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**SUBSTITUTE SENATE BILL 5946**

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**State of Washington                      63rd Legislature                      2013 1st Special Session**

**By Senate Ways & Means** (originally sponsored by Senator Dammeier)

READ FIRST TIME 06/11/13.

1            AN ACT Relating to strengthening student educational outcomes;  
2    amending RCW 28A.165.005, 28A.165.015, 28A.165.035, 28A.165.055,  
3    28A.165.065, 28A.600.015, 28A.600.020, 28A.600.410, 28A.600.460,  
4    28A.300.046, 28A.300.042, and 28A.415.010; adding a new section to  
5    chapter 28A.300 RCW; adding new sections to chapter 28A.320 RCW; adding  
6    new sections to chapter 28A.415 RCW; adding new sections to chapter  
7    28A.655 RCW; adding a new section to chapter 28A.165 RCW; adding new  
8    sections to chapter 28A.600 RCW; creating new sections; and repealing  
9    RCW 28A.165.025, 28A.165.045, 28A.415.250, and 28A.415.260.

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

**PART I**

**LEARNING TO READ, READING TO LEARN**

13            NEW SECTION.    **Sec. 101.**    A new section is added to chapter 28A.300  
14    RCW to read as follows:

15            In support of reading and early literacy, the office of the  
16    superintendent of public instruction is responsible for:

17            (1) Continuing to work collaboratively with state and regional

1 partners such as the department of early learning and the educational  
2 service districts to establish early literacy benchmarks and standards  
3 and to implement the Washington state comprehensive literacy plan;

4 (2) Disseminating research and information to school districts  
5 about evidence-based programs and practices in reading readiness  
6 skills, early literacy, and reading instruction;

7 (3) Providing statewide models to support school districts that are  
8 implementing response to intervention initiatives, positive behavior  
9 intervention support systems, or other similar comprehensive models of  
10 data-based identification and early intervention; and

11 (4) Within available funds and in partnership with the educational  
12 service districts, providing technical assistance and professional  
13 development opportunities for school districts.

14 NEW SECTION. **Sec. 102.** A new section is added to chapter 28A.320  
15 RCW to read as follows:

16 School districts are responsible for providing a comprehensive  
17 system of instruction and services in reading and early literacy to  
18 kindergarten through fourth grade students that is based on the degree  
19 of student need for additional support. Reading and early literacy  
20 systems provided by school districts must include:

21 (1) Annual use of screening assessments and other tools to identify  
22 at-risk readers in kindergarten through fourth grade, such as the  
23 Washington kindergarten inventory of developing skills, the Washington  
24 state early learning and development guidelines for birth through third  
25 grade, the second grade reading assessment under RCW 28A.300.310, and  
26 locally used assessments and other tools; and

27 (2) Research-based family involvement and engagement strategies,  
28 including strategies to help families and guardians assist in improving  
29 students' reading and early literacy skills at home.

30 NEW SECTION. **Sec. 103.** A new section is added to chapter 28A.415  
31 RCW to read as follows:

32 (1) High-quality professional development is essential for  
33 educators to keep abreast of the important advances in research that  
34 are occurring regarding instructional strategies and curriculum.  
35 Professional development in early literacy is especially important to

1 support the instruction of young readers since reading proficiency is  
2 a crucial element for student academic success.

3 (2) Subject to funds appropriated for this specific purpose, the  
4 office of the superintendent of public instruction shall create  
5 partnerships with the educational service districts and public or  
6 private institutions of higher education with approved educator  
7 preparation programs to develop and deliver research-based professional  
8 development learning opportunities in reading instruction and early  
9 literacy for teachers of kindergarten through fourth grade students.

10 NEW SECTION. **Sec. 104.** A new section is added to chapter 28A.320  
11 RCW to read as follows:

12 (1) Each school district shall require that report cards for  
13 students in kindergarten through fourth grade include information  
14 regarding how the student is progressing on acquiring reading skills  
15 and whether the student is at grade level in reading.

16 (2) If a student is not reading at or above grade level, the  
17 teacher, with the support of other school personnel as appropriate,  
18 must explain to the parent or guardian which interventions and  
19 strategies will be used to help improve the student's reading skills  
20 and must provide strategies for parents or guardians to assist with  
21 improving the student's reading skills at home.

22 (3) Each school shall report to the school district the number of  
23 students in grades kindergarten through four who are reading below  
24 grade level and the interventions that are being provided to improve  
25 the reading skills of the students, with the information disaggregated  
26 by subgroups of students. The school district shall aggregate the  
27 reports from the schools and provide the reports to the office of the  
28 superintendent of public instruction. The office of the superintendent  
29 of public instruction shall submit a statewide report annually to the  
30 education committees of the legislature and the educational opportunity  
31 gap oversight and accountability committee.

32 NEW SECTION. **Sec. 105.** A new section is added to chapter 28A.655  
33 RCW to read as follows:

34 (1) The definitions in this subsection apply throughout this  
35 section and section 106 of this act unless the context clearly requires  
36 otherwise.

1 (a) "Basic" means a score on the statewide student assessment at a  
2 level two in a four-level scoring system.

3 (b) "Below basic" means a score on the statewide student assessment  
4 at a level one in a four-level scoring system.

5 (c) "Not meet the state standard" means a score on the statewide  
6 student assessment at either a level one or a level two in a four-level  
7 scoring system.

8 (2) Beginning in the 2014-15 school year, for any student who  
9 receives a score of below basic on the third grade statewide student  
10 assessment in English language arts, a meeting must be scheduled before  
11 the end of the school year between the student's parent or guardian,  
12 teacher, and the principal of the school the student attends or the  
13 principal's designee to discuss appropriate grade placement and  
14 recommended intensive strategies to improve the student's reading  
15 skills. For students to be placed in fourth grade, the strategies  
16 discussed must include an intensive improvement strategy provided,  
17 supported, or contracted by the school district that includes a summer  
18 program or other option identified by the parents, teacher, principal,  
19 or principal's designee as appropriately meeting the student's need to  
20 prepare for fourth grade. The parents or guardians must be fully  
21 informed about the strategies and the parent's or guardian's consent  
22 must be obtained regarding the appropriate grade placement and the  
23 intensive improvement strategy to be implemented. The school district  
24 must implement the strategy selected in consultation with the student's  
25 parents or guardians.

26 (3) If a student does not have a score in English language arts on  
27 the third grade statewide student assessment but the district  
28 determines, using district or classroom-based diagnostic assessments or  
29 another standardized assessment, that the student's performance is  
30 equivalent to below basic in English language arts, the policy in  
31 subsection (2) of this section applies.

32 (4) Students participating in the transitional bilingual  
33 instruction program are exempt from the policy in subsection (2) of  
34 this section, unless the student has participated in the transitional  
35 bilingual instruction program for three school years and receives a  
36 score of below basic on the third grade statewide student assessment in  
37 English language arts.

1 (5) Students with disabilities whose individualized education  
2 program includes specially designed instruction in reading or English  
3 language arts are exempt from subsections (2), (3), and (4) of this  
4 section. Communication and consultation with parents or guardians of  
5 such students shall occur through the individualized education program  
6 process required under chapter 28A.155 RCW and associated  
7 administrative rules.

8 NEW SECTION. **Sec. 106.** A new section is added to chapter 28A.655  
9 RCW to read as follows:

10 (1)(a) Beginning in the 2015-16 school year, except as otherwise  
11 provided in this subsection (1), for any student who received a score  
12 of basic or below basic on the third grade statewide student assessment  
13 in English language arts in the previous school year, the school  
14 district must implement an intensive reading and literacy improvement  
15 strategy from a state menu of best practices established in accordance  
16 with subsection (3) of this section or an alternative strategy in  
17 accordance with subsection (4) of this section.

18 (b) Reading and literacy improvement strategies for students with  
19 disabilities whose individualized education program includes specially  
20 designed instruction in reading or English language arts shall be as  
21 provided in the individualized education program.

22 (2)(a) Also beginning in the 2015-16 school year, in any school  
23 where more than forty percent of the tested students received a score  
24 of basic or below basic on the third grade statewide student assessment  
25 in English language arts in the previous school year, as calculated  
26 under this subsection (2), the school district must implement an  
27 intensive reading and literacy improvement strategy from a state menu  
28 of best practices established in accordance with subsection (3) of this  
29 section or an alternative strategy in accordance with subsection (4) of  
30 this section for all students in grades kindergarten through four at  
31 the school.

32 (b) For the purposes of this subsection (2), the office of the  
33 superintendent of public instruction shall exclude the following from  
34 the calculation of a school's percentage of tested students receiving  
35 a score of basic or below basic on the third grade statewide student  
36 assessment:

1 (i) Students enrolled in the transitional bilingual instruction  
2 program unless the student has participated in the transitional  
3 bilingual instruction program for three school years;

4 (ii) Students with disabilities whose individualized education  
5 program specifies a different standard to measure reading performance  
6 than is required for the statewide student assessment; and

7 (iii) Schools with fewer than ten students in third grade.

8 (3) The office of the superintendent of public instruction shall  
9 convene a panel of experts to develop a state menu of best practices  
10 and strategies for intensive reading and literacy improvement designed  
11 to assist struggling students in reaching grade level in reading by the  
12 end of fourth grade. The state menu must also include best practices  
13 and strategies to improve the reading and literacy of students who are  
14 English language learners and for system improvements that schools and  
15 school districts can implement to improve reading instruction for all  
16 students. The office of the superintendent of public instruction shall  
17 publish the state menu by July 1, 2014, and update the state menu by  
18 each July 1st thereafter.

19 (4) School districts may use an alternative practice or strategy  
20 that is not on a state menu developed under subsection (3) of this  
21 section for two school years initially. If the district is able to  
22 demonstrate improved outcomes for participating students over the  
23 previous two school years at a level commensurate with the best  
24 practices and strategies on the state menu, the office of the  
25 superintendent of public instruction must approve use of the  
26 alternative practice or strategy by the district for one additional  
27 school year. Subsequent annual approval by the superintendent of  
28 public instruction to use the alternative practice or strategy is  
29 dependent on the district continuing to demonstrate an increase in  
30 improved outcomes for participating students.

31 **PART II**

32 **REQUIRING THE LEARNING ASSISTANCE PROGRAM TO BE EVIDENCE-BASED**

33 **Sec. 201.** RCW 28A.165.005 and 2009 c 548 s 701 are each amended to  
34 read as follows:

35 (1) This chapter is designed to: ~~((+1))~~ (a) Promote the use of  
36 ~~((assessment))~~ data when developing programs to assist underachieving

1 students and reduce disruptive behaviors in the classroom; and ~~((+2))~~  
2 (b) guide school districts in providing the most effective and  
3 efficient practices when implementing supplemental instruction and  
4 services to assist underachieving students and reduce disruptive  
5 behaviors in the classroom.

6 (2) School districts implementing a learning assistance program  
7 shall focus first on addressing the needs of students in grades  
8 kindergarten through four who are deficient in reading or reading  
9 readiness skills to improve reading literacy.

10 **Sec. 202.** RCW 28A.165.015 and 2009 c 548 s 702 are each amended to  
11 read as follows:

12 Unless the context clearly indicates otherwise the definitions in  
13 this section apply throughout this chapter.

14 ~~(1) ("Approved program" means a program submitted to and approved~~  
15 ~~by the office of the superintendent of public instruction and conducted~~  
16 ~~pursuant to the plan that addresses the required elements as provided~~  
17 ~~for in this chapter.~~

18 ~~(+2))~~ "Basic skills areas" means reading, writing, and mathematics  
19 as well as readiness associated with these skills.

20 ~~((+3))~~ (2) "Participating student" means a student in kindergarten  
21 through grade twelve who scores below standard for his or her grade  
22 level using multiple measures of performance, including on the  
23 statewide student assessments or other assessments and performance  
24 measurement tools administered by the school or district and who is  
25 identified ((in)) by the ((approved plan)) district to receive  
26 services.

27 ~~((+4))~~ (3) "Statewide student assessments" means one or more of  
28 ~~the ((several basic skills assessments administered as part of the~~  
29 ~~state's student assessment system, and assessments in the basic skills~~  
30 ~~areas))~~ assessments administered by ((local)) school districts as  
31 required under RCW 28A.655.070.

32 ~~((+5))~~ (4) "Underachieving students" means students with the  
33 greatest academic deficits in basic skills as identified by ((the))  
34 statewide, school, or district assessments or other performance  
35 measurement tools.

1       **Sec. 203.** RCW 28A.165.035 and 2008 c 321 s 4 are each amended to  
2 read as follows:

3       (1) Beginning in the 2015-16 school year, expenditure of funds from  
4 the learning assistance program must be consistent with the provisions  
5 of section 106 of this act.

6       (2) Use of best practices that have been demonstrated through  
7 research to be associated with increased student achievement magnifies  
8 the opportunities for student success. To the extent they are included  
9 as a best practice or strategy in one of the state menus or an approved  
10 alternative under this section or section 106 of this act, the  
11 following are services and activities that may be supported by the  
12 learning assistance program:

13       ~~((1))~~ (a) Extended learning time opportunities occurring:

14       ~~((a))~~ (i) Before or after the regular school day;

15       ~~((b))~~ (ii) On Saturday; and

16       ~~((c))~~ (iii) Beyond the regular school year;

17       ~~((2))~~ (b) Services under RCW 28A.320.190;

18       ~~((3))~~ (c) Professional development for certificated and  
19 classified staff that focuses on:

20       ~~((a))~~ (i) The needs of a diverse student population;

21       ~~((b))~~ (ii) Specific literacy and mathematics content and  
22 instructional strategies; and

23       ~~((c))~~ (iii) The use of student work to guide effective  
24 instruction and appropriate assistance;

25       ~~((4))~~ (d) Consultant teachers to assist in implementing effective  
26 instructional practices by teachers serving participating students;

27       ~~((5))~~ (e) Tutoring support for participating students; and

28       ~~((6))~~ (f) Outreach activities and support for parents of  
29 participating students, including employing parent and family  
30 engagement coordinators.

31       (3) In addition to the state menu developed under section 106 of  
32 this act, the office of the superintendent of public instruction shall  
33 convene a panel of experts including the Washington state institute for  
34 public policy, to develop additional state menus of best practices and  
35 strategies for use in the learning assistance program to assist  
36 struggling students at all grade levels in English language arts and  
37 mathematics and reduce disruptive behaviors in the classroom. The



1 office of the superintendent of public instruction shall publish the  
2 state menus by July 1, 2015, and update the state menus by each July  
3 1st thereafter.

4 (4)(a) Beginning in the 2016-17 school year, except as provided in  
5 (b) of this subsection, school districts must use a practice or  
6 strategy that is on a state menu developed under subsection (3) of this  
7 section or section 106 of this act.

8 (b) Beginning in the 2016-17 school year, school districts may use  
9 a practice or strategy that is not on a state menu developed under  
10 subsection (3) of this section for two school years initially. If the  
11 district is able to demonstrate improved outcomes for participating  
12 students over the previous two school years at a level commensurate  
13 with the best practices and strategies on the state menu, the office of  
14 the superintendent of public instruction shall approve use of the  
15 alternative practice or strategy by the district for one additional  
16 school year. Subsequent annual approval by the superintendent of  
17 public instruction to use the alternative practice or strategy is  
18 dependent on the district continuing to demonstrate increased improved  
19 outcomes for participating students.

20 (5) School districts are encouraged to implement best practices and  
21 strategies from the state menus developed under this section and  
22 section 106 of this act before the use is required.

23 NEW SECTION. Sec. 204. A new section is added to chapter 28A.165  
24 RCW to read as follows:

25 (1) Beginning with the 2014-15 school year, school districts shall  
26 record in the statewide individual student data system annual entrance  
27 and exit performance data for each student participating in the  
28 learning assistance program according to specifications established by  
29 the office of the superintendent of public instruction.

30 (2) By August 1, 2014, and each August 1st thereafter, school  
31 districts shall report to the office of the superintendent of public  
32 instruction, using a common format prepared by the office:

33 (a) The amount of academic growth gained by students participating  
34 in the learning assistance program;

35 (b) The number of students who gain at least one year of academic  
36 growth; and

1 (c) The specific practices, activities, and programs used by each  
2 school building that received learning assistance program funding.

3 (3) The office of the superintendent of public instruction shall  
4 compile the school district data and report annual and longitudinal  
5 gains for the specific practices, activities, and programs used by the  
6 school districts to show which are the most effective. The data must  
7 be disaggregated by student subgroups.

8 **Sec. 205.** RCW 28A.165.055 and 2009 c 548 s 703 are each amended to  
9 read as follows:

10 ~~((Each school district with an approved program is eligible for  
11 state funds provided for the learning assistance program.))~~ The funds  
12 for the learning assistance program shall be appropriated ~~((for the  
13 learning assistance program))~~ in accordance with RCW 28A.150.260 and  
14 the omnibus appropriations act. The distribution formula is for school  
15 district allocation purposes only, but funds appropriated for the  
16 learning assistance program must be expended for the purposes of RCW  
17 28A.165.005 through 28A.165.065 and section 106 of this act.

18 **Sec. 206.** RCW 28A.165.065 and 2004 c 20 s 7 are each amended to  
19 read as follows:

20 To ensure that school districts are meeting the requirements of  
21 ~~((an approved program))~~ this chapter, the superintendent of public  
22 instruction shall monitor ~~((such))~~ learning assistance programs no less  
23 than once every four years. ~~((Individual student records shall be  
24 maintained at the school district.))~~ The primary purpose of program  
25 monitoring is to evaluate the effectiveness of a district's allocation  
26 and expenditure of resources and monitor school district fidelity in  
27 implementing best practices. The office of the superintendent of  
28 public instruction may provide technical assistance to school districts  
29 to improve the effectiveness of a learning assistance program.

30 **PART III**  
31 **STUDENT DISCIPLINE**

32 NEW SECTION. **Sec. 301.** A new section is added to chapter 28A.600  
33 RCW to read as follows:

34 (1) The office of the superintendent of public instruction shall

1 convene a discipline task force to develop standard definitions for  
2 causes of student disciplinary actions taken at the discretion of the  
3 school district. The task force must also develop data collection  
4 standards for disciplinary actions that are discretionary and for  
5 disciplinary actions that result in the exclusion of a student from  
6 school. The data collection standards must include data about  
7 education services provided while a student is subject to a  
8 disciplinary action, the status of petitions for readmission to the  
9 school district when a student has been excluded from school, credit  
10 retrieval during a period of exclusion, and school dropout as a result  
11 of disciplinary action.

12 (2) The discipline task force shall include representatives from  
13 the K-12 data governance group, the educational opportunity gap  
14 oversight and accountability committee, the state ethnic commissions,  
15 the governor's office of Indian affairs, the office of the education  
16 ombudsman, school districts, and other education and advocacy  
17 organizations.

18 (3) The office of the superintendent of public instruction and the  
19 K-12 data governance group shall revise the statewide student data  
20 system to incorporate the student discipline data collection standards  
21 recommended by the discipline task force, and begin collecting data  
22 based on the revised standards in the 2015-16 school year.

23 **Sec. 302.** RCW 28A.600.015 and 2006 c 263 s 701 are each amended to  
24 read as follows:

25 (1) The superintendent of public instruction shall adopt and  
26 distribute to all school districts lawful and reasonable rules  
27 prescribing the substantive and procedural due process guarantees of  
28 pupils in the common schools. Such rules shall authorize a school  
29 district to use informal due process procedures in connection with the  
30 short-term suspension of students to the extent constitutionally  
31 permissible: PROVIDED, That the superintendent of public instruction  
32 deems the interest of students to be adequately protected. When a  
33 student suspension or expulsion is appealed, the rules shall authorize  
34 a school district to impose the suspension or expulsion temporarily  
35 after an initial hearing for no more than ten consecutive school days  
36 or until the appeal is decided, whichever is earlier. Any days that  
37 the student is temporarily suspended or expelled before the appeal is

1 decided shall be applied to the term of the student suspension or  
2 expulsion and shall not limit or extend the term of the student  
3 suspension or expulsion. An expulsion or suspension of a student may  
4 not be for an indefinite period of time.

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

7 (3) Emergency expulsions must end or be converted to another form  
8 of corrective action within ten school days from the date of the  
9 emergency removal from school. Notice and due process rights must be  
10 provided when an emergency expulsion is converted to another form of  
11 corrective action.

12 **Sec. 303.** RCW 28A.600.020 and 2006 c 263 s 706 are each amended to  
13 read as follows:

14 (1) The rules adopted pursuant to RCW 28A.600.010 shall be  
15 interpreted to ensure that the optimum learning atmosphere of the  
16 classroom is maintained, and that the highest consideration is given to  
17 the judgment of qualified certificated educators regarding conditions  
18 necessary to maintain the optimum learning atmosphere.

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

31 (3) In order to preserve a beneficial learning environment for all  
32 students and to maintain good order and discipline in each classroom,  
33 every school district board of directors shall provide that written  
34 procedures are developed for administering discipline at each school  
35 within the district. Such procedures shall be developed with the  
36 participation of parents and the community, and shall provide that the  
37 teacher, principal or designee, and other authorities designated by the

1 board of directors, make every reasonable attempt to involve the parent  
2 or guardian and the student in the resolution of student discipline  
3 problems. Such procedures shall provide that students may be excluded  
4 from their individual classes or activities for periods of time in  
5 excess of that provided in subsection (2) of this section if such  
6 students have repeatedly disrupted the learning of other students. The  
7 procedures must be consistent with the rules of the superintendent of  
8 public instruction and must provide for early involvement of parents in  
9 attempts to improve the student's behavior.

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

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

17 ((+a)) (i) Engages in two or more violations within a three-year  
18 period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460,  
19 28A.635.020, 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

20 ((+b)) (ii) Engages in one or more of the offenses listed in RCW  
21 13.04.155.

22 (b) The principal shall communicate the disciplinary action taken  
23 by the principal to the school personnel who referred the student to  
24 the principal for disciplinary action.

25 (6) Any corrective action involving a suspension or expulsion from  
26 school for more than ten days must have an end date of not more than  
27 one calendar year from the time of corrective action. Districts shall  
28 make reasonable efforts to assist students and parents in returning to  
29 an educational setting prior to and no later than the end date of the  
30 corrective action. Where warranted based on public health or safety,  
31 a school may petition the superintendent of the school district or the  
32 superintendent's designee, pursuant to policies and procedures adopted  
33 by the school district board of directors outlining the limited  
34 circumstances in which a school may petition to exceed the one calendar  
35 year limitation, including safeguards to ensure that the school  
36 district has made every effort to plan for the student's return to  
37 school.

1       (7) Nothing in this section prevents a public school district,  
2 educational service district, the Washington state center for childhood  
3 deafness and hearing loss, or the state school for the blind if it has  
4 suspended or expelled a student from the student's regular school  
5 setting from providing educational services to the student in an  
6 alternative setting or modifying the suspension or expulsion on a case-  
7 by-case basis.

8       **Sec. 304.** RCW 28A.600.410 and 1992 c 155 s 1 are each amended to  
9 read as follows:

10       The state of Washington excludes tens of thousands of students from  
11 school each year due to out-of-school suspensions and expulsions. Out-  
12 of-school suspensions and expulsions contribute to poor academic  
13 achievement, lower graduation rates, and higher dropout rates. It is  
14 the intent of the legislature to minimize the use of out-of-school  
15 suspension and expulsion and its impact on student achievement by  
16 reducing the number of days that students are excluded from school due  
17 to disciplinary action. Student behavior should not result in the loss  
18 of educational opportunity in the public school system.

19       School districts are encouraged to find alternatives to suspension  
20 including reducing the length of a student's suspension conditioned by  
21 the commencement of counseling or other treatment services. Consistent  
22 with current law, the conditioning of a student's suspension does not  
23 obligate the school district to pay for the counseling or other  
24 treatment services except for those stipulated and agreed to by the  
25 district at the inception of the suspension.

26       **Sec. 305.** RCW 28A.600.460 and 1997 c 266 s 9 are each amended to  
27 read as follows:

28       (1) School district boards of directors shall adopt policies that  
29 restore discipline to the classroom. Such policies must provide for at  
30 least the following: Allowing each teacher to take disciplinary action  
31 to correct a student who disrupts normal classroom activities, abuses  
32 or insults a teacher as prohibited by RCW 28A.635.010, willfully  
33 disobeys a teacher, uses abusive or foul language directed at a school  
34 district employee, school volunteer, or another student, violates  
35 school rules, or who interferes with an orderly education process.

1 Disciplinary action may include but is not limited to: Oral or written  
2 reprimands; written notification to parents of disruptive behavior, a  
3 copy of which must be provided to the principal.

4 (2) A student committing an offense under chapter 9A.36, 9A.40,  
5 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,  
6 shall not be assigned to that teacher's classroom for the duration of  
7 the student's attendance at that school or any other school where the  
8 teacher is assigned.

9 (3) A student who commits an offense under chapter 9A.36, 9A.40,  
10 9A.46, or 9A.48 RCW, when directed toward another student, may be  
11 removed from the classroom of the victim for the duration of the  
12 student's attendance at that school or any other school where the  
13 victim is enrolled. A student who commits an offense under one of the  
14 chapters enumerated in this section against a student or another school  
15 employee, may be expelled or suspended.

16 (4) Nothing in this section is intended to limit the authority of  
17 a school under existing law and rules to expel or suspend a student for  
18 misconduct or criminal behavior.

19 (5) All school districts must collect data on disciplinary actions  
20 taken in each school and must record these actions using the statewide  
21 student data system, based on the data collection standards established  
22 by the office of the superintendent of public instruction and the K-12  
23 data governance group. The information shall be made available to the  
24 public (~~(upon request. This collection of)~~), but public release of the  
25 data shall not include personally identifiable information including,  
26 but not limited to, a student's social security number, name, or  
27 address.

28 **Sec. 306.** RCW 28A.300.046 and 2011 c 288 s 10 are each amended to  
29 read as follows:

30 (1)(a) The superintendent of public instruction shall adopt rules  
31 establishing a standard definition of student absence from school. In  
32 adopting the definition, the superintendent shall review current  
33 practices in Washington school districts, definitions used in other  
34 states, and any national standards or definitions used by the national  
35 center for education statistics or other national groups. The  
36 superintendent shall also consult with the building bridges work group  
37 established under RCW 28A.175.075.

1 (b) Using the definition of student absence adopted under this  
2 section, the superintendent shall establish an indicator for measuring  
3 student attendance in high schools for purposes of the PASS program  
4 under RCW 28A.175.130.

5 (2)(a) The K-12 data governance group under RCW 28A.300.507 shall  
6 establish the parameters and an implementation schedule for statewide  
7 collection through the comprehensive education and data research system  
8 of: (i) Student attendance data using the definitions of student  
9 absence adopted under this section; and (ii) student discipline data  
10 with a focus on suspensions and expulsions from school.

11 (b) ~~((At a minimum,))~~ Student suspension and expulsion data  
12 collected for the purposes of this subsection (2) must be:

13 (i) Made publicly available and easily accessible on the  
14 superintendent of public instruction's web site; and

15 (ii) Disaggregated and cross-tabulated as established under RCW  
16 28A.300.042.

17 (c) School districts must collect and submit student attendance  
18 data and student discipline data for high school students through the  
19 comprehensive education and data research system for purposes of the  
20 PASS program under RCW 28A.175.130 beginning in the 2012-13 school  
21 year.

22 **Sec. 307.** RCW 28A.300.042 and 2009 c 468 s 4 are each amended to  
23 read as follows:

24 (1) All student data-related reports required of the superintendent  
25 of public instruction in this title must be disaggregated by at least  
26 the following subgroups of students: White, Black, Hispanic, American  
27 Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low  
28 income, transitional bilingual, migrant, special education, and  
29 students covered by section 504 of the federal rehabilitation act of  
30 1973, as amended (29 U.S.C. Sec. 794).

31 (2) All student data-related reports required of the superintendent  
32 of public instruction regarding student suspensions and expulsions as  
33 required in RCW 28A.300.046 are subject to disaggregation by subgroups  
34 including:

35 (a) Gender;

36 (b) Foster care;

37 (c) Homeless, if known;



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

1           (d) Intervention applied.

2           NEW SECTION. Sec. 308. A new section is added to chapter 28A.600  
3 RCW to read as follows:

4           (1) School districts should make efforts to have suspended or  
5 expelled students return to an educational setting as soon as possible.  
6 School districts should convene a meeting with the student and the  
7 student's parents or guardians within twenty days of the student's  
8 long-term suspension or expulsion, but no later than five days before  
9 the student's enrollment, to discuss a plan to reengage the student in  
10 a school program.

11           (2) In developing a reengagement plan, school districts should  
12 consider shortening the length of time that the student is suspended or  
13 expelled, other forms of corrective action, and supportive  
14 interventions that aid in the student's academic success and keep the  
15 student engaged and on track to graduate. School districts must create  
16 a reengagement plan tailored to the student's individual circumstances,  
17 including consideration of the incident that led to the student's long-  
18 term suspension or expulsion. The plan should aid the student in  
19 taking the necessary steps to remedy the situation that led to the  
20 student's suspension or expulsion.

21           (3) Any reengagement meetings conducted by the school district  
22 involving the suspended or expelled student and his or her parents or  
23 guardians are not intended to replace a petition for readmission.

24           NEW SECTION. Sec. 309. Nothing in chapter . . ., Laws of 2013 1st  
25 sp. sess. (this act) prevents a public school district, law enforcement  
26 agencies, or law enforcement personnel from enforcing laws protecting  
27 health and human safety.

28                                   **PART IV**

29                                   **EDUCATOR SUPPORT PROGRAM**

30           NEW SECTION. Sec. 401. A new section is added to chapter 28A.415  
31 RCW to read as follows:

32           (1) The educator support program is established to provide  
33 professional development and mentor support for beginning educators and  
34 educators on probation under RCW 28A.405.100, to be composed of the

1 beginning educator support team for beginning educators and continuous  
2 improvement coaching for educators on probation, as provided in this  
3 section.

4 (2)(a) Subject to funds appropriated for this specific purpose, the  
5 office of the superintendent of public instruction shall allocate funds  
6 for the beginning educator support team on a competitive basis to  
7 individual school districts or consortia of districts. School  
8 districts are encouraged to include educational service districts in  
9 creating regional consortia. In allocating funds, the office of the  
10 superintendent of public instruction shall give priority to school  
11 districts with low-performing schools identified under RCW 28A.657.020  
12 as being challenged schools in need of improvement. A portion of the  
13 appropriated funds may be used for program coordination and provision  
14 of statewide or regional professional development through the office of  
15 the superintendent of public instruction.

16 (b) A beginning educator support team must include the following  
17 components:

18 (i) A paid orientation or individualized assistance before the  
19 start of the school year for beginning educators;

20 (ii) Assignment of a trained and qualified mentor for the first  
21 three years for beginning educators, with intensive support in the  
22 first year and decreasing support over the following years depending on  
23 the needs of the beginning educator;

24 (iii) Professional development for beginning educators that is  
25 designed to meet their unique needs for supplemental training and skill  
26 development;

27 (iv) Professional development for mentors;

28 (v) Release time for mentors and their designated educators to work  
29 together, as well as time for educators to observe accomplished peers;  
30 and

31 (vi) A program evaluation using a standard evaluation tool provided  
32 from the office of the superintendent of public instruction that  
33 measures increased knowledge, skills, and positive impact on student  
34 learning for program participants.

35 (3) Subject to funds separately appropriated for this specific  
36 purpose, the beginning educator support team components under  
37 subsection (2) of this section may be provided for continuous

1 improvement coaching to support educators on probation under RCW  
2 28A.405.100.

3 **Sec. 402.** RCW 28A.415.010 and 2006 c 263 s 807 are each amended to  
4 read as follows:

5 It shall be the responsibility of each educational service district  
6 board to establish a center for the improvement of teaching. The  
7 center shall administer, coordinate, and act as fiscal agent for such  
8 programs related to the recruitment and training of certificated and  
9 classified K-12 education personnel as may be delegated to the center  
10 by the superintendent of public instruction under RCW 28A.310.470. To  
11 assist in these activities, each educational service district board  
12 shall establish an improvement of teaching coordinating council to  
13 include, at a minimum, representatives as specified in RCW 28A.415.040.  
14 An existing in-service training task force, established pursuant to RCW  
15 28A.415.040, may serve as the improvement of teaching coordinating  
16 council. The educational service district board shall ensure  
17 coordination of programs established pursuant to RCW 28A.415.030,  
18 28A.410.060, and (~~28A.415.250~~) section 401 of this act.

19 The educational service district board may arrange each year for  
20 the holding of one or more teachers' institutes and/or workshops for  
21 professional staff preparation and in-service training in such manner  
22 and at such time as the board believes will be of benefit to the  
23 teachers and other professional staff of school districts within the  
24 educational service district and shall comply with rules of the  
25 professional educator standards board pursuant to RCW 28A.410.060 or  
26 the superintendent of public instruction (~~pursuant to RCW~~  
27 ~~28A.415.250~~). The board may provide such additional means of teacher  
28 and other professional staff preparation and in-service training as it  
29 may deem necessary or appropriate and there shall be a proper charge  
30 against the educational service district general expense fund when  
31 approved by the educational service district board.

32 Educational service district boards of contiguous educational  
33 service districts, by mutual arrangements, may hold joint institutes  
34 and/or workshops, the expenses to be shared in proportion to the  
35 numbers of certificated personnel as shown by the last annual reports  
36 of the educational service districts holding such joint institutes or  
37 workshops.

1 In local school districts employing more than one hundred teachers  
2 and other professional staff, the school district superintendent may  
3 hold a teachers' institute of one or more days in such district, said  
4 institute when so held by the school district superintendent to be in  
5 all respects governed by the provisions of this title and rules  
6 relating to teachers' institutes held by educational service district  
7 superintendents.

8 **PART V**

9 **PROFESSIONAL DEVELOPMENT**

10 NEW SECTION. **Sec. 501.** A new section is added to chapter 28A.320  
11 RCW to read as follows:

12 (1)(a) The legislature finds that the school district board of  
13 directors sets the vision and provides direction and oversight for the  
14 school district. The legislature further finds that the school  
15 district superintendent is key to the day-to-day administration of the  
16 school district. The legislature intends to provide additional  
17 professional development opportunities for school district directors  
18 and superintendents to focus on research-based governance strategies to  
19 improve student achievement.

20 (b) The office of the superintendent of public instruction shall  
21 develop and annually implement a professional development program for  
22 first-time school directors and school district superintendents and for  
23 on-going development of school directors and superintendents. The  
24 program must focus on research-based governance strategies to improve  
25 student achievement.

26 (2)(a) The legislature recognizes that there have been many recent  
27 changes in state educational policies that affect students, educators,  
28 and school district personnel, including the adoption of the common  
29 core standards and the new evaluation system. The legislature further  
30 recognizes that those important changes are intended to improve the  
31 performance of the educational system and student achievement. The  
32 legislature understands that the importance of providing adequate  
33 training and professional development for the changes in policy to have  
34 the successful outcomes that are intended. The legislature further  
35 intends the training to be responsive to the needs of local school  
36 districts.

1 (b) For the 2013-14 and 2014-15 school years, for any adjustments  
2 made to compensation provided by the school district beyond an  
3 adjustment for inflation must be in the form of targeted professional  
4 development, as determined to be appropriate by the school district, to  
5 improve student achievement. This subsection (2)(b) does not affect or  
6 impair any collective bargaining agreements in effect on June 10, 2013,  
7 between an employer and educational employees or employee organization  
8 under chapter 41.59 RCW. Any collective bargaining agreement entered  
9 into or renewed after June 10, 2013, shall be consistent with this  
10 subsection.

11 **PART VI**  
12 **MISCELLANEOUS**

13 NEW SECTION. **Sec. 601.** The following acts or parts of acts are  
14 each repealed:

15 (1) RCW 28A.165.025 (School district program plan) and 2009 c 556  
16 s 1 & 2004 c 20 s 3;

17 (2) RCW 28A.165.045 (Plan approval process) and 2009 c 556 s 2 &  
18 2004 c 20 s 5;

19 (3) RCW 28A.415.250 (Teacher assistance program--Provision for  
20 mentor teachers) and 2009 c 539 s 5, 1993 c 336 s 401, 1991 c 116 s 19,  
21 1990 c 33 s 403, 1987 c 507 s 1, & 1985 c 399 s 1; and

22 (4) RCW 28A.415.260 (Pilot program using full-time mentor teachers)  
23 and 1998 c 245 s 12 & 1993 c 336 s 402.

24 NEW SECTION. **Sec. 602.** If any provision of this act or its  
25 application to any person or circumstance is held invalid, the  
26 remainder of the act or the application of the provision to other  
27 persons or circumstances is not affected.

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