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ABSTRACT

This document combines in one place the provisions of Washington State law that provide the legal framework for "education reform." Due to the nature in which Washington State laws are "codified" in statute and to the comprehensiveness of education reform, the laws regarding education reform are scattered throughout the Revised Code of Washington. Changes have been made to the education reform law almost every year. Chapters include: (1) Major Changes for the 2000-2001 School Year; (2) Intent Section: Engrossed Substitute House Bill 1209; (3) Basic Education Goals; (4) Basic Values and Character Traits; (5) Essential Learnings and Assessments; (6) Accountability Commission; (7) Statewide Reporting of Assessment Results; (8) District Reading and Math Goal Setting; (9) Annual School Performance Reports; (10) Private and Home School Students Not Required to Participate; (11) Other State Assessments; (12) Flexibility Provisions; (13) Consolidated Planning; (14) Capacity-Building Provisions; and (15) Legislative Oversight. Because of the changes made in 2000, the 1999 version of this document is no longer current and should not be used. This updated version will be applicable through the 2000-01 school year. (RT)

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State Laws Regarding

Education Reform, Assessment, and Accountability in Washington State

UPDATED!
For use in the
2000-01 School Year



Dr. Terry Bergeson
State Superintendent of
Public Instruction

November 2000

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State Laws Regarding Education Reform, Assessment, and Accountability in Washington State

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November 2000

Introduction

The purpose of this document is to combine in one place the provisions of Washington State law that provide the legal framework for "education reform." Due to the nature in which Washington State laws are "codified" in statute and to the comprehensiveness of education reform, the laws regarding education reform are scattered throughout the Revised Code of Washington (RCW).

As with many other major legislative initiatives, changes have been made to the education reform law almost every year. In 1992, the Washington Legislature adopted SSB 5953, which established the initial framework for education reform. Most significantly, it established the Commission on Student Learning, provided for the development of "essential academic learning requirements," created a new assessment system, and gave school districts greater flexibility in offering educational programs.

As a result of the work of the Governor's Council on Education Reform and Funding, ESHB 1209 was adopted in 1993. This bill made changes to SSB 5953 and created new learning goals, the Student Learning Improvement Grants (SLIGs) program, and other programs intended to assist educators in helping students meet new academic standards.

In 1994, the Legislature adopted requirements pertaining to "character traits and values" (ESHB 2850). Relatively minor changes were made in 1995 (SSB 5169).

In 1997, the timeline for development of the assessments was modified and several other changes were made in ESB 6072. Also in 1997, a 2nd grade reading accuracy and fluency assessment was established (ESHB 2042).

In 1998, school district boards of directors were directed to establish three-year reading improvement goals and the 4th grade norm-referenced standardized test was moved to the 3rd grade in order to integrate it with the assessments developed by the Commission on Student Learning (2SHB 2849). In addition, the 1998 Legislature provided funds for professional development and instructional materials for K-2 teachers and for grants to schools for reading programs that use volunteer tutors.

In 1999, the Legislature made changes in the norm-referenced tests and modified the timeline for implementation of the assessment system (E2SSB 5825). It also established the Academic Achievement and Accountability Commission, established mathematics goals, and created several new assistance programs (SSB 5418).

In the 2000 session, a number of changes were made in the education reform related programs that are funded in the budget, such as creation of the "Better Schools Fund."

Because of the changes made in 2000, the 1999 version of this document is no longer current and should not be used. This version will be applicable through the 2000-2001 school year.

Provisions of these bills considered to be technical and that do not directly pertain to education reform have not been included. Also, provisions that have been replaced by other programs (such as SLIGs) are not included, but the new programs are incorporated.

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Table of Contents

	Page
Major Changes for the 2000-2001 School Year	1
Intent Section: Engrossed Substitute House Bill 1209	3
Basic Education Goals.....	3
Basic Values and Character Traits.....	4
Essential Learnings and Assessments	4
Definitions	
EALRs and assessment development	
Transfer of CSL duties to OSPI	
CSL responsibilities	
Assessment timeline	
Certificate of mastery	
Accountability Commission	13
Intent	
Membership	
Powers and duties	
Recommendations	
Statewide Reporting of Assessment Results	17
District Reading and Math Goal Setting	18
District Goal Reporting Requirements	
Annual School Performance Reports.....	20
Private and Home School Students Not Required to Participate.....	21
Other State Assessments	21
2 nd grade accuracy and fluency assessment	
2 nd grade assessment pilot	
3 rd grade reading and math test	
6 th grade reading/language arts and math test	
9 th grade assessment and interest inventory	
Flexibility Provisions	24
School board powers broadened	
Basic education requirements: Program hours and teacher/student contact	
Waivers	

Table of Contents continued

	Page
Consolidated Planning	27
Capacity-Building Provisions.....	27
Learning Improvement Days	
Better Schools Fund	
Center for the Improvement of Student Learning	
Math Helping Corps	
Teacher Assistance Programs	
Readiness to Learn grants	
Education Leadership Internship program	
Paraprofessional training program	
Education technology	
Washington Reading Corps	
Legislative Oversight	36
Joint Select Committee on Education Restructuring	

Major changes for the 2000-2001 School Year

Major changes in Washington's education reform, assessment, and accountability laws for the 2000-2001 school year include:

- **Better Schools Fund:** The "Better Schools Fund" was created to provide school districts additional funding to reduce class sizes, provide extended learning opportunities for students, and provide funding for professional development and training. Expenditure of the professional development and training funds is to be decided at the building level. Funding was provided for the 2000-2001 school year. (See page 27)

- **Program hour requirements modified:** As a result of legislation adopted in the early 1990's, the basic education requirement that school districts provide students instruction for a specified number of hours in different grade levels was changed effective September 1, 2000. The change removed the former grade-level and subject area requirements, and replaced it with a requirement that school districts provide an average of 1000 hours of instruction per year in grades 1 through 12, and 450 hours in kindergarten. (See page 25)

- **Teacher/student contact requirement repealed:** The Basic Education Act requirement that full-time equivalent classroom teachers average 25 hours per week of direct classroom contact was repealed effective September 1, 2000.

- **Self-study requirement repealed:** The requirement that schools conduct a self-study every seven years also was repealed effective September 1, 2000.

**INTENT SECTION:
ENGROSSED
SUBSTITUTE
HOUSE BILL 1209**

ESHB 1209, Sec. 1 (1993) The legislature finds that student achievement in Washington must be improved to keep pace with societal changes, changes in the workplace, and an increasingly competitive international economy.

To increase student achievement, the legislature finds that the state of Washington needs to develop a public school system that focuses more on the educational performance of students, that includes high expectations for all students, and that provides more flexibility for school boards and educators in how instruction is provided.

The legislature further finds that improving student achievement will require:

(1) Establishing what is expected of students, with standards set at internationally competitive levels;

(2) Parents to be primary partners in the education of their children, and to play a significantly greater role in local school decision making;

(3) Students taking more responsibility for their education;

(4) Time and resources for educators to collaboratively develop and implement strategies for improved student learning;

(5) Making instructional programs more relevant to students' future plans;

(6) All parties responsible for education to focus more on what is best for students; and

(7) An educational environment that fosters mutually respectful interactions in an atmosphere of collaboration and cooperation.

It is the intent of the legislature to provide students the opportunity to achieve at significantly higher levels, and to provide alternative or additional instructional opportunities to help students who are having difficulty meeting the essential academic learning requirements in RCW 28A.630.885.

It is also the intent of the legislature that students who have met or exceeded the essential academic learning requirements be provided with alternative or additional instructional opportunities to help advance their educational experience.

The provisions of chapter 336, Laws of 1993 shall not be construed to change current state requirements for students who receive home-based instruction under chapter 28A.200 RCW, or for students who attend state-approved private schools under chapter 28A.195 RCW. [1993 c 336 § 1.]

**BASIC EDUCATION
GOALS**

RCW 28A.150.210 The goal of the Basic Education Act for the schools of the state of Washington set forth in this chapter shall be to provide students with the opportunity to become responsible citizens, to contribute to their own economic well-being and to that of their families and communities, and to enjoy productive and satisfying lives. To these ends, the goals of each school district, with the involvement of parents and community

members, shall be to provide opportunities for all students to develop the knowledge and skills essential to:

(1) Read with comprehension, write with skill, and communicate effectively and responsibly in a variety of ways and settings;

(2) Know and apply the core concepts and principles of mathematics; social, physical, and life sciences; civics and history; geography; arts; and health and fitness;

(3) Think analytically, logically, and creatively, and to integrate experience and knowledge to form reasoned judgments and solve problems; and

(4) Understand the importance of work and how performance, effort, and decisions directly affect future career and educational opportunities. [1993 c 336 § 101; (1992 c 141 § 501 repealed by 1993 c 336 § 1203); 1977 ex.s. c 359 § 2.]

BASIC VALUES AND CHARACTER TRAITS

RCW 28A.150.211 The legislature also recognizes that certain basic values and character traits are essential to individual liberty, fulfillment, and happiness. However, these values and traits are not intended to be assessed or be standards for graduation. The legislature intends that local communities have the responsibility for determining how these values and character traits are learned as determined by consensus at the local level. These values and traits include the importance of:

- (1) Honesty, integrity, and trust;
- (2) Respect for self and others;
- (3) Responsibility for personal actions and commitments;
- (4) Self-discipline and moderation;
- (5) Diligence and a positive work ethic;
- (6) Respect for law and authority;
- (7) Healthy and positive behavior; and
- (8) Family as the basis of society. [1994 c 245 § 10.]

ESSENTIAL LEARNINGS AND ASSESSMENTS

Definitions

RCW 28A.655.010 Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 28A.630.885 and 28A.300.130.

(1) "Commission" means the commission on student learning created in RCW 28A.630.885.

(2) "Student learning goals" mean[s] the goals established in RCW 28A.150.210.

(3) "Essential academic learning requirements" means more specific academic and technical skills and knowledge, based on the student learning goals, as determined under RCW 28A.630.885(3)(a). Essential academic learning requirements shall not limit the instructional strategies used by schools or school districts or require the use of specific curriculum.

(4) "Performance standards" or "standards" means the criteria used to determine if a student has successfully learned the

specific knowledge or skill being assessed as determined under RCW 28A.630.885(3)(b). The standards should be set at internationally competitive levels.

(5) "Assessment system" or "student assessment system" means a series of assessments used to determine if students have successfully learned the essential academic learning requirements. The assessment system shall be developed under RCW28A.630.885(3)(b).

(6) "Performance-based education system" means an education system in which a significantly greater emphasis is placed on how well students are learning, and significantly less emphasis is placed on state-level laws and rules that dictate how instruction is to be provided. The performance-based education system does not require that schools use an outcome-based instructional model. Decisions regarding how instruction is provided are to be made, to the greatest extent possible, by schools and school districts, not by the state. [1993 c 336 § 201.]

EALRs and assessment development

RCW 28A.655.070 (1) The superintendent of public instruction shall identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the academic achievement and accountability commission.

(2) The superintendent of public instruction shall periodically revise the essential academic learning requirements, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the essential academic learning requirements.

(3) In consultation with the academic achievement and accountability commission, the superintendent of public instruction shall maintain and continue to develop and revise a state-wide academic assessment system for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. The academic assessment system shall include a variety of assessment methods, including criterion-referenced and performance-based measures.

Assessment purposes

(4) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the essential academic learning requirements at the appropriate periods in the student's educational development.

Integration of goals

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

(6) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.

(7) The superintendent shall develop assessments that are directly related to the essential academic learning requirements, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

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

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

Transfer of CSL duties to OSPI

RCW 28A.655.900 (1) Beginning July 1, 1999, the powers, duties, and functions of the commission on student learning are transferred to the academic achievement and accountability commission or to the superintendent of public instruction as appropriate under the transfer of duties made from the commission on student learning to the academic achievement and accountability commission or the superintendent of public instruction under this act. All references to the commission on student learning in the Revised Code of Washington shall be construed to mean the academic achievement and accountability commission when addressing the duties, activities, or functions regarding the accountability system under this act. All references to the commission on student learning in the Revised Code of Washington shall be construed to mean the superintendent of public instruction when addressing the duties, activities, or functions regarding the essential academic learning requirements, the standards, or the assessments addressed under this act.

(2) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the commission on student learning shall be delivered to the custody of the academic achievement and accountability commission or the superintendent of public instruction, as appropriate. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the commission on student learning shall be made available to the academic achievement and accountability commission or the superintendent of public instruction, as appropriate.

(3) The transfer of the powers, duties, functions, and personnel of the commission on student learning shall not affect the validity of any act performed before the effective date of this section.

CSL responsibilities

RCW 28A.655.060 NOTE: The Commission on Student Learning (CSL) was "sunseted" on June 30, 1999, and its duties were transferred to OSPI and the A+ Commission. However, the assessment timeline, Certificate of Mastery, and other non-CSL provisions in this section remain in force.

(1) The Washington commission on student learning is hereby established. The primary purposes of the commission are to identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, to develop student assessment and school accountability systems, to review current school district data reporting requirements and make recommendations on what data is necessary for the purposes of accountability and meeting state information needs, and to take other steps necessary to develop a performance-based education system. The commission shall include three members of the state board of education, three members appointed by the governor before July 1, 1992, and five members appointed no later than June 1, 1993, by the governor elected in the November 1992 election. The governor shall appoint a chair from the commission members, and fill any vacancies in gubernatorial appointments that may occur. The state board of education shall fill any vacancies of state board of education appointments that may occur. In making the appointments, educators, business leaders, and parents shall be represented, and nominations from state-wide education, business, and parent organizations shall be requested. Efforts shall be made to ensure that the commission reflects the racial and ethnic diversity of the state's K-12 student population and that the major geographic regions in the state are represented. Appointees shall be qualified individuals who are supportive of educational restructuring, who have a positive record of service, and who will devote sufficient time to the responsibilities of the commission to ensure that the objectives of the commission are achieved.

(2) The commission shall establish advisory committees. Membership of the advisory committees shall include, but not necessarily be limited to, professionals from the office of the superintendent of public instruction and the state board of education, and other state and local educational practitioners and student assessment specialists.

(3) The commission, with the assistance of the advisory committees, shall:

(a) Develop essential academic learning requirements based on the student learning goals in RCW 28A.150.210. Essential academic learning requirements shall be developed, to the extent possible, for each of the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. Essential academic learning requirements for RCW 28A.150.210(1), goal one, and the mathematics component of RCW 28A.150.210(2), goal two, shall be completed no later than March 1, 1995. Essential academic learning requirements that

incorporate the remainder of RCW 28A.150.210 (2), (3), and (4), goals two, three, and four, shall be completed no later than March 1, 1996. To the maximum extent possible, the commission shall integrate goal four and the knowledge and skill areas in the other goals in the development of the essential academic learning requirements;

(b)(i) The commission and superintendent of public instruction shall develop a state-wide academic assessment system for use in the elementary, middle, and high school years designed to determine if each student has learned the essential academic learning requirements identified in (a) of this subsection. The academic assessment system shall include a variety of assessment methods, including criterion-referenced and performance-based measures. Performance standards for determining if a student has successfully completed an assessment shall be determined by the commission and the superintendent of public instruction in consultation with the advisory committees required in subsection (2) of this section.

(ii) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not learned the essential academic learning requirements at the appropriate periods in the student's educational development.

(iii) Assessments measuring the essential academic learning requirements shall be available for voluntary use by school districts and shall be required to be administered by school districts according to the following schedule unless the legislature takes action to delay or prevent implementation of the assessment system and essential academic learning requirements.

Assessment timeline

	Assessments available for voluntary use (School years)	Assessments required to be administered (School years)
Reading, Writing, Communication, Mathematics		
- Elementary school	1996-97	1997-98
- Middle school	1997-98	2000-01
- High school	1998-99	2000-01
Science		
- Middle and high school	1999-00	2000-01
- Elementary school	2001-02	2004-05
Social Studies		
- Elementary, middle, and high school	2002-03	2005-06
Arts		
- Middle and high school	2003-04	2006-07
- Elementary school	2003-04	2007-08

Health and Fitness

- Middle and high school	2003-04	2006-07
- Elementary school	2003-04	2007-08

The completed assessments and assessments still in development shall be transferred by the commission on student learning to the superintendent of public instruction by June 30, 1999.

(iv) To the maximum extent possible, the commission and the superintendent of public instruction shall integrate knowledge and skill areas in development of the assessments. Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.

(v) The commission on student learning may modify the essential academic learning requirements and the assessments, as needed, before June 30, 1999. The superintendent of public instruction may modify the essential academic learning requirements and the assessments, as needed, after June 30, 1999. The commission and superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the essential academic learning requirements before the modifications are adopted.

(vi) The commission and the superintendent of public instruction shall develop assessments that are directly related to the essential academic learning requirements, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender;

Certificate of Mastery

(c) After a determination is made by the state board of education that the high school assessment system has been implemented and that it is sufficiently reliable and valid, successful completion of the high school assessment shall lead to a certificate of mastery. The certificate of mastery shall be obtained by most students at about the age of sixteen, and is evidence that the student has successfully mastered the essential academic learning requirements during his or her educational career. The certificate of mastery shall be required for graduation but shall not be the only requirement for graduation. The commission shall make recommendations to the state board of education regarding the relationship between the certificate of mastery and high school graduation requirements. Upon achieving the certificate of mastery, schools shall provide students with the opportunity to pursue career and educational objectives through educational pathways that emphasize integration of academic and vocational education. Educational pathways may include, but are not limited to, programs such as work-based learning, school-to-work transition, tech prep, vocational-technical education, running start, and preparation for technical college, community college, or university education. Any middle school, junior high school, or high school using educational pathways shall ensure that all participating students will continue to

Educational pathways

have access to the courses and instruction necessary to meet admission requirements at baccalaureate institutions. Students shall be allowed to enter the educational pathway of their choice. Before accepting a student into an educational pathway, the school shall inform the student's parent of the pathway chosen, the opportunities available to the student through the pathway, and the career objectives the student will have exposure to while pursuing the pathway. Parents and students dissatisfied with the opportunities available through the selected educational pathway shall be provided with the opportunity to transfer the student to any other pathway provided in the school. Schools may not develop educational pathways that retain students in high school beyond the date they are eligible to graduate, and may not require students who transfer between pathways to complete pathway requirements beyond the date the student is eligible to graduate;

(d) Consider methods to address the unique needs of special education students when developing the assessments in (b) and (c) of this subsection;

(e) Consider methods to address the unique needs of highly capable students when developing the assessments in (b) and (c) of this subsection;

(f) Develop recommendations on the time, support, and resources, including technical assistance, needed by schools and school districts to help students achieve the essential academic learning requirements. These recommendations shall include an estimate for the legislature, superintendent of public instruction, and governor on the expected cost of implementing the academic assessment system;

(g) Develop recommendations for consideration by the higher education coordinating board for adopting college and university entrance requirements for public school students that are consistent with the essential academic learning requirements and the certificate of mastery;

(h) Review current school district data reporting requirements for the purposes of accountability and meeting state information needs. The commission on student learning shall report recommendations to the joint select committee on education restructuring by September 15, 1996, on:

(i) What data is necessary to compare how school districts are performing before the essential academic learning requirements and the assessment system are implemented with how school districts are performing after the essential academic learning requirements and the assessment system are implemented; and

(ii) What data is necessary pertaining to school district reports under the accountability systems developed by the commission on student learning under this section;

(i) Recommend to the legislature, governor, state board of education, and superintendent of public instruction:

(i) A statewide accountability system to monitor and evaluate accurately and fairly at elementary, middle, and high schools the

level of learning occurring in individual schools and school districts with regard to the goals included in RCW 28A.150.210 (1) through (4). The accountability system must assess each school individually against its own baseline, schools with similar characteristics, and schools statewide. The system shall include school-site, school district, and state-level accountability reports;

(ii) A school assistance program to help schools and school districts that are having difficulty helping students meet the essential academic learning requirements as measured by performance on the elementary, middle school, and high school assessments;

(iii) A system to intervene in schools and school districts in which significant numbers of students persistently fail to learn the essential academic learning requirements or meet the standards established for the elementary, middle school, and high school assessments; and

(iv) An awards program to provide incentives to school staff to help their students learn the essential academic learning requirements, with each school being assessed individually against its own baseline, schools with similar characteristics, and the state-wide average. Incentives shall be based on the rate of percentage change of students achieving the essential academic learning requirements and progress on meeting the state-wide average. School staff shall determine how the awards will be spent.

The commission shall make recommendations regarding a state-wide accountability system for reading in grades kindergarten through four by November 1, 1997. Recommendations for an accountability system in the other subject areas and grade levels shall be made no later than June 30, 1999;

(j) Report annually by December 1st to the legislature, the governor, the superintendent of public instruction, and the state board of education on the progress, findings, and recommendations of the commission; and

(k) Make recommendations to the legislature and take other actions necessary or desirable to help students meet the student learning goals.

(4) The commission shall coordinate its activities with the state board of education and the office of the superintendent of public instruction.

(5) The commission shall seek advice broadly from the public and all interested educational organizations in the conduct of its work, including holding periodic regional public hearings.

(6) The commission shall select an entity to provide staff support and the office of the superintendent of public instruction shall provide administrative oversight and be the fiscal agent for the commission. The commission may direct the office of the superintendent of public instruction to enter into subcontracts, within the commission's resources, with school districts, teachers, higher education faculty, state agencies, business organizations, and other

individuals and organizations to assist the commission in its deliberations.

(7) Members of the commission shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(8)(a) By September 30, 1997, the commission on student learning, the state board of education, and the superintendent of public instruction shall jointly present recommendations to the education committees of the house of representatives and the senate regarding the high school assessments, the certificate of mastery, and high school graduation requirements.

In preparing recommendations, the commission on student learning shall convene an ad hoc working group to address questions, including:

(i) What type of document shall be used to identify student performance and achievement and how will the document be described?

(ii) Should the students be required to pass the high school assessments in all skill and content areas, or only in select skill and content areas, to graduate?

(iii) How will the criteria for establishing the standards for passing scores on the assessments be determined?

(iv) What timeline should be used in phasing-in the assessments as a graduation requirement?

(v) What options may be used in demonstrating how the results of the assessments will be displayed in a way that is meaningful to students, parents, institutions of higher education, and potential employers?

(vi) Are there other or additional methods by which the assessments could be used to identify achievement such as endorsements, standards of proficiency, merit badges, or levels of achievement?

(vii) Should the assessments and certificate of mastery be used to satisfy college or university entrance criteria for public school students? If yes, how should these methods be phased-in?

(b) The ad hoc working group shall report its recommendations to the commission on student learning, the state board of education, and the superintendent of public instruction by June 15, 1997. The commission shall report the ad hoc working group's recommendations to the education committees of the house of representatives and senate by July 15, 1997. Final recommendations of the commission on student learning, the state board of education, and the superintendent of public instruction shall be presented to the education committees of the house of representatives and the senate by September 30, 1997.

(9) The Washington commission on student learning shall expire on June 30, 1999.

**ACCOUNTABILITY
COMMISSION**

Intent

RCW 28A.655.005 The legislature finds that the purpose of Washington's accountability system is to improve student learning and student achievement of the essential academic learning requirement standards so that each individual student will be given the opportunity to become a responsible citizen and successfully live, learn, and work in the twenty-first century. To achieve this purpose, the accountability system should be based on student achievement and continuous improvement at all levels of Washington's education system and on a fundamental principle that all public school students have access to curriculum and instruction that is aligned to the standards.

The legislature further finds that the accountability system should rely on local responsibility and leadership. Districts and schools should be expected to improve and be evaluated based on their improvement over time. Districts should recognize exceptional progress and work closely with schools needing assistance.

The legislature further finds that the accountability system must be simple to use and understand. Consequences must be predictable and fair. Differences among students, schools, and districts should be recognized and respected as the system is implemented. There should be a balance of each student's right to privacy and the public's right to know the overall levels of learning and achievement at the school, district, and state levels. In addition, the accountability system should be continuously reviewed and improved as more is learned about how schools operate to meet the learning needs of Washington's students.

**Academic
Achievement and
Accountability
Commission**

Membership

RCW 28A.655.020 (1) The academic achievement and accountability commission is established.

(2) The primary purpose of the commission is to provide oversight of the state's educational accountability system.

(3) The commission shall consist of nine members selected as follows:

(a) One member shall be the superintendent of public instruction or the superintendent's designee; and

(b) Eight members shall be appointed by the governor. Four of the members shall be selected as follows: Each major caucus of the house of representatives and the senate shall submit a list of three names. The lists may not include the names of members of the legislature. The governor shall select a member from each list provided by each caucus. All members appointed by the governor shall be subject to confirmation by the senate.

(4) The governor shall appoint a chair from among the commission members.

(5) Appointees shall be individuals who are supportive of educational improvement, who have a positive record of service, and who will devote sufficient time to the responsibilities of the commission to ensure that the objectives of the commission are achieved. The commission shall be composed of a balance of

individuals from within and outside the public education system. The commission shall include educators, business leaders, and parents.

(6) The governor shall appoint its initial commission members by July 1, 1999. The first meeting of the commission shall be convened by the superintendent of public instruction no later than July 30, 1999.

(7) Appointed members shall serve for terms of four years, with the terms expiring on June 30th of the fourth year of the term. However, in the case of the initial members, four members shall serve four-year terms, two members shall serve three-year terms, and two members shall serve two-year terms, with each of the terms expiring on June 30th of the applicable year. Appointees may be re-appointed to serve more than one term.

(8) The governor shall fill any vacancy in appointments that may occur. When filling a vacancy of a member nominated by a major caucus of the legislature, the governor shall select the new member from a list of three names submitted by the same caucus that provided the list from which the retiring member was appointed.

Powers and duties of the accountability commission

RCW 28A.655.030 The powers and duties of the academic achievement and accountability commission shall include, but are not limited to the following:

(1) For purposes of statewide accountability, the commission shall:

Performance improvement goals

(a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics by subject and grade level as the commission deems appropriate to improve student learning, once assessments in these subjects are required statewide. The goals shall be in addition to any goals adopted in RCW 28A.630.887 (as recodified by this act). The commission may also revise any goal adopted in RCW 28A.630.887 (as recodified by this act). The commission shall adopt the goals by rule. However, before each goal is implemented, the commission shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

Standard setting

(b) Identify the scores students must achieve in order to meet the standard on the Washington assessment of student learning and determine student scores that identify levels of student performance below and beyond the standard. The commission shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose;

Successful school
criteria

(c) Adopt objective, systematic criteria to identify successful schools and school districts and recommend to the superintendent of public instruction schools and districts to be recognized for two types of accomplishments, student achievement and improvements in student achievement. Recognition for improvements in student achievement shall include consideration of one or more of the following accomplishments:

(i) An increase in the percent of students meeting standards.

The level of achievement required for recognition may be based on the achievement goals established by the legislature under RCW 28A.630.887 (as recodified by this act) and the commission under (a) of this subsection;

(ii) Positive progress on an improvement index that measures improvement in all levels of the assessment; and

(iii) Improvements despite challenges such as high levels of mobility, poverty, English as a second language learners, and large numbers of students in special populations as measured by either the percent of students meeting the standard, or the improvement index. When determining the baseline year or years for recognizing individual schools, the commission may use the assessment results from the initial years the assessments were administered, if doing so with individual schools would be appropriate;

Assistance criteria

(d) Adopt objective, systematic criteria to identify schools and school districts in need of assistance and those in which significant numbers of students persistently fail to meet state standards. In its deliberations, the commission shall consider the use of all state-wide mandated criterion-referenced and norm-referenced standardized tests;

Intervention

(e) Identify schools and school districts in which state intervention measures will be needed and a range of appropriate intervention strategies, beginning no earlier than June 30, 2001, and after the legislature has authorized a set of intervention strategies. Beginning no earlier than June 30, 2001, and after the legislature has authorized a set of intervention strategies, at the request of the commission, the superintendent shall intervene in the school or school district and take corrective actions. This chapter does not provide additional authority for the commission or the superintendent of public instruction to intervene in a school or school district;

Performance
incentive systems

(f) Identify performance incentive systems that have improved or have the potential to improve student achievement;

Review reporting
system

(g) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system;

(h) Annually report by December 1st to the legislature, the governor, the superintendent of public instruction, and the state board of education on the progress, findings, and recommendations

of the commission. The report may include recommendations of actions to help improve student achievement;

(i) By December 1, 2000, and by December 1st annually thereafter, report to the education committees of the house of representatives and the senate on the progress that has been made in achieving the reading goal under RCW 28A.630.887 (as recodified by this act) and any additional goals adopted by the commission;

(j) Coordinate its activities with the state board of education and the office of the superintendent of public instruction;

(k) Seek advice from the public and all interested educational organizations in the conduct of its work; and

(l) Establish advisory committees, which may include persons who are not members of the commission;

(2) Holding meetings and public hearings, which may include regional meetings and hearings;

(3) Hiring necessary staff and determining the staff's duties and compensation. However, the office of the superintendent of public instruction shall provide staff support to the commission until the commission has hired its own staff, and shall provide most of the technical assistance and logistical support needed by the commission thereafter. The office of the superintendent of public instruction shall be the fiscal agent for the commission. The commission may direct the office of the superintendent of public instruction to enter into subcontracts, within the commission's resources, with school districts, teachers, higher education faculty, state agencies, business organizations, and other individuals and organizations to assist the commission in its deliberations; and

(4) Receiving per diem and travel allowances as permitted under RCW 43.03.050 and 43.03.060.

**Accountability
system
recommendations**

RCW 28A.655.035 By September 5, 2000, the academic achievement and accountability commission shall recommend accountability policies to the governor, the superintendent of public instruction, and the education and fiscal committees of the house of representatives and senate. The policies shall include, but need not be limited to:

**Intervention
recommendations**

(1) A graduated series of increasingly intensive state intervention strategies for schools and school districts in which low-performance persists over an identified period of time.

(a) The strategies shall be formulated in accordance with the assumption that school districts have primary responsibility for intervening in schools with relatively large numbers of students who are not achieving the essential academic learning requirements.

(b) The strategies shall be formulated in accordance with the assumption that continued low performance despite school district efforts shall trigger an evaluation by the commission. The evaluation is intended to identify the next steps needed to improve student performance. In its evaluation, the commission shall use

multiple sources of information that may include, but need not be limited to:

(i) The results of the Washington assessment of student learning;

(ii) The results of state-mandated norm-referenced standardized tests;

(iii) Student achievement evidence from other district or school assessments;

(iv) The level of improvement in student achievement over time;

(v) Student mobility and poverty;

(vi) Attendance and dropout rates;

(vii) Graduation rates and post high school indicators;

(viii) The percent of students in special programs; and

(ix) Other factors presented by individual districts or schools.

(c) In its deliberations, the commission shall consider issues of due process, student dropout rates, management and personnel, and educational options, including public school choice options, for students attending schools in which the state has intervened. The commission may consider intervention strategies underway in Washington and other states;

Assistance
and reward
recommendations

(2) Additional assistance measures for students and schools;

(3) Rewards for successful schools and school districts; and

(4) Any statutory changes necessary to give the superintendent of public instruction the authority to implement, in a school or school district, the state intervention strategies identified in subsection (1) of this section.

STATEWIDE REPORTING OF ASSESSMENT RESULTS

RCW 28A.655.090 (1) By September 10, 1998, and by September 10th each year thereafter, the superintendent of public instruction shall report to schools, school districts, and the legislature on the results of the Washington assessment of student learning and state-mandated norm-referenced standardized tests.

(2) The reports shall include the assessment results by school and school district, and include changes over time. For the Washington assessment of student learning, results shall be reported as follows:

(a) The percentage of students meeting the standards;

(b) The percentage of students performing at each level of the assessment; and

(c) A learning improvement index that shows changes in student performance within the different levels of student learning reported on the Washington assessment of student learning.

Learning improvement
index

(3) The reports shall contain data regarding the different characteristics of schools, such as poverty levels, percent of English as a second language students, dropout rates, attendance, percent of students in special education, and student mobility so that districts and schools can learn from the improvement efforts of other schools and districts with similar characteristics.

(4) The reports shall contain student scores on mandated tests by comparable Washington schools of similar characteristics.

(5) The reports shall contain information on public school choice options available to students, including vocational education.

(6) The reports shall be posted on the superintendent of public instruction's internet web site.

(7) To protect the privacy of students, the results of schools and districts that test fewer than ten students in a grade level shall not be reported. In addition, in order to ensure that results are reported accurately, the superintendent of public instruction shall maintain the confidentiality of state-wide data files until the superintendent determines that the data are complete and accurate.

(8) The superintendent of public instruction shall monitor the percentage and number of special education and limited English-proficient students exempted from taking the assessments by schools and school districts to ensure the exemptions are in compliance with exemption guidelines.

DISTRICT READING AND MATH GOAL SETTING

4th grade reading baseline

4th grade math baseline

4th grade math/reading goals

RCW 28A.655.050 (1) Each school district board of directors shall:

(a) Select the reading standard results on either the 1997 or 1998 fourth grade Washington assessment of student learning as the school district's initial baseline reading standard. Districts may select the 1997 results only if all of the elementary schools with fourth grade students administered the assessment;

(b) By December 15, 2001, select the mathematics standard results on the 1998, 1999, or 2000 fourth grade Washington assessment of student learning as the school district's fourth grade baseline mathematics standard, using for its baseline a year in which all of the elementary schools with fourth grade students administered the assessment;

(c) Establish three-year, district-wide goals to increase, by the end of the 2000–01 school year, the percentage of students who meet or exceed the reading standard, and by the 2003–04 school year, the percentage of students who meet or exceed the mathematics standard on the fourth grade Washington assessment of student learning. The three-year percentage increase goal in each subject may not be less than the district's total percentage of students who did not meet the baseline standard in each subject multiplied by twenty-five percent;

(d) Specify the annual district-wide percentage improvement increments to meet the goals; and

(e) Direct each elementary school to establish ((a)) three-year goals for its fourth grade students, subject to approval by the board. The aggregate of the elementary school goals must meet or exceed the district-wide goals established by the board.

(2) By December 15, 2001, each school district board of directors shall:

(a) Select the mathematics standard results on the 1998, 1999,

7th grade math baseline

7th grade math goal

2000, or 2001 seventh grade Washington assessment of student learning as the school district's seventh grade baseline mathematics standard;

(b) Establish a three-year district-wide goal to increase, by the end of the 2003-04 school year, the percentage of students who meet or exceed the mathematics standard, on the seventh grade Washington assessment of student learning. The district shall select for its baseline a year in which all of the schools with seventh grade students administered the assessment. The percentage increase goal may not be less than the district's total percentage of students who did not meet the baseline standard in mathematics multiplied by twenty-five percent;

(c) Specify the annual district-wide percentage improvement increments necessary to meet the goal; and

(d) Direct each middle or junior high school, as appropriate, to establish a mathematics goal for its seventh grade students, subject to approval by the board. The aggregate of the middle or junior high school goals must meet or exceed the district-wide goals established by the board in each subject.

(3) Schools and school districts in which ten or fewer students are eligible to be assessed in a grade level are not required to establish numerical improvement goals and performance relative to the goals.

District goal reporting requirements

RCW 28A.655.100 Each school district board of directors shall:

(1)(a) Annually report to parents and to the community in a public meeting and annually report in writing the following information:

(i) District-wide and school-level performance improvement goals;

(ii) Student performance relative to the goals; and

(iii) District-wide and school-level plans to achieve the goals, including curriculum and instruction, parental or guardian involvement, and resources available to parents and guardians to help students meet the state standards;

(b) Report annually in a news release to the local media the district's progress toward meeting the district-wide and school-level goals; and

(c) Include the school-level goals, student performance relative to the goals, and a summary of school-level plans to achieve the goals in each school's annual school performance report under RCW 28A.320.205 (as recodified by this act).

(2) School districts in which ten or fewer students in the district or in a school in the district are eligible to be assessed in a grade level are not required to report numerical improvement goals and performance relative to the goals, but are required to report to parents and the community their plans to improve student achievement.

**ANNUAL
SCHOOL
PERFORMANCE
REPORTS**

RCW 28A.655.110 (1) Beginning with the 1994–95 school year, to provide the local community and electorate with access to information on the educational programs in the schools in the district, each school shall publish annually a school performance report and deliver the report to each parent with children enrolled in the school and make the report available to the community served by the school. The annual performance report shall be in a form that can be easily understood and be used by parents, guardians, and other members of the community who are not professional educators to make informed educational decisions. As data from the assessments in RCW 28A.630.885 (as recodified by this act) becomes available, the annual performance report should enable parents, educators, and school board members to determine whether students in the district's schools are attaining mastery of the student learning goals under RCW 28A.150.210, and other important facts about the schools' performance in assisting students to learn. The annual report shall make comparisons to a school's performance in preceding years and shall include school level goals under RCW 28A.630.887 (as recodified by this act), student performance relative to the goals and the percentage of students performing at each level of the assessment, a comparison of student performance at each level of the assessment to the previous year's performance, and information regarding school-level plans to achieve the goals.

(2) The annual performance report shall include, but not be limited to: (a) A brief statement of the mission of the school and the school district; (b) enrollment statistics including student demographics; (c) expenditures per pupil for the school year; (d) a summary of student scores on all mandated tests; (e) a concise annual budget report; (f) student attendance, graduation, and dropout rates; (g) information regarding the use and condition of the school building or buildings; (h) a brief description of the learning improvement plans for the school; and (i) an invitation to all parents and citizens to participate in school activities.

(3) The superintendent of public instruction shall develop by June 30, 1994, and update periodically, a model report form, which shall also be adapted for computers, that schools may use to meet the requirements of subsections (1) and (2) of this section. In order to make school performance reports broadly accessible to the public, the superintendent of public instruction, to the extent feasible, shall make information on each school's report available on or through the superintendent's internet web site.

**PRIVATE SCHOOL
STUDENTS NOT
REQUIRED TO
PARTICIPATE**

RCW 28A.195.010 (6) NOTE: Private schools are regulated in accordance with chapter 28A.195 RCW. Subsection (6) of RCW 28A.195.010 states:

"... (6) However, the state board shall not require private school students to meet the student learning goals, obtain a certificate of mastery to graduate from high school, to master the essential academic learning requirements, or to be assessed pursuant to RCW 28A.630.885. However, private schools may choose, on a voluntary basis, to have their students master these essential academic learning requirements, take these assessments, and obtain certificates of mastery."

**HOME SCHOOLED
STUDENTS NOT
REQUIRED TO
PARTICIPATE**

RCW 28A.200.010 (3) NOTE: Parents of home-schooled students are required to annually file a letter of intent. RCW 28A.200.010 (3) states that:

"...The state board of education shall not require these children to meet the student learning goals, master the essential academic learning requirements, to take the assessments, or to obtain a certificate of mastery pursuant to RCW 28A.630.885.

**OTHER STATE
ASSESSMENTS**

**2nd grade accuracy and
fluency assessment**

RCW 28A.300.310 (1) The superintendent of public instruction shall identify a collection of reading passages and assessment procedures that can be used to measure second grade oral reading accuracy and fluency skills. The purpose of the second grade reading assessment is to provide information to parents, teachers, and school administrators on the level of acquisition of oral reading accuracy and fluency skills of each student at the beginning of second grade. The assessment procedures and each of the reading passages in the collection must:

(a) Provide a reliable and valid measure of a student's oral reading accuracy and fluency skills;

(b) Be able to be individually administered;

(c) Have been approved by a panel of nationally recognized professionals in the area of beginning reading, whose work has been published in peer-reviewed education research journals, and professionals in the area of measurement and assessment; and

(d) Assess student skills in recognition of letter sounds, phonemic awareness, word recognition, and reading connected text. Text used for the test of fluency must be ordered in relation to difficulty.

(2) The superintendent of public instruction shall select reading passages for use by schools and school districts participating in pilot projects under RCW 28A.300.320 during the 1997-98 school year. The final collection must be selected by June 30, 1998. The superintendent of public instruction may add reading passages to the initial list if the passages are comparable in format to the initial

passages approved by the expert panel in subsection (1) of this section.

(3) The superintendent of public instruction shall develop a per-pupil cost for the assessments in the collection that details the costs for administering the assessments, booklets, scoring and training required to reliably administer the test. To the extent funds are appropriated, the superintendent of public instruction shall pay for the cost of administering and scoring the assessments, booklets or other assessment material, and training required to administer the test.

2nd grade assessment pilot

RCW 28A.300.320 (1) The superintendent of public instruction shall create a pilot project to identify which second grade reading assessments selected under RCW 28A.300.310 will be included in the final collection of assessments that must be available by June 30, 1998.

(2) Schools and school districts may voluntarily participate in the second grade reading test pilot projects in the 1997–98 school year. Schools and school districts voluntarily participating in the pilot project test are not required to have the results available by the fall parent-teacher conference.

(3)(a) Starting in the 1998–99 school year, school districts must select an assessment from the collection adopted by the superintendent of public instruction. Selection must be at the entire school district level.

(b) The second grade reading assessment selected by the school district must be administered annually in the fall beginning with the 1998–99 school year. Students who score substantially below grade level when assessed in the fall shall be assessed at least one more time during the second grade. Assessment performance deemed to be “substantially below grade level” is to be determined for each passage in the collection by the superintendent of public instruction.

(c) If a student, while taking the assessment, reaches a point at which the student’s performance will be considered “substantially below grade level” regardless of the student’s performance on the remainder of the assessment, the assessment may be discontinued.

(d) Each school must have the assessment results available by the fall parent-teacher conference. Schools must notify parents about the second grade reading assessment during the conferences, inform the parents of their students’ performance on the assessment, identify actions the school intends to take to improve the child’s reading skills, and provide parents with strategies to help the parents improve their child’s score.

Substantially below grade level

Results available by fall conference

**3rd grade reading
and math test**

RCW 28A.230.190 (1) School districts shall assess students for second grade reading accuracy and fluency skills starting in the 1998–99 school year as provided in RCW 28A.300.320.

(2) The superintendent of public instruction shall prepare and conduct, with the assistance of school districts, a norm-referenced standardized achievement test to be given annually to all pupils in grade three. The test shall assess students' basic skills in reading and mathematics. Results of such tests and relevant student, school, and district characteristics shall be compiled annually by the superintendent of public instruction, who shall make those results available annually to the public, to the legislature, to all local school districts, and subsequently to parents of those children tested. The results shall allow parents to ascertain the achievement levels of their children as compared with the other students within the district, the state, and the nation.

**6th grade reading/
language arts and
math test**

RCW 28A.230.193 The superintendent of public instruction shall prepare and conduct, with the assistance of school districts, a norm-referenced standardized achievement test to be given annually to all pupils in grade six. The test shall assess students' basic skills in reading/language arts and mathematics. Results of such tests and relevant student, school, and district characteristics shall be compiled by the superintendent of public instruction, who shall make those results available annually to the public, to the legislature, to all local school districts, and subsequently to parents of those children tested. The results shall allow parents to ascertain the achievement levels of their children as compared with the other students within the district, the state, and the nation.

**9th grade assessment
and interest inventory**

RCW 28A.230.230 (1) The superintendent of public instruction shall prepare and conduct, with the assistance of school districts, an annual assessment of all students in the ninth grade. The purposes of the assessment are to assist students, parents, and teachers in the planning and selection of appropriate high school courses for students and to provide information about students' current academic proficiencies both in the basic skills of reading/language arts and mathematics, and in the reasoning and thinking skills essential for successful entry into those courses required for high school graduation. The assessment shall also include the collection of information about students' interests and plans for high school and beyond and shall include the collection of other related student and school information. The superintendent of public instruction shall make the results of the assessment and relevant student, school, and district characteristics available annually to the public, to the legislature, and to all school districts,

Areas to be
assessed

Interest inventory

which shall in turn make them available to students, parents, and teachers in a timely fashion.

(2) Upon request, the superintendent of public instruction shall make available to requesting school districts the inventory used to collect information about students' interests and plans for high school and beyond for use by students in the eighth grade. To the extent funds are appropriated, the superintendent shall provide the inventory, tabulation services, and reporting at no cost or at reduced cost to school districts.

Curriculum adjustments

RCW 28A.230.195 (1) If students' scores on the test or assessments under RCW 28A.230.190, 28A.230.230, and 28A.630.885 indicate that students need help in identified areas, the school district evaluate its instructional practices and make appropriate adjustments.

(2) Each school district shall notify the parents of each student of their child's performance on the test and assessments conducted under this chapter.

Assessment coordination

RCW 28A.230.250 The superintendent of public instruction shall coordinate both the procedures and the content of the tests and assessments required by the state to maximize the value of the information provided to students as they progress and to teachers and parents about students' talents, interests, and academic needs or deficiencies so that appropriate programs can be provided to enhance the likelihood of students' success both in school and beyond.

FLEXIBILITY PROVISIONS

School board powers broadened

RCW 28A.320.015 (1) The board of directors of each school district may exercise the following:

(a) The broad discretionary power to determine and adopt written policies not in conflict with other law that provide for the development and implementation of programs, activities, services, or practices that the board determines will:

(i) Promote the education of kindergarten through twelfth grade students in the public schools; or

(ii) Promote the effective, efficient, or safe management and operation of the school district;

(b) Such powers as are expressly authorized by law; and

(c) Such powers as are necessarily or fairly implied in the powers expressly authorized by law. (2) Before adopting a policy under subsection (1)(a) of this section, the school district board of directors shall comply with the notice requirements of the open public meetings act, chapter 42.30 RCW, and shall in addition include in that notice a statement that sets forth or reasonably describes the proposed policy. The board of directors shall provide a reasonable opportunity for public written and oral

comment and consideration of the comment by the board of directors. [1992 c 141 § 301.]

Basic Education Requirements

RCW 28A.150.220 (NOTE: This language took effect on September 1, 2000. It is less prescriptive than the language formerly in RCW 28A.150.220.)

(1) Satisfaction of the basic education program requirements identified in RCW 28A.150.210 shall be considered to be implemented by the following program:

Program hours

(a) Each school district shall make available to students enrolled in kindergarten at least a total instructional offering of four hundred fifty hours. The program shall include instruction in the essential academic learning requirements under RCW 28A.630.885 and such other subjects and such activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program;

(b) Each school district shall make available to students enrolled in grades one through twelve, at least a district-wide annual average total instructional hour offering of one thousand hours. The state board of education may define alternatives to classroom instructional time for students in grades nine through twelve enrolled in alternative learning experiences. The state board of education shall establish rules to determine annual average instructional hours for districts including fewer than twelve grades. The program shall include the essential academic learning requirements under RCW 28A.630.885 and such other subjects and such activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such group;

(c) If the essential academic learning requirements include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages.

(2) Nothing contained in subsection (1) of this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

(3) Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten: PROVIDED, That effective May 1, 1979, a school district may schedule the last five school days of the one hundred and eighty day school year for non-instructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the

request of a student, and all such students may be claimed as a full time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260.

(4) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program approval requirements as the state board may establish. [1993 c 371 § 2; 1992 c 141 § 503; 1990 c 33§ 105; 1982 c 158 § 1; 1979 ex.s. c 250 § 1; 1977 ex.s. c 359 § 3.]

Change in basic education definition: teacher/student contact hours

RCW 28A.150.260 (NOTE: The 25/hour a week teacher/student contact hour requirement was repealed on September 1, 2000.)

Waivers of self-study, teacher contact, program hours

RCW 28A.305.140 (NOTE: This version of RCW 28A.305.140 took effect on September 1, 2000.)

The state board of education may grant waivers to school districts from the provisions of RCW 28A.150.200 through 28A.150.220 on the basis that such waiver or waivers are necessary to implement successfully a local plan to provide for all students in the district an effective education system that is designed to enhance the educational program for each student. The local plan may include alternative ways to provide effective educational programs for students who experience difficulty with the regular education program.

The state board shall adopt criteria to evaluate the need for the waiver or waivers. [1990 c 33 § 267; 1985 c 349 § 6.]

Waivers of length of school year, student/teacher ratios, and administrative rules

RCW 28A.655.180 (1) The state board of education, where appropriate, or the superintendent of public instruction, where appropriate, may grant waivers to districts from the provisions of statutes or rules relating to: The length of the school year; student-to-teacher ratios; and other administrative rules that in the opinion of the state board of education or the opinion of the superintendent of public instruction may need to be waived in order for a district to implement a plan for restructuring its educational program or the educational program of individual schools within the district.

(2) School districts may use the application process in RCW 28A.305.140 or 28A.300.138 to apply for the waivers under subsection (1) of this section.

Select committee
waiver study

(3) The joint select committee on restructuring shall study which waivers of state laws or rules are necessary for school districts to implement education restructuring. The committee shall study whether the waivers are used to implement specific essential academic learning requirements and student learning goals. The committee shall study the availability of waivers under the schools for the twenty-first century program created by chapter 525, Laws of 1987, and the use of those waivers by schools participating in that program. The committee shall also study the use of waivers authorized under RCW 28A.305.140. The committee shall report its findings to the legislature by December 1, 1997. [1995 c 208 § 1.]

**CONSOLIDATED
PLANNING**

RCW 28A.655.150 The superintendent of public instruction, in consultation with school district personnel, shall consolidate and streamline the planning, application, and reporting requirements for major state and federal categorical and grant programs. The superintendent also shall take actions to increase the use of online electronic applications and reporting.

**CAPACITY-BUILDING
PROVISIONS**

Learning improvement
days

HB 2487, Sec. 503 (7) (2000) (7) The certificated instructional staff base salary specified for each district in LEAP Document 12E and the salary schedules in subsection (4)(a) of this section include a 1.67 percent increase for three learning improvement days added in the 1999–00 school year and maintained in the 2000–01 school year. A school district is eligible for the learning improvement day funds for school years 1999–00 and 2000–01, only if three days have been added to the base contract in effect for the 1998–99 school year. If fewer than three days are added, the additional learning improvement allocation shall be adjusted accordingly. The additional days shall be for activities related to improving student learning consistent with education reform implementation. The length of a learning improvement day shall not be less than the length of a full day under the base contract. The superintendent of public instruction shall ensure that school districts adhere to the intent and purposes of this subsection.

Better Schools Program

HB 2487, Sec. 518 (2000) Better schools program funds are appropriated to provide additional school improvement resources to help students meet the essential academic learning requirements and student assessment performance standards. It is the intent of the legislature that these funds will be appropriated on an ongoing basis in future biennia. Allocations received under this section shall be used for the following new and expanded educational enhancements as follows:

Class size reduction
and extended learning
opportunities

(1) \$37,389,000 of the appropriation shall be allocated for class size reduction and expanded learning opportunities as follows:

(a) For the 2000-01 school year, an additional 2.2 certificated instructional staff units for grades K-4 per thousand full-time equivalent students are provided to supplement the certificated staffing allocations under section 502 (2)(a) of this act. Funds allocated for these additional certificated units shall not be considered as basic education funding. The allocation may be used (i) for reducing class sizes in grades K-4 or (ii) to provide additional classroom contact hours for kindergarten, before-and-after-school programs, weekend school programs, summer school programs, and intercession opportunities to assist elementary school students in meeting the essential academic learning requirements and student assessment performance standards. For purposes of this subsection, additional classroom contact hours provided by teachers beyond the normal school day under a supplemental contract shall be converted to a certificated full-time equivalent by dividing the classroom contact hours by 900.

(b) Any district maintaining a ratio equal to or greater than 55.4 certificated instructional staff per thousand full-time equivalent students in grades K-4 may use allocations generated under this subsection to employ additional certificated instructional staff or classified instructional assistants in grades K-12 or to provide additional classroom opportunities under (a) of this subsection in grades K-12.

(c) Salary calculations, nonemployee related costs, and substitute teacher allocations shall be calculated in the same manner as provided under section 502 of this act. The allocation includes salary and benefit increases equivalent to those provided under section 503 of this act.

Professional develop-
ment and training
funds

(2) \$20,111,000 of the appropriation shall be allocated for professional development and training as follows:

(a) For fiscal year 2001, the funds shall be used for additional professional development for certificated and classified staff, including additional paid time for curriculum and lesson redesign and development work and training to ensure that instruction is aligned with state standards and student needs.

(b) For fiscal year 2001, the superintendent shall allocate the funds to school districts at a rate of \$20.04 per student based on the October 1999 P-105 unduplicated headcount.

(c) School districts shall allocate the funds to schools and the expenditure of the funds shall be determined by the staff at each school site.

Center for the
Improvement of Student
Learning

RCW 28A.300.130 (1) Expanding activity in educational research, educational restructuring, and educational improvement initiatives has produced and continues to produce much valuable information. The legislature finds that such information should be shared with the citizens and educational community of the state as widely as

possible. To facilitate access to information and materials on educational improvement and research, the superintendent of public instruction, to the extent funds are appropriated, shall establish the center for the improvement of student learning. The primary purpose of the center is to provide assistance and advice to parents, school board members, educators, and the public regarding strategies for assisting students in learning the essential academic learning requirements pursuant to RCW 28A.630.885. The center shall work in conjunction with the academic achievement and accountability commission, educational service districts, institutions of higher education, and education, parent, community, and business organizations.

(2) The center, in conjunction with other staff in the office of the superintendent of public instruction, shall:

Clearinghouse

(a) Serve as a clearinghouse for the completed work and activities of the academic achievement and accountability commission;

(b) Serve as a clearinghouse for information regarding successful educational improvement and parental involvement programs in schools and districts, and information about efforts within institutions of higher education in the state to support educational improvement initiatives in Washington schools and districts;

Best practices

(c) Provide best practices research and advice that can be used to help schools develop and implement: Programs and practices to improve instruction of the essential academic learning requirements under section 701 of this act; systems to analyze student assessment data, with an emphasis on systems that will combine the use of state and local data to monitor the academic progress of each and every student in the school district; comprehensive, school-wide improvement plans; school-based shared decision-making models; programs to promote lifelong learning and community involvement in education; school-to-work transition programs; programs to meet the needs of highly capable students; programs and practices to meet the diverse needs of students based on gender, racial, ethnic, economic, and special needs status; research, information, and technology systems; and other programs and practices that will assist educators in helping students learn the essential academic learning requirements;

Parent involvement

(d) Develop and distribute, in conjunction with the academic achievement and accountability commission, parental involvement materials, including instructional guides developed to inform parents of the essential academic learning requirements. The instructional guides also shall contain actions parents may take to assist their children in meeting the requirements, and should focus on reaching parents who have not previously been involved with their children's education;

(e) Identify obstacles to greater parent and community involvement in school shared decision-making processes and recommend strategies for helping parents and community members

Web site

to participate effectively in school shared decision-making processes, including understanding and respecting the roles of school building administrators and staff;

(f) Develop and maintain an internet web site to increase the availability of information, research, and other materials;

(g) Take other actions to increase public awareness of the importance of parental and community involvement in education;

(h) Work with appropriate organizations to inform teachers, district and school administrators, and school directors about the waivers available and the broadened school board powers under RCW 28A.320.015;

Training and institutes

(i) Provide training and consultation services, including conducting regional summer institutes;

Racial/ethnic groups

(j) Address methods for improving the success rates of certain ethnic and racial student groups; and

(k) Perform other functions consistent with the purpose of the center as prescribed in subsection (1) of this section.

(3) The superintendent of public instruction, after consultation with the academic achievement and accountability commission, shall select and employ a director for the center.

(4) The superintendent may enter into contracts with individuals or organizations including but not limited to: School districts; educational service districts; educational organizations; teachers; higher education faculty; institutions of higher education; state agencies; business or community-based organizations; and other individuals and organizations to accomplish the duties and responsibilities of the center. In carrying out the duties and responsibilities of the center, the superintendent, whenever possible, shall use practitioners to assist agency staff as well as assist educators and others in schools and districts.

Math Helping Corps

HB 2487, Sec. 514 (10) (2000) \$1,000,000 of the general fund--state appropriation for fiscal year 2000 and \$1,000,000 of the general fund--state appropriation for fiscal year 2001 are provided solely to establish a mathematics helping corps subject to the following conditions and limitations:

(a) In order to increase the availability and quality of technical-mathematics assistance state-wide, the superintendent of public instruction, shall employ regional school improvement coordinators and mathematics school improvement specialists to provide assistance to schools and districts. The regional coordinators and specialists shall be hired by and work under the direction of a state-wide school improvement coordinator. The mathematics improvement specialists shall serve on a rotating basis from one to three years and shall not be permanent employees of the superintendent of public instruction.

(b) The school improvement coordinators and specialists shall provide the following:

- (i) Assistance to schools to desegregate student performance data and develop improvement plans based on those data;
- (ii) Consultation with schools and districts concerning their performance on the Washington assessment of student learning and other assessments emphasizing the performance on the mathematics assessments;
- (iii) Consultation concerning curricula that aligns with the essential academic learning requirements emphasizing the academic learning requirements for mathematics, the Washington assessment of student learning, and meets the needs of diverse learners;
- (iv) Assistance in the identification and implementation of research-based instructional practices in mathematics;
- (v) Staff training that emphasizes effective instructional strategies and classroom-based assessment for mathematics;
- (vi) Assistance in developing and implementing family and community involvement programs emphasizing mathematics; and
- (vii) Other assistance to schools and school districts intended to improve student mathematics learning.

Teacher Assistance Program

Beginning teachers and experienced teachers having difficulty

RCW 28A.415.250 The superintendent of public instruction shall adopt rules to establish and operate a teacher assistance program. For the purposes of this section, the terms "mentor teachers," "beginning teachers," and "experienced teachers" may include any person possessing any one of the various certificates issued by the superintendent of public instruction under RCW 28A.410.010. The program shall provide for:

- (1) Assistance by mentor teachers who will provide a source of continuing and sustained support to beginning teachers, or experienced teachers who are having difficulties, or both, both in and outside the classroom. A mentor teacher may not be involved in evaluations under RCW 28A.405.100 of a teacher who receives assistance from said mentor teacher under the teacher assistance program established under this section. The mentor teachers shall also periodically inform their principals respecting the contents of training sessions and other program activities;
- (2) Stipends for mentor teachers and beginning and experienced teachers which shall not be deemed compensation for the purposes of salary lid compliance under RCW 28A.400.200: PROVIDED, That stipends shall not be subject to the continuing contract provisions of this title;
- (3) Workshops for the training of mentor and beginning teachers;
- (4) The use of substitutes to give mentor teachers, beginning teachers, and experienced teachers opportunities to jointly observe and evaluate teaching situations and to give mentor teachers opportunities to observe and assist beginning and experienced teachers in the classroom;

(5) Mentor teachers who are superior teachers based on their evaluations, pursuant to RCW 28A.405.010 through 28A.405.240, and who hold valid continuing certificates;

(6) Mentor teachers shall be selected by the district and may serve as mentors up to and including full time. If a bargaining unit, certified pursuant to RCW 41.59.090 exists within the district, classroom teachers representing the bargaining unit shall participate in the mentor teacher selection process; and

(7) Periodic consultation by the superintendent of public instruction or the superintendent's designee with representatives of educational organizations and associations, including educational service districts and public and private institutions of higher education, for the purposes of improving communication and cooperation and program review. [1993 c 336 § 401; 1991 c 116 § 19; 1990 c 33 § 403; 1987 c 507 § 1; 1985 c 399 § 1.]

Full-time mentor pilot program

RCW 28A.415.260 (1) To the extent specific funds are appropriated for the pilot program in this section, the superintendent of public instruction shall establish a pilot program to support the pairing of full-time mentor teachers with experienced teachers who are having difficulties and full-time mentor teachers with beginning teachers under RCW 28A.415.250.

(2) The superintendent of public instruction shall appoint an oversight committee, which shall include teachers and administrators from the pilot districts, that shall be involved in the evaluation of the pilot program under this section.

(3) The superintendent of public instruction shall adopt rules as necessary under chapter 34.05 RCW to implement the pilot program established under subsection (1) of this section. [1998 c 245 § 12; 1993 c 336 § 402.]

Mentor may be required

RCW 28A.405.140 After an evaluation conducted pursuant to RCW 28A.405.100, the principal or the evaluator may require the teacher to take in-service training provided by the district in the area of teaching skills needing improvement, and may require the teacher to have a mentor for purposes of achieving such improvement. [1993 c 336 § 403; 1990 c 33 § 387; 1985 c 420 § 5.]

Readiness to Learn grants

RCW 70.190.040 (1) The legislature finds that helping children to arrive at school ready to learn is an important part of improving student learning.

(2) To the extent funds are appropriated, the family policy council shall award grants to community-based consortiums that submit comprehensive plans that include strategies to improve readiness to learn. [1993 c 336 § 901.]

**Education Leadership
Internship Program**

HB 2487, Sec. 514 (9) (2000) \$2,208,000 is provided solely for the leadership internship program for superintendents, principals, and program administrators.

**Paraprofessional
Training Program**

RCW 28A.415.310 (1) The paraprofessional training program is created. The primary purpose of the program is to provide training for classroom assistants to assist them in helping students achieve the student learning goals under RCW 28A.150.210. Another purpose of the program is to provide training to certificated personnel who work with classroom assistants.

(2) The superintendent of public instruction may allocate funds, to the extent funds are appropriated for this program, to educational service districts, school districts, and other organizations for providing the training in subsection (1) of this section. [1993 c 336 § 408.]

Education technology

RCW 28A.650.005 The legislature recognizes that up-to-date tools will help students learn. Workplace technology requirements will continue to change and students should be knowledgeable in the use of technologies. Furthermore, the legislature finds that the Washington systemic initiative is a broad-based effort to promote widespread public literacy in mathematics, science, and technology. An important component of the systemic initiative is the universal electronic access to information by students. It is the intent of the legislature that components of RCW 28A.650.010 through 28A.650.025 will support the state-wide systemic reform effort in mathematics, science, and technology as envisioned by the Washington systemic initiative. [1993 c 336 § 701.]

Definitions

RCW 28A.650.010 Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Education technology" or "technology" means the effective use of electronic and optical tools, including telephones, and electronic and optical pathways in helping students learn.

(2) "Network" means integrated linking of education technology systems in schools for transmission of voice, data, video, or imaging, or a combination of these. [1993 c 336 § 702.]

**Education technology
plan**

RCW 28A.650.015 (1) The superintendent of public instruction, to the extent funds are appropriated, shall develop and implement a Washington state K-12 education technology plan. The technology plan shall be updated on at least a biennial basis, shall be developed to coordinate and expand the use of education

technology in the common schools of the state. The plan shall be consistent with applicable provisions of chapter 43.105 RCW. The plan, at a minimum, shall address:

(a) The provision of technical assistance to schools and school districts for the planning, implementation, and training of staff in the use of technology in curricular and administrative functions;

(b) The continued development of a network to connect school districts, institutions of higher learning, and other sources of on-line information; and

(c) Methods to equitably increase the use of education technology by students and school personnel throughout the state.

(2) The superintendent of public instruction shall appoint an educational technology advisory committee to assist in the development and implementation of the technology plan in subsection (1) of this section. The committee shall include, but is not limited to, persons representing: The state board of education, the commission on student learning, the department of information services, educational service districts, school directors, school administrators, school principals, teachers, classified staff, higher education faculty, parents, students, business, labor, scientists and mathematicians, the higher education coordinating board, the work force training and education coordinating board, and the state library. [1995 c 335 § 507; 1994 c 245 § 2; 1993 c 336 § 703.]

Educational technology support centers

RCW 28A.650.020 Educational service districts shall establish, subject to available funding, regional educational technology support centers for the purpose of providing ongoing educator training, school district cost-benefit analysis, long-range planning, network planning, distance learning access support, and other technical and programmatic support. Each educational service district shall establish a representative advisory council to advise the educational service district in the expenditure of funds provided to the technology support centers. [1993 c 336 § 705.]

Educational technology support center funding

RCW 28A.650.025 The superintendent of public instruction, to the extent funds are appropriated, shall distribute funds to educational service districts on a grant basis for the regional educational technology support centers established in RCW 28A.650.020. [1993 c 336 § 706.]

Statewide network

RCW 28A.650.030 The superintendent of public instruction, to the extent funds are appropriated, shall distribute funds to the Washington school information processing cooperative and to school districts on a grant basis, from moneys appropriated for the

purposes of this section, for equipment, networking, and software to expand the current K-12 education state-wide network. [1993 c 336 § 707.]

Technology account

RCW 28A.650.035 (1) The superintendent of public instruction may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of educational technology and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

(2) The education technology account is hereby established in the custody of the state treasurer. The superintendent of public instruction shall deposit in the account all moneys received from gifts, grants, or endowments for education technology. Moneys in the account may be spent only for education technology. Disbursements from the account shall be on authorization of the superintendent of public instruction or the superintendent's designee. The account is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements. [1993 c 336 § 708.]

Washington Reading Corps

HB 2487, Sec. 514 (12) (2000) \$8,000,000 of the general fund--state appropriation for fiscal year 2000 and \$8,000,000 of the general fund--state appropriation for fiscal year 2001 are provided solely for the Washington reading corps subject to the following conditions and limitations:

(a) Grants shall be allocated to schools and school districts to implement proven, research-based mentoring and tutoring programs in reading for low-performing students in grades K-6. If the grant is made to a school district, the principals of schools enrolling targeted students shall be consulted concerning design and implementation of the program.

(b) The programs may be implemented before, after, or during the regular school day, or on Saturdays, summer, intercessions, or other vacation periods.

(c) Two or more schools may combine their Washington reading corps programs.

(d) A program is eligible for a grant if it meets one of the following conditions:

(i) The program is recommended either by the education commission of the states or the Northwest regional educational laboratory; or

(ii) The program is developed by schools or school districts and is approved by the office of the superintendent of public instruction based on the following criteria:

(A) The program employs methods of teaching and student learning based on reliable reading/literacy research and effective practices;

(B) The program design is comprehensive and includes instruction, on-going student assessment, professional development, parental/community involvement, and program management aligned with the school's reading curriculum;

(C) It provides quality professional development and training for teachers, staff, and volunteer mentors and tutors;

(D) It has measurable goals for student reading aligned with the essential academic learning requirements; and

(E) It contains an evaluation component to determine the effectiveness of the program.

(e) Funding priority shall be given to low-performing schools.

(f) Beginning, interim, and end-of-program testing data shall be available to determine the effectiveness of funded programs and practices. Common evaluative criteria across programs, such as grade-level improvements shall be available for each reading corps program. The superintendent of public instruction shall provide program evaluations to the governor and the appropriate committees of the legislature. Administrative and evaluation costs may be assessed from the annual appropriation for the program.

(g) Grants provided under this section may be used by schools and school districts for expenditures from July 1, 1999, through August 31, 2001.

**LEGISLATIVE
OVERSIGHT
Joint Select Committee
on Education
Restructuring**

RCW 28A.655.182 (1) There is hereby created a joint select committee on education restructuring composed of twelve members as follows:

(a) Six members of the senate, three from each of the major caucuses, to be appointed by the president of the senate; and

(b) Six members of the house of representatives, three from each of the major caucuses, to be appointed by the speaker of the house of representatives.

(2) Staff support shall be provided by senate committee services and house of representatives office of program research as mutually agreed by the co-chairs of the joint select committee. The co-chairs shall be designated by the speaker of the house of representatives and the president of the senate.

(3) The expenses of the committee members shall be paid by the legislature under chapter 44.04 RCW.

(4) The committee shall seek advice from educators, business and labor leaders, parents, and others during its deliberations.

[1993 c 336 § 1001.]

Annual report

RCW 28A.655.184 The joint select committee on education restructuring shall monitor, review, and annually report to the full legislature upon the enactment and implementation of education restructuring in Washington both at the state and local level, including the following:

(1) The progress of the commission on student learning in the completion of its tasks as designated in RCW 28A.630.885 and in any subsequent legislation relating to education restructuring;

(2) The success of the center for [the] improvement of student learning established under RCW 28A.300.130;

(3) The number of school districts seeking waivers from basic education act requirements under RCW 28A.305.140 or other legislation, and the success of alternative programs pursued by those school districts;

(4) The progress and success of the commission on student learning, the superintendent of public instruction, the state board of education, the higher education coordinating board, and the state board for community and technical colleges in carrying out RCW 28A.630.885(3)(g), and any subsequent legislation relating to education restructuring; and

(5) Such other areas as the committee may deem appropriate. [1993 c 336 § 1002.]

Review of state laws

RCW 28A.655.186 (1) In addition to the duties in RCW 28A.630.951, the joint select committee on education restructuring shall review all laws pertaining to K–12 public education and to educator preparation and certification with the intent of identifying laws that inhibit the achievement of the new system of performance-based education. The select committee shall report to the legislature by November 15, 1994. The laws pertaining to home schooling and private schools shall not be reviewed in this study.

(2) The joint select committee on education restructuring shall review the school district data reporting requirements for the purposes of accountability and meeting state information needs reported by the commission on student learning under RCW 28A.630.885. The joint select committee shall report its recommendations to the legislature by January 1996. [1995 c 335 § 506; 1994 c 245 § 4; 1993 c 336 § 1003.]

Reports to Joint Select Committee

RCW 28A.655.188 By September 1, 1994, and each September 1st thereafter, the commission on student learning, the superintendent of public instruction, the state board of education, the higher education coordinating board, and the state board for community and technical colleges shall each report to the joint select committee on education restructuring regarding their progress in completing tasks as designated in chapter 336, Laws of 1993, and tasks in any subsequent legislation relating to education restructuring. [1993 c 336 § 1004.]



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