

ESB 5462 - H COMM AMD
By Committee on Education

NOT ADOPTED 02/29/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature recognizes that
4 Washington state law prohibits discrimination in public schools for
5 certain protected classes. The legislature also acknowledges that
6 school districts are required to adopt a policy related to the
7 selection or removal of instructional materials. Under state rule,
8 the instructional materials policy of each school district must
9 establish and use appropriate screening criteria to identify and
10 eliminate bias pertaining to protected classes.

11 (2) The legislature intends to expand these requirements by
12 requiring school districts to adopt policies and procedures that
13 incorporate adopting inclusive curricula and selecting inclusive
14 instructional materials that include the histories, contributions,
15 and perspectives of historically marginalized and underrepresented
16 groups. The legislature recognizes that inclusive curricula have been
17 shown to often improve the mental health, academic performance,
18 attendance rates, and graduation rates of marginalized communities.
19 Research on students' sense of belonging and community in the school
20 setting confirms that inclusive curricula and learning environments
21 contribute to increased school motivation, participation, and
22 achievement.

23 (3) The legislature intends to promote culturally and
24 experientially representative learning opportunities for all students
25 by directing the office of the superintendent of public instruction,
26 when revising or developing state learning standards, to screen for
27 inappropriate bias in the proposed state learning standards and to
28 ensure that the histories, contributions, and perspectives of
29 underrepresented peoples and communities are included in the
30 standards.

1 (4) The legislature believes that promoting inclusive learning
2 standards, curricula, and instructional materials will improve
3 student achievement, attendance, parent and family engagement, and
4 other dimensions that contribute to student success.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.345
6 RCW to read as follows:

7 (1) By June 1, 2025, the Washington state school directors'
8 association, with the assistance of the office of the superintendent
9 of public instruction, must review and update a model policy and
10 procedure regarding course design, selection, and adoption of
11 instructional materials.

12 (2) The model policy and procedure must require that school
13 district boards of directors, within available materials, adopt
14 inclusive curricula and select diverse, equitable, inclusive, age-
15 appropriate instructional materials that include the histories,
16 contributions, and perspectives of historically marginalized and
17 underrepresented groups including, but not limited to, people from
18 various racial, ethnic, and religious backgrounds, people with
19 differing learning needs, people with disabilities, LGBTQ people as
20 the term is defined in RCW 43.114.010, and people with various
21 socioeconomic and immigration backgrounds.

22 (3) The model policy and procedure must require that, in adopting
23 curricula and selecting instructional materials in accordance with
24 this section, school district boards of directors must seek curricula
25 and instructional materials that are as culturally and experientially
26 diverse as possible, recognizing that the availability of materials
27 that include the histories, contributions, and perspectives of
28 historically marginalized groups may vary.

29 (4) By October 1, 2025, school district boards of directors must
30 amend the policy and procedures required under RCW 28A.320.230 to
31 incorporate the elements described in this section. For the purpose
32 of documenting compliance with this section and assisting school
33 districts in accordance with section 5 of this act, school district
34 boards of directors, within 10 days of completing the policy and
35 procedure updates required by this subsection (4), shall provide
36 notice of the completed actions and electronic copies of the
37 applicable policies and procedures to the office of the
38 superintendent of public instruction.

1 (5) This section governs school operation and management under
2 RCW 28A.710.040 and 28A.715.020, and applies to charter schools
3 established under chapter 28A.710 RCW and state-tribal education
4 compact schools subject to chapter 28A.715 RCW to the same extent as
5 it applies to school districts.

6 **Sec. 3.** RCW 28A.655.070 and 2019 c 252 s 119 are each amended to
7 read as follows:

8 (1) The superintendent of public instruction shall develop state
9 learning standards that identify the knowledge and skills all public
10 school students need to know and be able to do based on the student
11 learning goals in RCW 28A.150.210, develop student assessments, and
12 implement the accountability recommendations and requests regarding
13 assistance, rewards, and recognition of the state board of education.

14 (2) The superintendent of public instruction shall:

15 (a) Periodically revise the state learning standards, as needed,
16 based on the student learning goals in RCW 28A.150.210. Goals one and
17 two shall be considered primary. To the maximum extent possible, the
18 superintendent shall integrate goal four and the knowledge and skill
19 areas in the other goals in the state learning standards; ~~((and))~~

20 (b) Include a screening for biased content in each development or
21 revision of a state learning standard and ensure that the concepts of
22 diversity, equity, and inclusion, as those terms are defined in RCW
23 28A.415.443, are incorporated into each new or revised state learning
24 standard. In meeting the requirements of this subsection (2)(b), the
25 superintendent of public instruction shall consult with the
26 applicable commissions established in Title 43 RCW and other persons
27 and organizations with relevant expertise; and

28 (c) Review and prioritize the state learning standards and
29 identify, with clear and concise descriptions, the grade level
30 content expectations to be assessed on the statewide student
31 assessment and used for state or federal accountability purposes. The
32 review, prioritization, and identification shall result in more focus
33 and targeting with an emphasis on depth over breadth in the number of
34 grade level content expectations assessed at each grade level. Grade
35 level content expectations shall be articulated over the grades as a
36 sequence of expectations and performances that are logical, build
37 with increasing depth after foundational knowledge and skills are
38 acquired, and reflect, where appropriate, the sequential nature of
39 the discipline. The office of the superintendent of public

1 instruction, within seven working days, shall post on its website any
2 grade level content expectations provided to an assessment vendor for
3 use in constructing the statewide student assessment.

4 (3) (a) In consultation with the state board of education, the
5 superintendent of public instruction shall maintain and continue to
6 develop and revise a statewide academic assessment system in the
7 content areas of reading, writing, mathematics, and science for use
8 in the elementary, middle, and high school years designed to
9 determine if each student has mastered the state learning standards
10 identified in subsection (1) of this section. School districts shall
11 administer the assessments under guidelines adopted by the
12 superintendent of public instruction. The academic assessment system
13 may include a variety of assessment methods, including criterion-
14 referenced and performance-based measures.

15 (b) Effective with the 2009 administration of the Washington
16 assessment of student learning and continuing with the statewide
17 student assessment, the superintendent shall redesign the assessment
18 in the content areas of reading, mathematics, and science in all
19 grades except high school by shortening test administration and
20 reducing the number of short answer and extended response questions.

21 (c) By the 2014-15 school year, the superintendent of public
22 instruction, in consultation with the state board of education, shall
23 modify the statewide student assessment system to transition to
24 assessments developed with a multistate consortium, as provided in
25 this subsection:

26 (i) The assessments developed with a multistate consortium to
27 assess student proficiency in English language arts and mathematics
28 shall be administered beginning in the 2014-15 school year, and
29 beginning with the graduating class of 2020, the assessments must be
30 administered to students in the tenth grade. The reading and writing
31 assessments shall not be administered by the superintendent of public
32 instruction or schools after the 2013-14 school year.

33 (ii) The high school assessments in English language arts and
34 mathematics in (c)(i) of this subsection shall be used for the
35 purposes of federal and state accountability and for assessing
36 student career and college readiness.

37 (d) The statewide academic assessment system must also include
38 the Washington access to instruction and measurement assessment for
39 students with significant cognitive challenges.

1 (4) If the superintendent proposes any modification to the state
2 learning standards or the statewide assessments, then the
3 superintendent shall, upon request, provide opportunities for the
4 education committees of the house of representatives and the senate
5 to review the assessments and proposed modifications to the state
6 learning standards before the modifications are adopted.

7 (5) The assessment system shall be designed so that the results
8 under the assessment system are used by educators as tools to
9 evaluate instructional practices, and to initiate appropriate
10 educational support for students who have not mastered the state
11 learning standards at the appropriate periods in the student's
12 educational development.

13 (6) By September 2007, the results for reading and mathematics
14 shall be reported in a format that will allow parents and teachers to
15 determine the academic gain a student has acquired in those content
16 areas from one school year to the next.

17 (7) To assist parents and teachers in their efforts to provide
18 educational support to individual students, the superintendent of
19 public instruction shall provide as much individual student
20 performance information as possible within the constraints of the
21 assessment system's item bank. The superintendent shall also provide
22 to school districts:

23 (a) Information on classroom-based and other assessments that may
24 provide additional achievement information for individual students;
25 and

26 (b) A collection of diagnostic tools that educators may use to
27 evaluate the academic status of individual students. The tools shall
28 be designed to be inexpensive, easily administered, and quickly and
29 easily scored, with results provided in a format that may be easily
30 shared with parents and students.

31 (8) To the maximum extent possible, the superintendent shall
32 integrate knowledge and skill areas in development of the
33 assessments.

34 (9) Assessments for goals three and four of RCW 28A.150.210 shall
35 be integrated in the state learning standards and assessments for
36 goals one and two.

37 (10) The superintendent shall develop assessments that are
38 directly related to the state learning standards, and are not biased
39 toward persons with different learning styles, racial or ethnic
40 backgrounds, or on the basis of gender.

1 (11) The superintendent shall review available and appropriate
2 options for competency-based assessments that meet the state learning
3 standards. In accordance with the review required by this subsection,
4 the superintendent shall provide a report and recommendations to the
5 education committees of the house of representatives and the senate
6 by November 1, 2019.

7 (12) The superintendent shall consider methods to address the
8 unique needs of special education students when developing the
9 assessments under this section.

10 (13) The superintendent shall consider methods to address the
11 unique needs of highly capable students when developing the
12 assessments under this section.

13 (14) The superintendent shall post on the superintendent's
14 website lists of resources and model assessments in social studies,
15 the arts, and health and fitness.

16 (15) The superintendent shall integrate financial education
17 skills and content knowledge into the state learning standards
18 pursuant to RCW 28A.300.460(2)(d).

19 (16)(a) The superintendent shall notify the state board of
20 education in writing before initiating the development or revision of
21 the state learning standards under subsections (1) and (2) of this
22 section. The notification must be provided to the state board of
23 education in advance for review at a regularly scheduled or special
24 board meeting and must include the following information:

25 (i) The subject matter of the state learning standards;

26 (ii) The reason or reasons the superintendent is initiating the
27 development or revision; and

28 (iii) The process and timeline that the superintendent intends to
29 follow for the development or revision.

30 (b) The state board of education may provide a response to the
31 superintendent's notification for consideration in the development or
32 revision process in (a) of this subsection.

33 (c) Prior to adoption by the superintendent of any new or revised
34 state learning standards, the superintendent shall submit the
35 proposed new or revised state learning standards to the state board
36 of education in advance in writing for review at a regularly
37 scheduled or special board meeting. The state board of education may
38 provide a response to the superintendent's proposal for consideration
39 prior to final adoption.

1 (17) The state board of education may propose new or revised
2 state learning standards to the superintendent. The superintendent
3 must respond to the state board of education's proposal in writing.

4 (18) The superintendent shall produce and post on its website a
5 schedule for the revision of state learning standards under
6 subsection (2) of this section by September 1, 2025. In addition to
7 notifying parents, schools, and the public of the schedule and
8 timelines for revision, the website posting must be updated as
9 necessary to inform persons of the status of any pending revisions,
10 and of any plans or actions related to developing new state learning
11 standards under subsection (1) of this section.

12 NEW SECTION. Sec. 4. A new section is added to chapter 28A.300
13 RCW to read as follows:

14 (1) Subject to the availability of amounts appropriated for this
15 specific purpose, the office of the superintendent of public
16 instruction, in collaboration with the statewide association of
17 educational service districts, the legislative youth advisory council
18 established under RCW 43.15.095, and the Washington state school
19 directors' association, must create an open collection of educational
20 resources for inclusive curricula. The office of the superintendent
21 of public instruction must consult with the Washington state office
22 of equity established in RCW 43.06D.020 and any other relevant state
23 agencies when creating the open collection of educational resources.

24 (2) The open collection of educational resources must include
25 resources that include the histories, contributions, and perspectives
26 of historically marginalized and underrepresented groups.

27 NEW SECTION. Sec. 5. A new section is added to chapter 28A.300
28 RCW to read as follows:

29 (1) The office of the superintendent of public instruction shall,
30 as soon as is practicable, compile information received under section
31 2(4) of this act and, based on the received materials, prepare best
32 practices and other informative materials to support school
33 districts, charter schools, and state-tribal education compact
34 schools in meeting the requirements of section 2 of this act.

35 (2) This section expires June 30, 2028."

36 Correct the title.

EFFECT: (1) Removes provisions related to:

(a) General responsibilities of school district boards of directors (school boards);

(b) The designation of regional inclusive curricula coordinators by educational service districts (ESDs);

(c) The establishment of regional youth advisory councils for inclusive curricula and equity by ESDs;

(d) Instructional materials obligations of school boards, including obligations related to instructional materials committees; and

(e) Governing requirements for charter schools and state-tribal education compact schools.

(2) Conditions directives for school boards to adopt inclusive instructional materials, as required in a proposed model policy and procedure of the Washington State School Directors' Association (WSSDA), upon the availability of those materials.

(3) Specifies that the WSSDA model policy and procedure must require that school boards, in adopting curricula and selecting instructional materials, seek to be as culturally and experientially diverse as possible, recognizing that the availability of materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups may vary.

(4) Includes examples of historically marginalized and underrepresented groups in provisions for the WSSDA model policy and procedure.

(5) Requires school district boards of directors, within 10 days of completing the required materials policy and procedure updates, to provide notice of the completed actions and copies of the policies and procedures to the Office of the Superintendent of Public Instruction (OSPI).

(6) Makes the model policy and procedure requirements apply to charter schools and state-tribal education compact schools.

(7) Requires the Superintendent of Public Instruction (SPI) to include a screening for biased content in each development or revision of a state learning standard, and to ensure that the concepts of diversity, equity, and inclusion, as those terms are defined in statute, are incorporated into each new or revised state learning standard.

(8) Specifies that in meeting requirements for the development or revision of state learning standards, the SPI must consult with applicable state commissions and other persons and organizations with relevant expertise.

(9) Requires the SPI to produce and post on its website a schedule for the revision of state learning standards by December 1, 2025.

(10) Specifies that the schedule must be updated as necessary to inform persons of the status of any pending revisions and of any plans or actions related to developing new state learning standards.

(11) Requires the OSPI to compile information about adopted model policies and procedures from school districts and certain public schools and prepare best practices and other informative materials to support school districts, charter schools, and state-tribal education compact schools in meeting requirements for the inclusive materials model policies and procedures.

(12) Makes changes to requirements for an "open educational resource database for developing inclusive curricula," including changing the provisions to instead require the creation of an "open collection of educational resources for inclusive curricula."

(13) Revises intent language.

--- **END** ---