayment under sections 403 and 404 of this act.

30 (3) "Student loan" means a federal student loan that is repaid in
31 whole or in part if the recipient renders service as a teacher in an
32 approved challenging, high poverty school in Washington state.

33 NEW SECTION. **Sec. 403.** The office of the superintendent of
34 public instruction shall administer student loan repayments by direct
35 payments on behalf of an eligible teacher to the holder of such loan,

1 in accordance with section 404 of this act, for any eligible teacher
2 who:

3 (1) Is not in default on a student loan for which the eligible
4 teacher seeks forgiveness; and

5 (2) Is employed as a full-time teacher for service in an academic
6 year at an approved challenging, high poverty school or an
7 educational service district.

8 NEW SECTION. **Sec. 404.** (1) An eligible teacher who chooses to
9 receive student loan repayment under this section and section 403 of
10 this act agrees to remain employed in the school or location for
11 which the eligible teacher gained eligibility for student loan
12 repayment under this section and section 403 of this act.

13 (2) An eligible teacher who is employed at a challenging, high
14 poverty school and meets the requirements of section 403 of this act
15 in any year and, in a subsequent year, fails to meet the requirements
16 of section 403 of this act, may continue to teach in the school and
17 may be eligible for the loan repayment program under this section and
18 section 403 of this act in subsequent years.

19 (3)(a) The office of the superintendent of public instruction
20 shall agree to make a student loan payment for an eligible teacher in
21 the amount of two hundred fifty dollars per month for the first and
22 second year of teaching, three hundred dollars per month for the
23 third year of teaching, three hundred fifty dollars per month for the
24 fourth year of teaching, and four hundred dollars per month for the
25 fifth and sixth years of teaching.

26 (b) The maximum total amount of student loan payments made by the
27 office of the superintendent of public instruction for an eligible
28 teacher under this section is twenty-three thousand four hundred
29 dollars.

30 (c) An eligible teacher shall enter repayment on any remaining
31 principal and interest due on a student loan for which the office of
32 the superintendent of public instruction has made payments under this
33 section after the maximum total amount has been reached under (b) of
34 this subsection.

35 (4) An eligible teacher who is participating in a loan repayment
36 program under RCW 28B.102.055 or other state-funded loan repayment
37 program, may choose to continue participating in such program or, if
38 eligible, choose to participate in the loan repayment program under
39 this section and section 403 of this act.

1 (5) This section and section 403 of this act do not authorize the
2 office of the superintendent of public instruction to reimburse an
3 eligible teacher for loan payments made before the eligible teacher
4 entered the loan repayment program under this section and section 403
5 of this act.

6 NEW SECTION. **Sec. 405.** The superintendent of public instruction
7 shall adopt rules to implement sections 403 and 404 of this act.

8 NEW SECTION. **Sec. 406.** Sections 402 through 405 of this act are
9 each added to chapter 28A.660 RCW.

10 **PART V**

11 **RECRUITMENT AND RETENTION OF EDUCATORS**

12 NEW SECTION. **Sec. 501.** (1) The professional educator standards
13 board and the office of the superintendent of public instruction
14 shall convene a work group to revise and update the model framework
15 and curriculum, as well as the program of study, for high school
16 career and technical education courses related to careers in
17 education.

18 (2) The revised careers in education courses must incorporate:

19 (a) Standards for cultural competence developed by the
20 professional educator standards board under RCW 28A.410.270;

21 (b) The most recent competency standards established by the
22 professional educator standards board and new research on best
23 practices for educator preparation and development; and

24 (c) Curriculum and activities used by the recruiting Washington
25 teachers program under RCW 28A.415.370.

26 (3) The revisions must be completed before the 2017-18 school
27 year.

28 (4) This section expires September 1, 2018.

29 **PART VI**

30 **TEACHER BONUSES**

31 NEW SECTION. **Sec. 601.** The legislature recognizes a need to
32 increase the amount of teachers willing to work in challenging, high
33 poverty schools. Challenging, high poverty schools are among those
34 most impacted by the statewide teacher shortage. The legislature

1 further finds that additional compensation in the form of annual
2 teacher bonuses is essential to recruiting and retaining teachers to
3 work in challenging, high poverty schools.

4 NEW SECTION. **Sec. 602.** A new section is added to chapter
5 28A.405 RCW to read as follows:

6 (1) Certificated classroom teachers are eligible for additional
7 bonuses if they are employed in an instructional assignment in a
8 challenging, high poverty school.

9 (2) Challenging, high poverty schools are schools where, for the
10 prior year, the student headcount enrollment eligible for the federal
11 free or reduced-price lunch program was at least:

12 (a) Seventy percent for elementary schools;

13 (b) Sixty percent for middle schools; or

14 (c) Fifty percent for high schools; as determined by the October
15 1st count of the comprehensive education data and research system
16 (CEDARS) or successor data collection and reporting systems of the
17 office of the superintendent of public instruction, on May 1st of
18 that prior year.

19 (3) School districts that employ teachers eligible for the salary
20 bonus shall report those employees to the office of superintendent of
21 public instruction by submitting for each employee the required data
22 as determined by the superintendent of public instruction.

23 (4) School districts must document the eligibility of each
24 teacher by maintaining on file evidence of employment and
25 instructional assignments in the challenging, high poverty school.

26 (5) All requests must be submitted to the superintendent of
27 public instruction by June 15th of the school year and shall be paid
28 in the July apportionment and displayed on report 1197, in revenue
29 account 4158.

30 (6) For each candidate, the superintendent of public instruction
31 shall send the district the amount of the salary bonus set in the
32 operating appropriations act plus an amount for the district's
33 portion of mandatory fringe benefits. The amount of the salary bonus
34 is two thousand five hundred dollars each school year in which the
35 eligible teacher works in a challenging, high poverty school.

36 (7) The district must pay the bonus to the employee in a lump sum
37 amount on a supplemental contract pursuant to RCW 28A.400.200 no
38 later than August 31st of the school year.

1 (8) The salary bonus is included in the definition of "earnable
2 compensation" under RCW 41.32.010.

3 **PART VII**
4 **INSTRUCTING ENGLISH LANGUAGE LEARNERS**

5 **Sec. 701.** RCW 28A.180.040 and 2013 2nd sp.s. c 9 s 4 are each
6 amended to read as follows:

7 (1) Every school district board of directors shall:

8 (a) Make available to each eligible pupil transitional bilingual
9 instruction to achieve competency in English, in accord with rules of
10 the superintendent of public instruction;

11 (b) Wherever feasible, ensure that communications to parents
12 emanating from the schools shall be appropriately bilingual for those
13 parents of pupils in the bilingual instruction program;

14 (c) Determine, by administration of an English test approved by
15 the superintendent of public instruction the number of eligible
16 pupils enrolled in the school district at the beginning of a school
17 year and thereafter during the year as necessary in individual cases;

18 (d) Ensure that a student who is a child of a military family in
19 transition and who has been assessed as in need of, or enrolled in, a
20 bilingual instruction program, the receiving school shall initially
21 honor placement of the student into a like program.

22 (i) The receiving school shall determine whether the district's
23 program is a like program when compared to the sending school's
24 program; and

25 (ii) The receiving school may conduct subsequent assessments
26 pursuant to RCW 28A.180.090 to determine appropriate placement and
27 continued enrollment in the program;

28 (e) Before the conclusion of each school year, measure each
29 eligible pupil's improvement in learning the English language by
30 means of a test approved by the superintendent of public instruction;

31 (f) Provide in-service training for teachers, counselors, and
32 other staff, who are involved in the district's transitional
33 bilingual program. Such training shall include appropriate
34 instructional strategies for children of culturally different
35 backgrounds, use of curriculum materials, and program models; and

36 (g) Make available a program of instructional support for up to
37 two years immediately after pupils exit from the program, for exited
38 pupils who need assistance in reaching grade-level performance in

1 academic subjects even though they have achieved English proficiency
2 for purposes of the transitional bilingual instructional program.

3 (2) Beginning in the 2020-21 school year, all classroom teachers
4 assigned using funds for the transitional bilingual instruction
5 program to provide supplemental instruction for eligible pupils must
6 hold an endorsement in bilingual education or English language
7 learner, or both.

8 (3) The definitions in Article II of RCW 28A.705.010 apply to
9 subsection (1)(d) of this section.

10 **Sec. 702.** RCW 28A.180.090 and 2001 1st sp.s. c 6 s 2 are each
11 amended to read as follows:

12 The superintendent of public instruction shall develop an
13 evaluation system designed to measure increases in the English and
14 academic proficiency of eligible pupils. When developing the system,
15 the superintendent shall:

16 (1) Require school districts to assess potentially eligible
17 pupils within ten days of registration using an English proficiency
18 assessment or assessments as specified by the superintendent of
19 public instruction. Results of these assessments shall be made
20 available to both the superintendent of public instruction and the
21 school district;

22 (2) Require school districts to annually assess all eligible
23 pupils at the end of the school year using an English proficiency
24 assessment or assessments as specified by the superintendent of
25 public instruction. Results of these assessments shall be made
26 available to both the superintendent of public instruction and the
27 school district;

28 (3) Develop a system to evaluate increases in the English and
29 academic proficiency of students who are, or were, eligible pupils.
30 This evaluation shall include students when they are in the program
31 and after they exit the program until they finish their K-12 career
32 or transfer from the school district. The purpose of the evaluation
33 system is to inform schools, school districts, parents, and the state
34 of the effectiveness of the transitional bilingual programs in school
35 and school districts in teaching these students English and other
36 content areas, such as mathematics and writing; and

37 ~~(4) ((Report to the education and fiscal committees of the~~
38 ~~legislature by November 1, 2002, regarding the development of the~~
39 ~~systems described in this section and a timeline for the full~~

1 ~~implementation of those systems. The legislature shall approve and~~
2 ~~provide funding for the evaluation system in subsection (3) of this~~
3 ~~section before any implementation of the system developed under~~
4 ~~subsection (3) of this section may occur.))~~ Provide school districts
5 with technical assistance and support in selecting research-based
6 program models, instructional materials, and professional development
7 for program staff, including disseminating information about best
8 practices and innovative programs. The information must include
9 research about the differences between conversational language
10 proficiency, academic language proficiency, and subject-specific
11 language proficiency and the implications this research has on
12 instructional practices and evaluation of program effectiveness.

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PART VIII
SHORT TITLE

15 NEW SECTION. **Sec. 801.** This act may be known and cited as the
16 closing educational opportunity gap act.

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