



THE WASHINGTON STATE BOARD OF EDUCATION

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Review of Board Norms and Operations	
As Related To:	☐ Goal One: Effective and accountable P-13 governance. ☐ Goal Two: Comprehensive statewide K-12 accountability. ☐ Goal Three: Closing achievement gap.	☒ Goal Four: Strategic oversight of the K-12 system. ☐ Goal Five: Career and college readiness for all students. ☒ Other
Relevant To Board Roles:	☒ Policy Leadership ☒ System Oversight ☒ Advocacy	☒ Communication ☒ Convening and Facilitating
Policy Considerations / Key Questions:	Is the Board fulfilling its statutory authority? Are board members adhering to the board norms developed at last year's retreat?	
Possible Board Action:	☒ Review ☐ Adopt ☐ Approve ☐ Other	
Materials Included in Packet:	☐ Memo ☐ Graphs / Graphics ☐ Third-Party Materials ☐ PowerPoint	
Synopsis:	Two weeks ago, board members received a video annual report from the Executive Director that covered: • SBE Budget • Communications and Engagement • Board Members/Meetings • Statutory Authority & WACs • BEA Waivers • Results The Board will discuss the information presented in the annual report, review its rules (which must be done every three years), and revisit the board norms.	

The materials for this section (video, PowerPoint, and Statutory Authority) are only available online at:

www.sbe.wa.gov/materials.php

SBE Annual Review

Facts & Figures from the Last Year



**BEN RARICK,
EXECUTIVE DIRECTOR**

SEPTEMBER 9, 2014



Major Topics to Be Covered



- SBE Budget in Review
- Communications Statistics
- Board Meeting Statistics
- Statutory Authority & WAC Review
- Data on BEA Compliance Waivers
- Results!



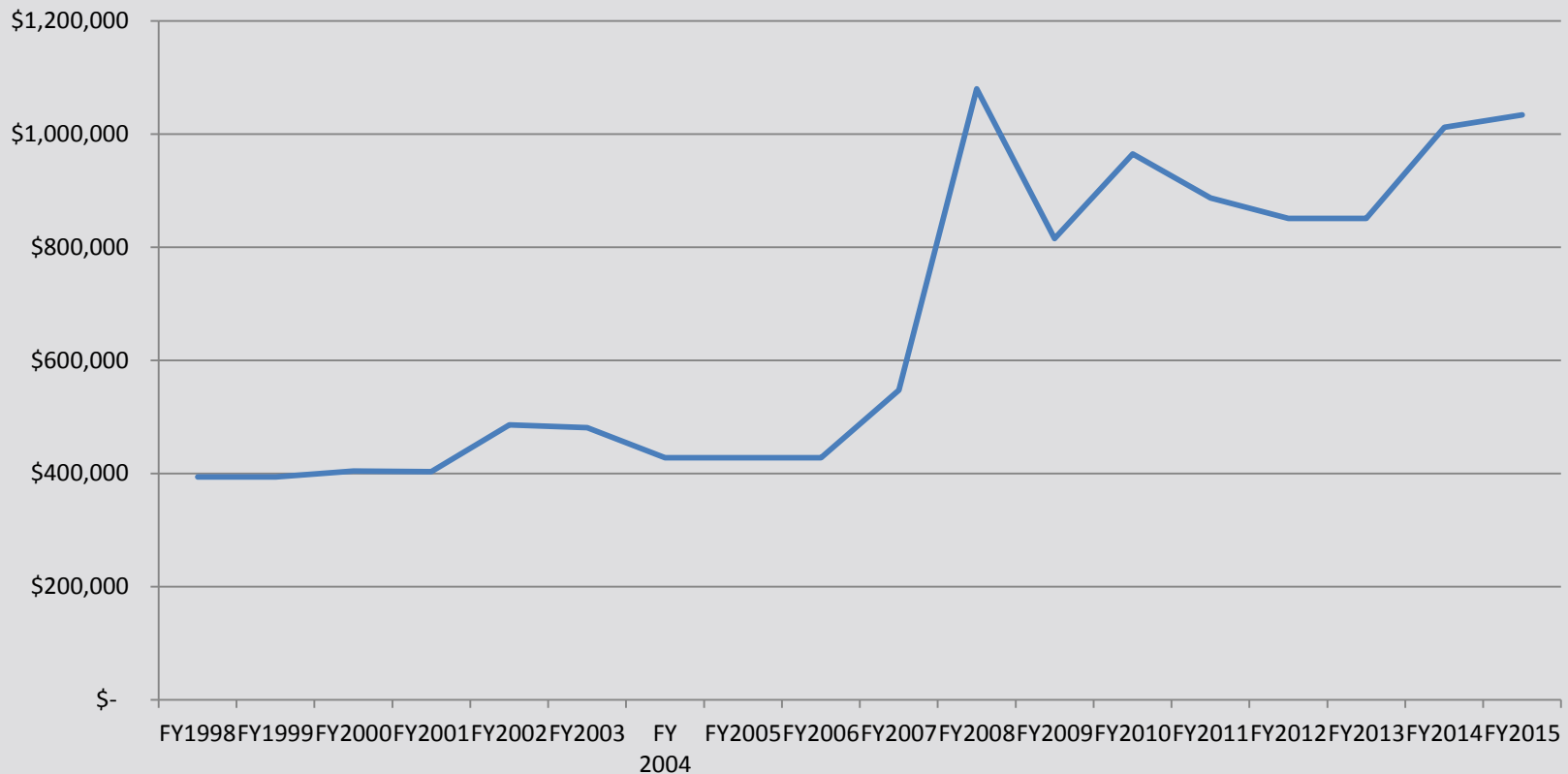
SBE Budget in Review



SBE Budget History



State Board of Education Core Budget



SBE Budget Expenditures for FY 2014



STATE BOARD OF EDUCATION CORE BUDGET -- Review of Fiscal Year 2014 Activities						
	Budgeted	Transfers	Adjusted	Spent	% spent to date	Balance
Total Budgeted State Proviso 072	\$1,012,000			\$989,723	97.8%	\$22,277
Core office functions 3000 11068 001 072						
SBE Salary & consultant costs	\$597,299	(\$22,577)	\$574,722	\$574,722	100%	\$0
SBE Benefit costs	\$179,955	(\$10,603)	\$169,352	\$150,788	89%	\$18,564
SBE Goods and services costs	\$20,400		\$20,400	\$19,716	97%	\$684
SBE office travel costs	\$9,000	(\$2,030)	\$6,970	\$6,970	100%	\$0
SBE Equipment costs	\$2,800	\$4,000	\$6,800	\$6,656	98%	\$144
OSPI Indirect Charge	\$108,697	\$545	\$109,242	\$109,242	100%	\$0
Subtotal	\$918,151	(\$30,665)	\$887,486	\$868,094	95%	\$19,392
Board Meetings 3000 11069 001 072						
SBE Board Member Stipend costs	\$16,500		\$16,500	\$13,800	84%	\$2,700
SBE Board Member Benefit costs	\$1,500		\$1,500	\$1,315	88%	\$185
Contract	\$3,647	(\$1,847)	\$1,800	\$1,800	100%	\$0
Board Member Goods and services costs	\$5,000	\$3,103	\$8,103	\$8,103	100%	\$0
Board Member meeting & travel costs	\$55,000	\$13,266	\$68,266	\$68,266	100%	\$0
Unanticipated (Professional Development)	\$12,202	\$16,143	\$28,345	\$28,345	100%	\$0
Subtotal	\$93,849	\$30,665	\$124,514	\$121,629	98%	\$2,885
Subtotal	\$1,012,000	-		\$989,723	97.8%	\$22,277

Core Budget Highlights:

SBE stayed well w/in budget and exercised fiscal austerity

Spent 97.8% of the original budgeted allocation

Changing board composition, increase reimbursement requests, increase facility space costs, and increase in special meetings had cost implications



SBE Budget for FY 2015



STATE BOARD OF EDUCATION - PROPOSED 2013-15 CORE BUDGET (Reflecting Changes for FY 2015)

	Budgeted	Spent	% spent to date	Balance
Total Budgeted State Proviso 071, RK1	\$ 1,012,000	\$ -	\$ -	\$ 1,012,000
Core office functions 3000 11068 001 071				
Object A/C SBE Salary & consultant costs	\$597,829	-	-	\$597,829
Object B SBE Benefit costs	\$158,268	-	-	\$158,268
Object E SBE Goods and services costs	\$20,400	-	-	\$20,400
Object G SBE office travel costs	\$9,000	-	-	\$9,000
Object J SBE Equipment costs	\$5,000	-	-	\$5,000
X OSPI Indirect Charge	\$95,784	-	-	\$95,784
Subtotal	\$886,281	-	-	\$886,281
Board Meetings 3000 11069 001 071				
Object A SBE Board Member Stipend costs	\$16,500	-	-	\$16,500
Object B SBE Board Member Benefit costs	\$1,500	-	-	\$1,500
Object C Contract	\$3,500	-	-	\$3,500
Object E Board Member Goods and services costs	\$6,000	-	-	\$6,000
Object G Board travel costs	\$65,000	-	-	\$65,000
X Board Member Professional Development	\$23,219	-	-	\$23,219
Subtotal	\$115,719	-	-	\$115,719
Subtotal	\$1,002,000	-	-	\$1,002,000
SBE 6552 Rule writing Activities	\$22,000	-	-	\$22,000.00

Key changes proposed:

- Add board member professional development line.
- Update salary/benefit projections based on forecast.
- NOTE: \$22,000 proviso added to support SB 6522 rule-writing and implementation.
- We would use the FY 2015 structure for the proposed 2015-17 Budget.
- OFM is requesting 15% cut drill of all agencies in light of looming McCleary costs.



Top Ways The SBE Saves \$



- Utilize Conference Calls & Webinars for Meetings
- Seek out Cost-Free (or Cost-Limited) Venues for Board Meetings & Workgroup Meetings
- Combine Travel Purposes
- Seek out Professional Development Opportunities that are Sponsored.
- When Appropriate, Post Larger Documents Only on the Online Version of the Board Packets (Limit Printing Costs)
- Other smaller operational strategies
 - ✦ Converting to 'Mail Chimp' for Stakeholder Contacts
 - ✦ Share technology contracts with OSPI when possible
 - ✦ Exploring New Online Packet Formats



Exploring E-Packet Platform Options



	PDF Reader	Board Docs	iPads
Price	free	\$3,000-\$10,000/year	\$10,000
Device	Member Provides	Member Provides	SBE Provides
Open to Public	X	X	iPads are not a platform for the packet, just a device to view them.
Non-Public Sections		X	
Page #s	X	X	
Tabs/Bookmarks	X	X	
Take/Save Notes	X	X	
Apple/PC Compatible	X	X	
Alerts		X	
Print Sections	X	Print agenda and coversheets only	
Print Whole Packet	X		
Searchable		X	
Location	SBE Website	3 rd Party Website	

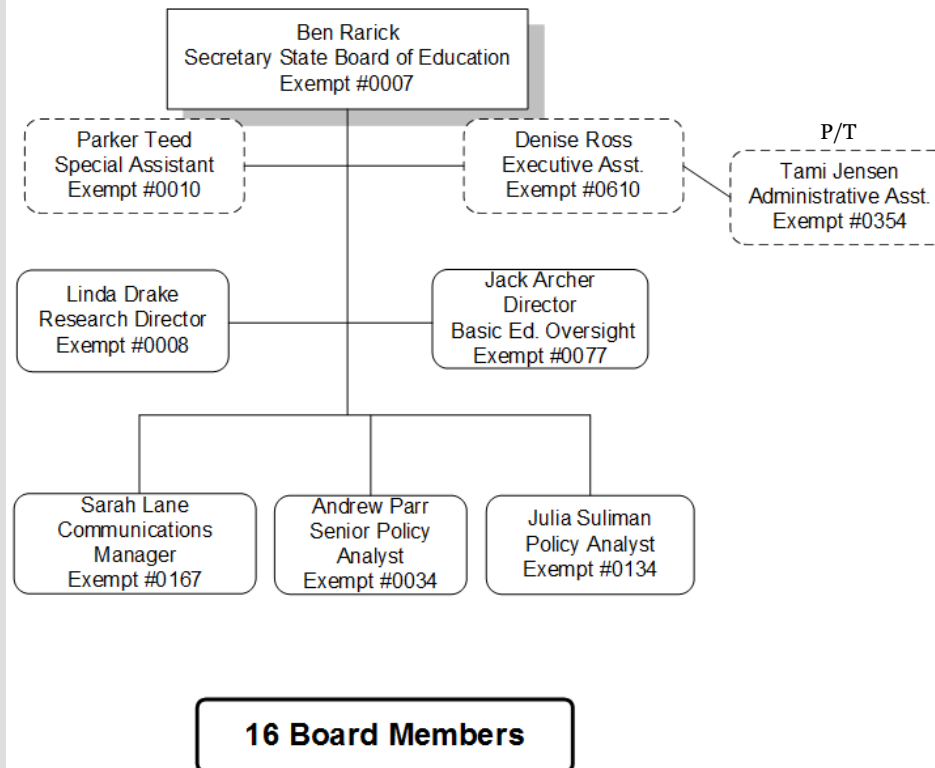


SBE Staffing

1 Executive Director, 7 staff, 1 part-time assistant



State Board of Education August 2014

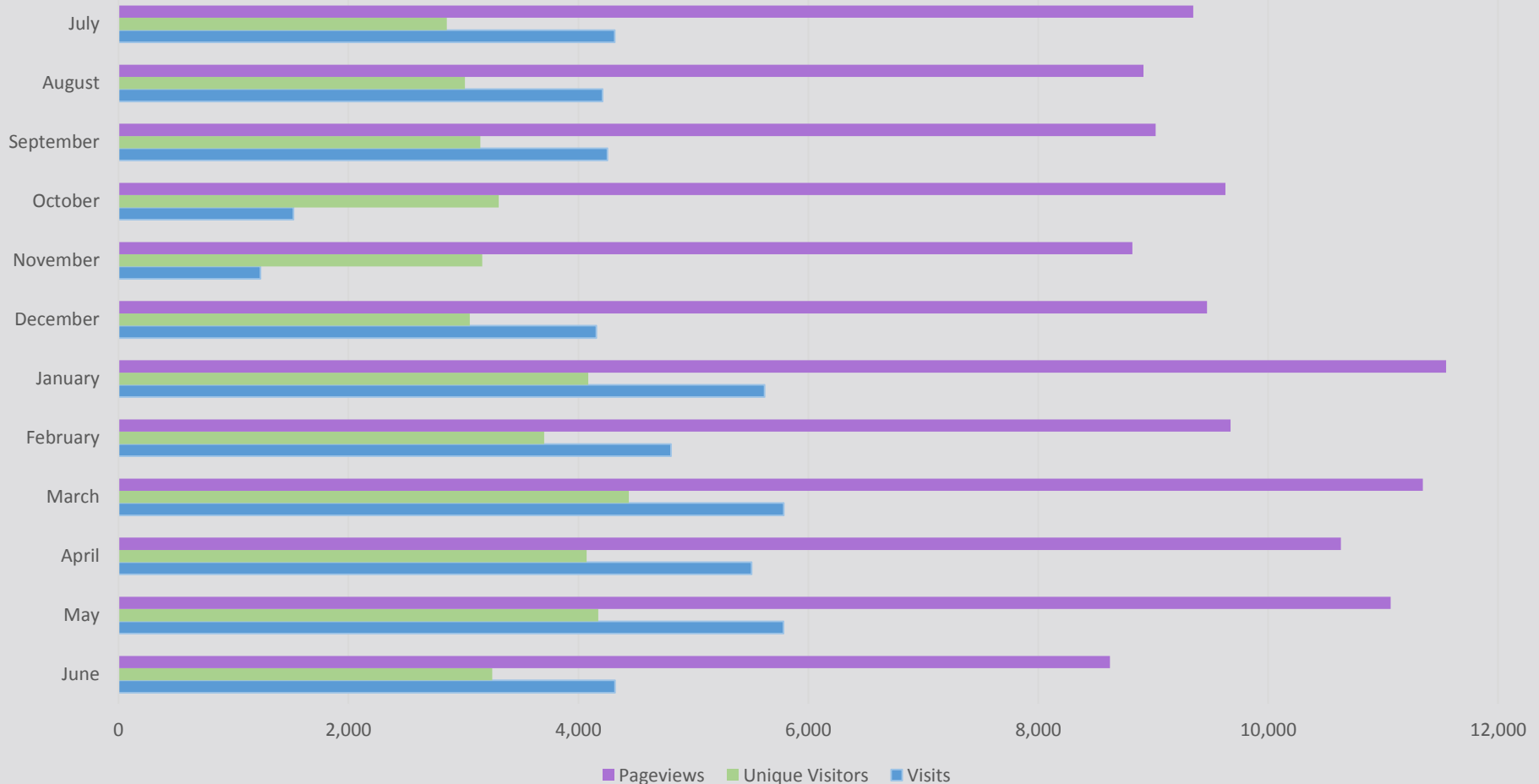


Communications Statistics

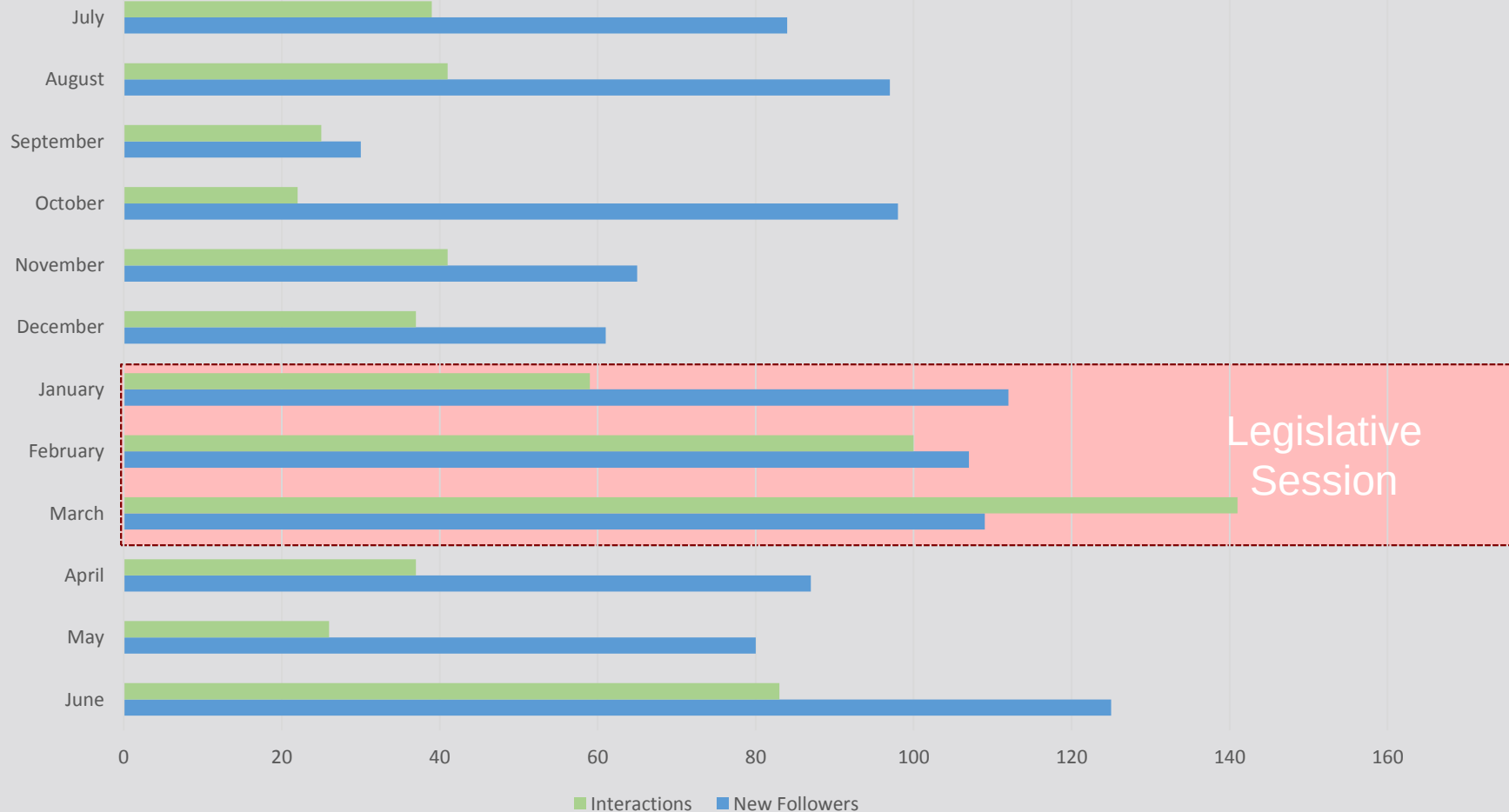


SBE Website Traffic

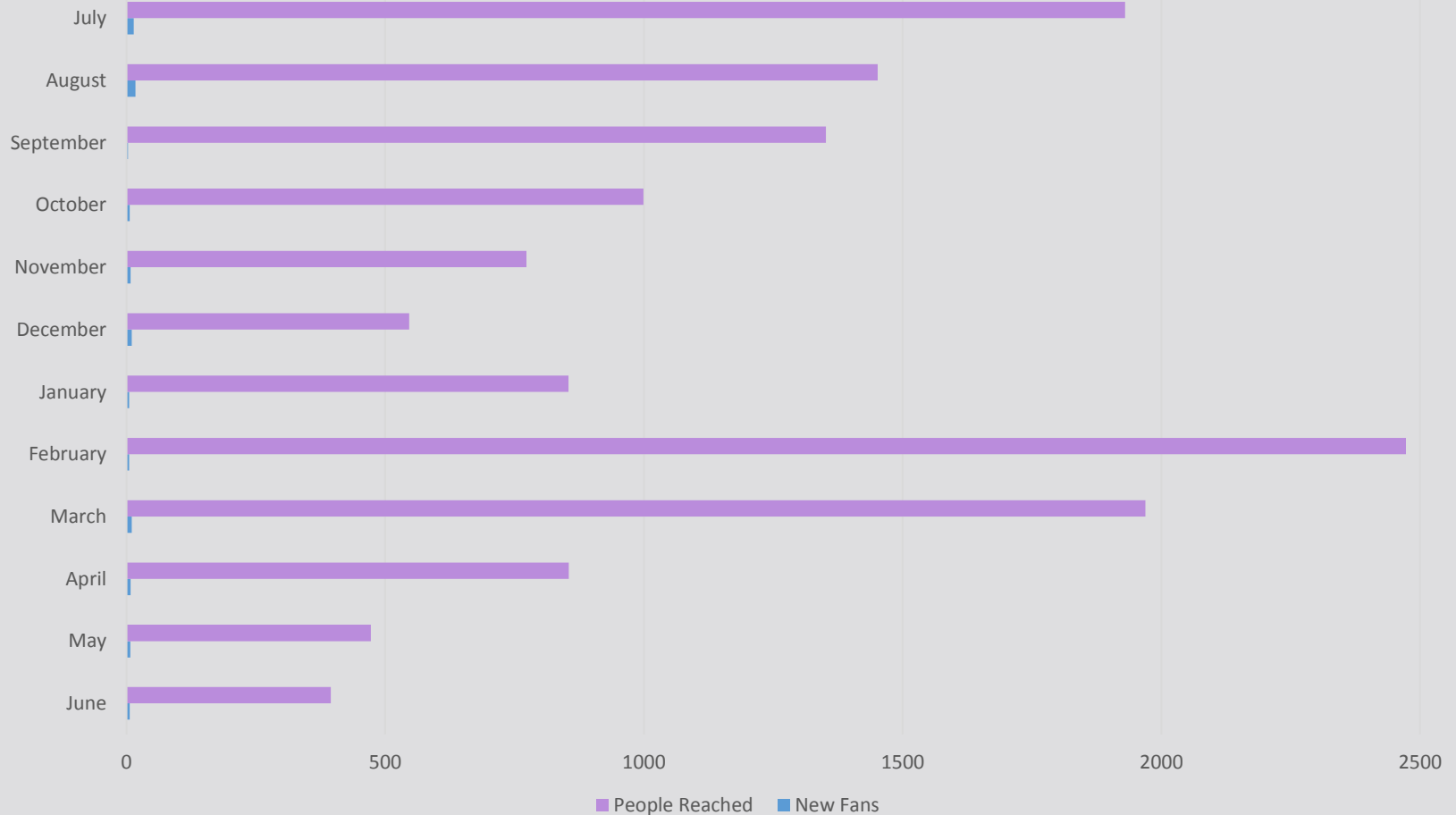
Page views, Unique Visitors, & Visits



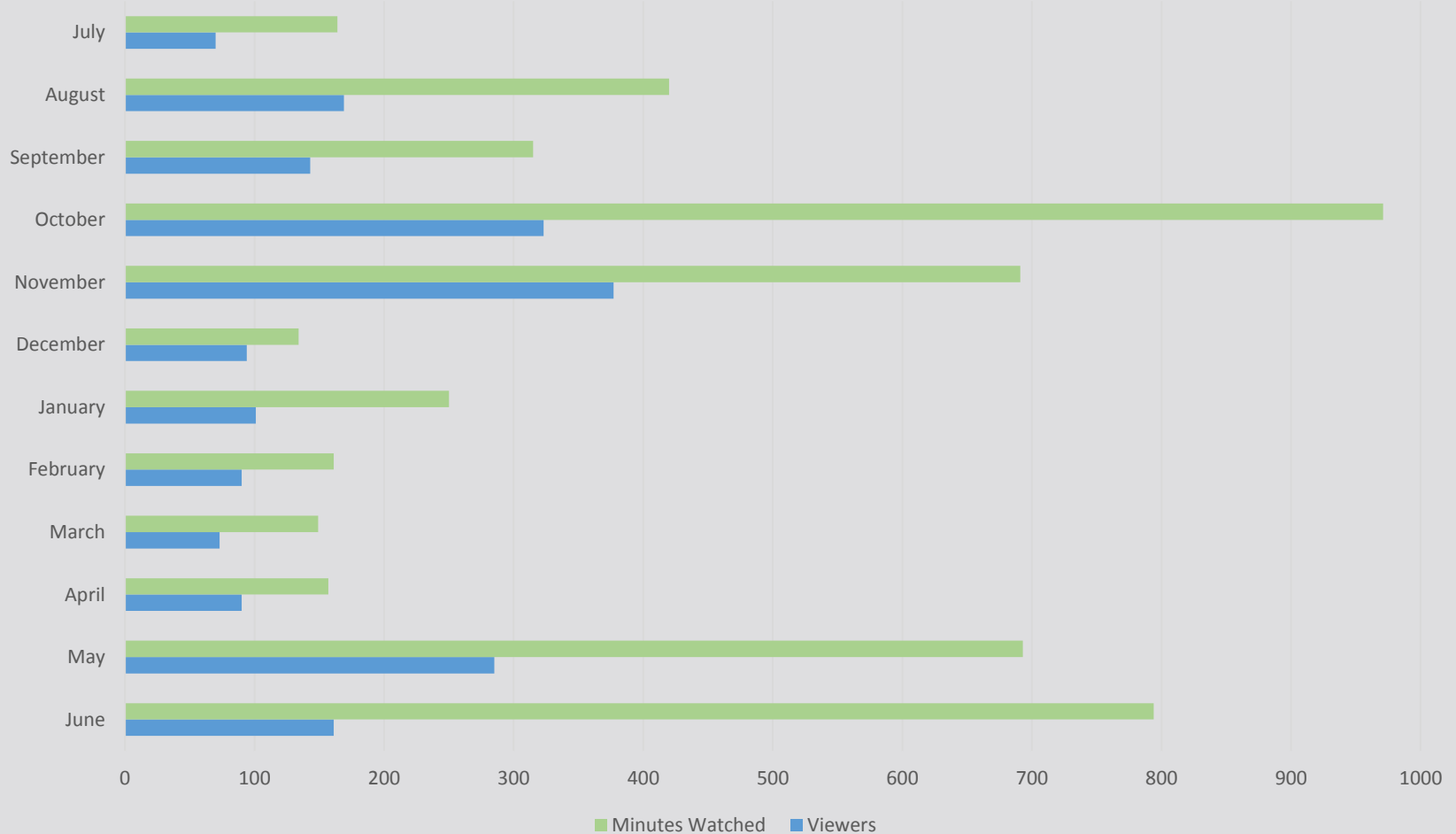
SBE Twitter Activity



Facebook Activity

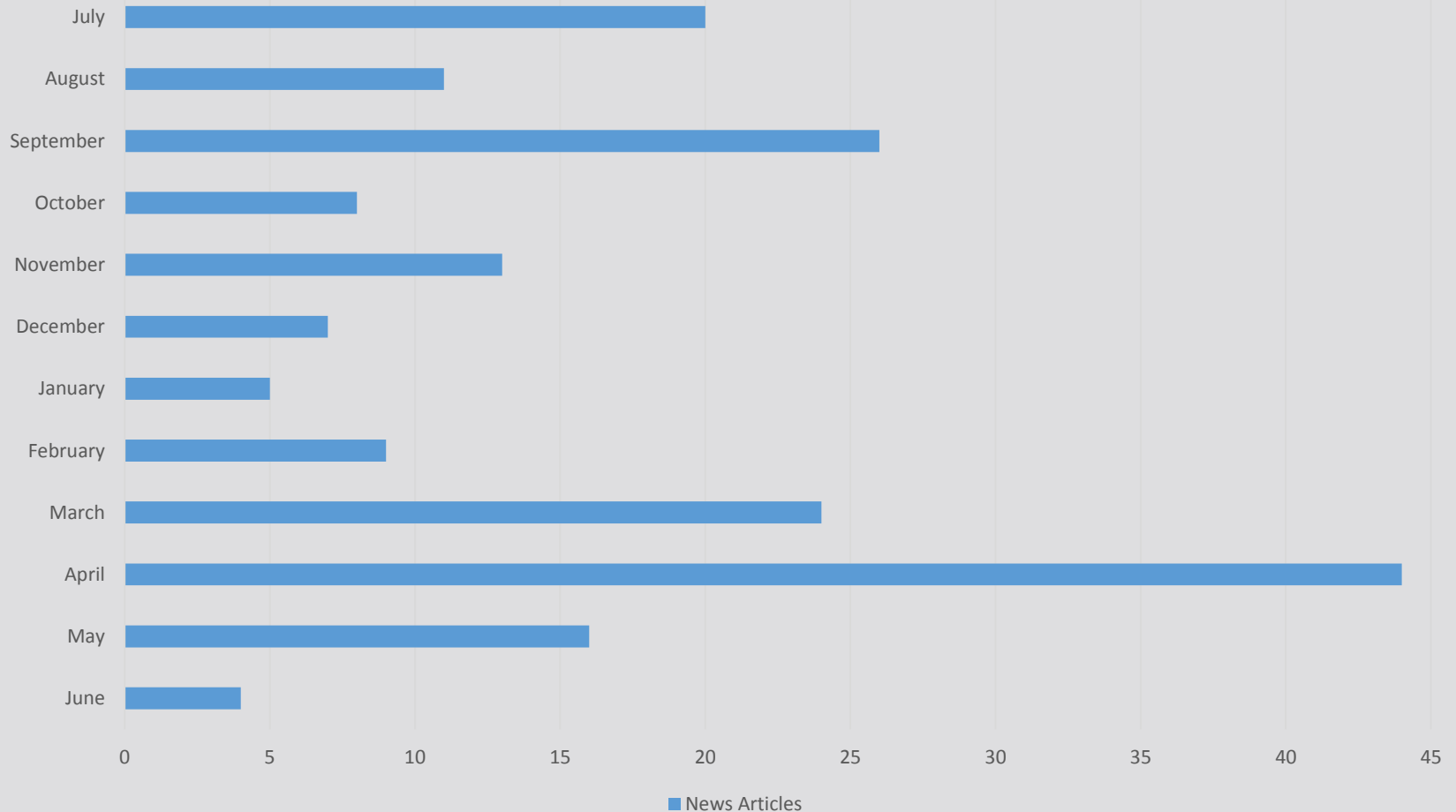


SBE Video Activity



News Coverage

(# of SBE article mentions)



Community Forums



- **9/11/2013: Yakima**
 - ✦ 1 Superintendent, 1 Legislator
 - ✦ Charter schools, graduation requirements
- **11/14/2013: Vancouver**
 - ✦ 4 School Board Members, 2 District/School Staff
 - ✦ Graduation requirements
- **3/5/2014: Renton**
 - ✦ 2 Superintendents, 4 School Board Members (2 Student Members)
 - ✦ Graduation requirements, charter schools
- **5/7/2014: Kennewick**
 - ✦ 1 Superintendent, 1 Legislator
 - ✦ Professional development, NCLB waiver, TPEP
- **7/9/2014: Spokane**
 - ✦ 1 Superintendent, 1 Legislator, 1 School Board Member, 2 Advocates, 6 Parents, 1 Student
 - ✦ Special education, graduation requirements



Key Stakeholder Survey Data



- Interviews: Superintendents (ESD and District), Legislators and Staff, Media, and other Education Organization Staff
- Opinions of the Board were generally positive:
 - ✦ Many perceive the Board is now more active, thoughtful and willing to engage stakeholders.
 - ✦ Improved communications and engagement efforts have had a positive impact on opinions.
 - ✦ As a rule, stakeholders who have frequent contact with and access to board members have more favorable opinions.



Improving Communication & Engagement



- Several suggestions to improve communication were similar among all groups:
 - ✦ Identify and promote the Board's media and public information contact(s).
 - ✦ Identify content experts for specific issues.
 - ✦ Make board members, especially the Chair, available for informal discussions and input.
 - ✦ When citing examples and case studies to support policy change, include districts from both eastern and western Washington.
 - ✦ Create summaries or FAQs for issues with links to additional detail.



Sources of Information



- Stakeholders use a variety of sources to get information about SBE:
 - ✦ ListServ emails and news releases are most frequently mentioned.
 - ✦ Personal contact with board members and staff is very effective and influential.
 - This includes attend board and ESD meetings and informal conversations with staff and board members in Olympia and throughout the state.
 - ✦ Twitter and the Board's website are other key sources.



Recommendations by Specific Groups



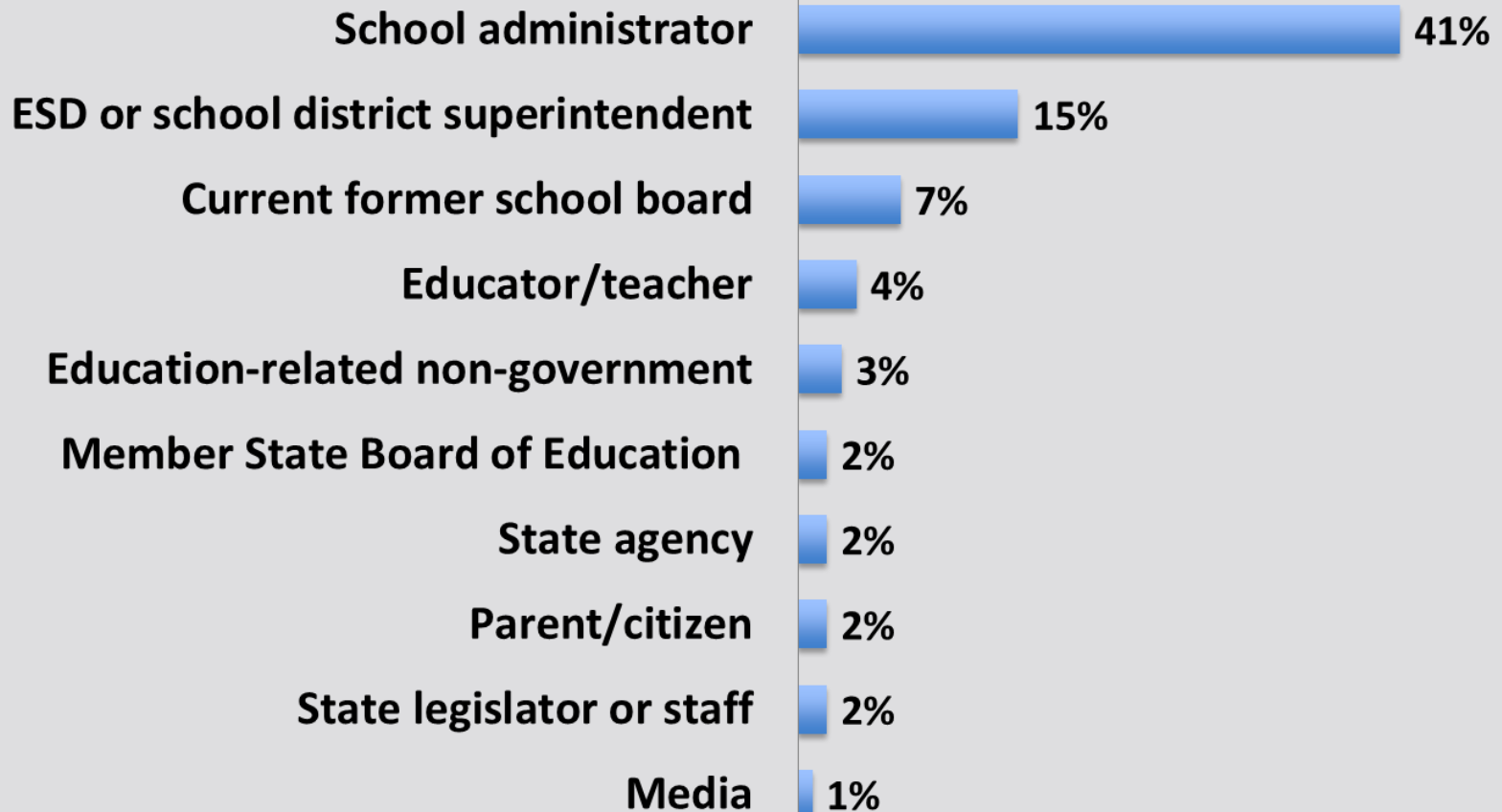
- ✦ Media: Be proactive. Periodically call reporters to share insights and background. Include a local angle for each story. Send meeting notices at least one week in advance. Contact the media if the Board is meeting nearby.
- ✦ Educators: Increase outreach and engagement to practitioners. Create opportunities for dialogue to help frame policy. Visit schools and classrooms to gain perspective.
- ✦ Olympia Insiders: Increase personal engagement. Create staff-to-staff relationships.
- ✦ Legislature: More Board involvement with committees and presentations.



Online Survey: Participants



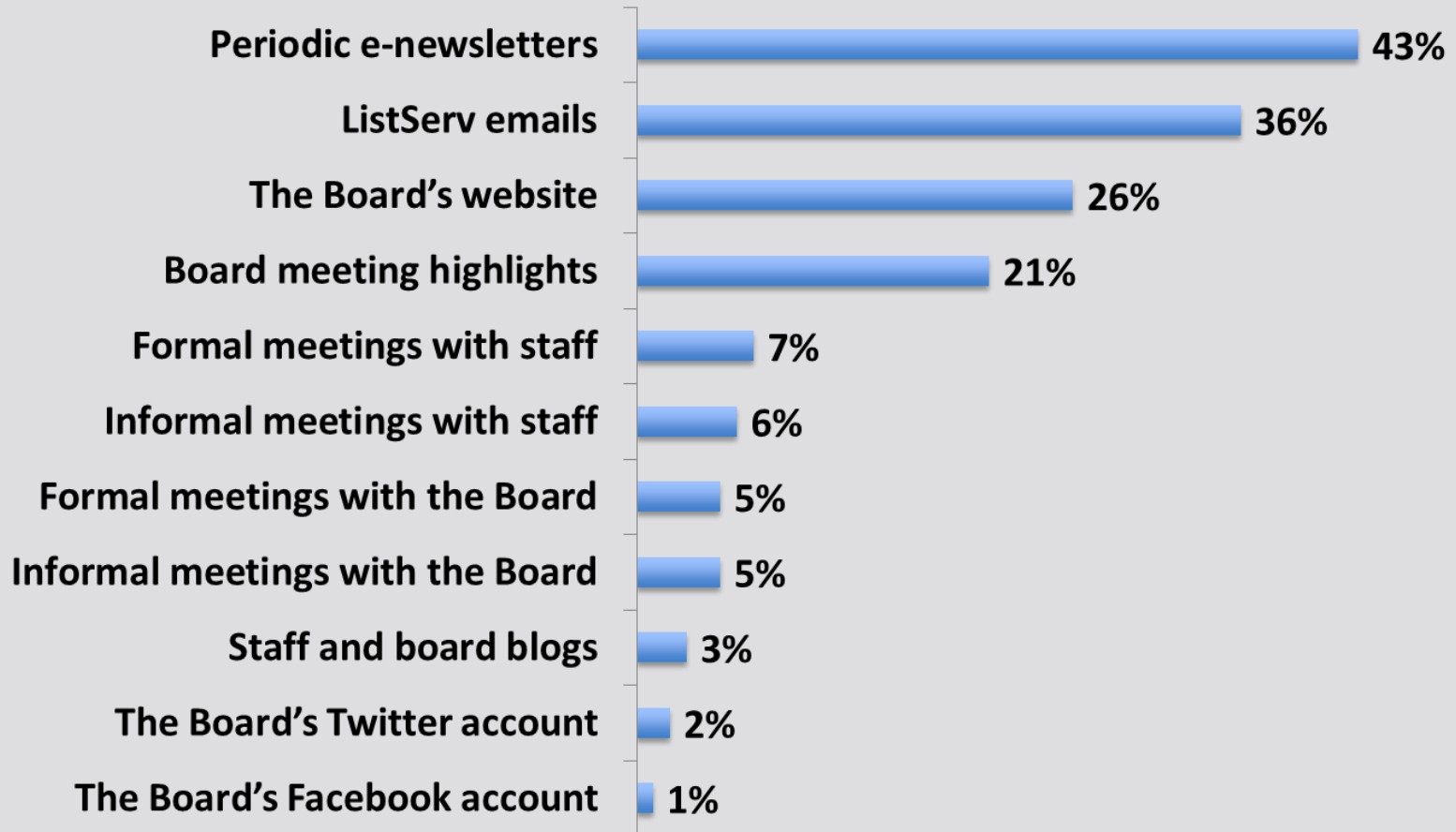
- Which best describes your position?



Online Survey: Sources of Info



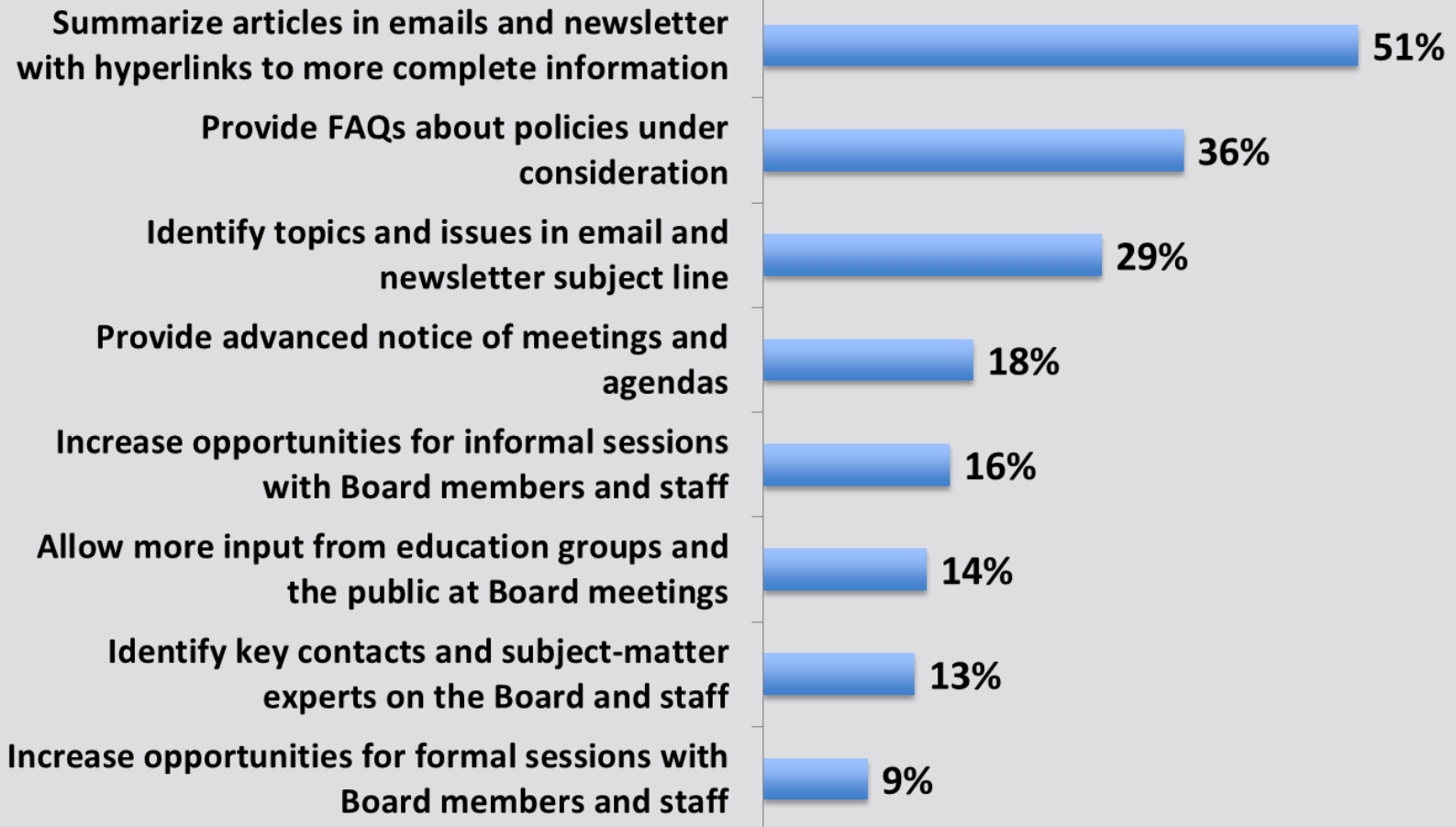
- How do you currently get information about SBE?



Online Survey: Improving Communication



- **How can SBE improve communication with you?**



Board Meeting Statistics



Summary of Board Member Terms



Board Member Term Summary

Name	Position Type	Position #	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Cindy McMullen	Elected	Region #1													
Daniel Plung	Elected	Region #2													
Kevin Lavery	Elected	Region #3													
Bob Hughes	Elected	Region #4													
Peter Maier	Elected	Region #5													
Deborah Wilds	Appointed	Position #1													
Tre' Maxie	Appointed	Position #2													
Connie Fletcher	Appointed	Position #3													
Holly Koon	Appointed	Position #4													
Isabel Munoz-Colon	Appointed	Position #5													
Kristina Mayer	Appointed	Position #6													
Jeff Estes	Appointed	Position #7													
Judy Jennings	Private Schools														
Randy Dorn	Superintendent														
Mara Childs	Student														
Madaleine Osmun	Student														

Grandfathered term or part of initial staggered term

 Finished someone else's term

 1st term

 2nd term

- 1 – Before being elected, Peter Maier finished the term vacated first by Warren Smith and then Tre' Maxie
- 2 – Before being appointed, Tre' Maxie occupied the elected region #5 position vacated by Warren Smith
- 3 – Before being appointed, Connie Fletcher finished the elected region #3 position vacated by Steve Floyd
- 4 – Connie Fletcher is finishing the term vacated by Eric Liu
- 5 – Before being reappointed, Isabel Munoz-Colon finished the term vacated by Sheila Fox
- 6 – Judy Jennings is finishing the term vacated by Jack Schuster

Notes:

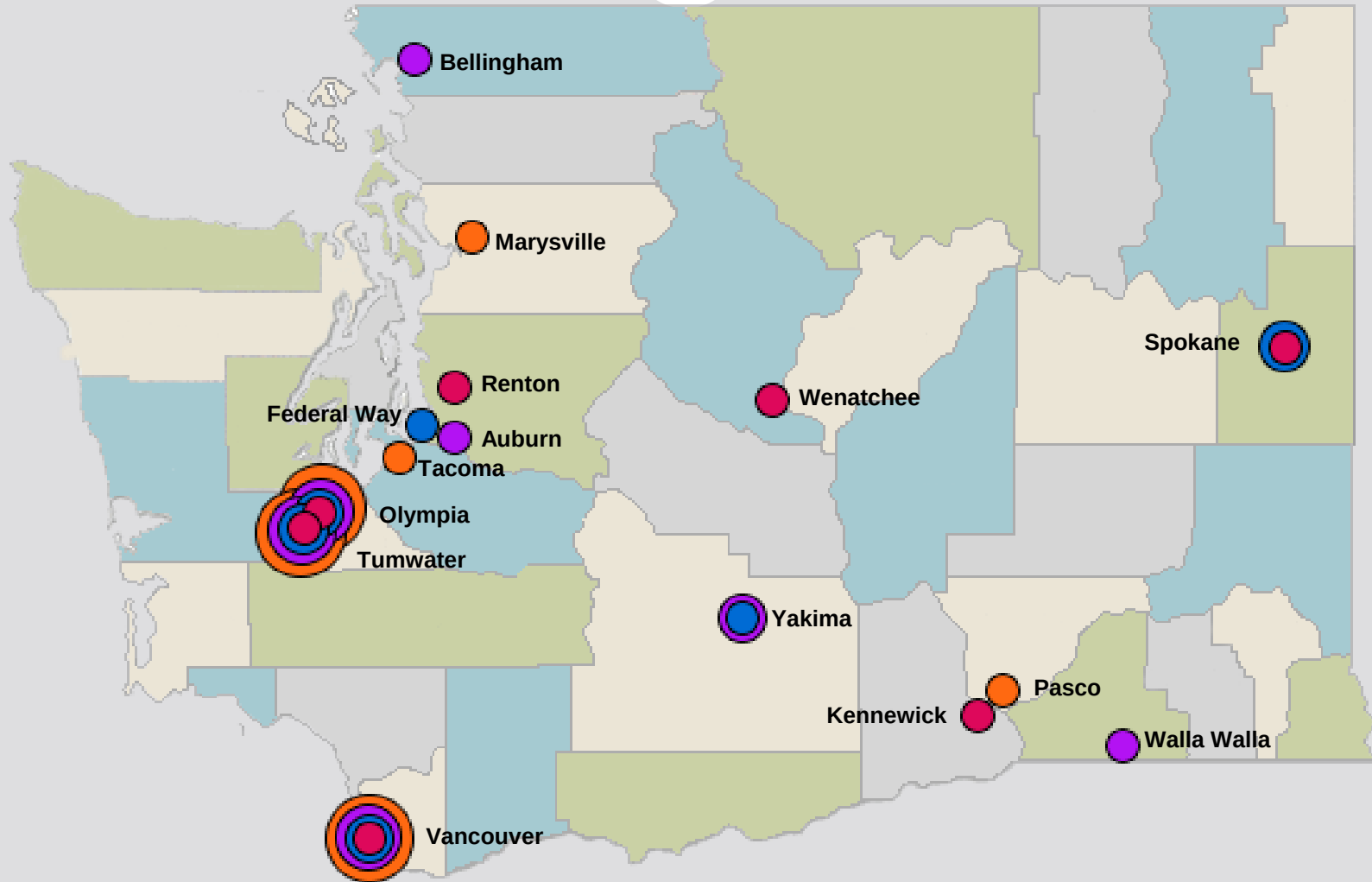
- After Kris, Bob and Connie are the longest- serving members.
- Kris is termed-out in January.
- Connie's term is up in January, but she is eligible for re-appointment.
- Judy, Kevin, & Cindy have their terms come up next January (2016). All three are eligible to run again or be appointed again, as the case may be.



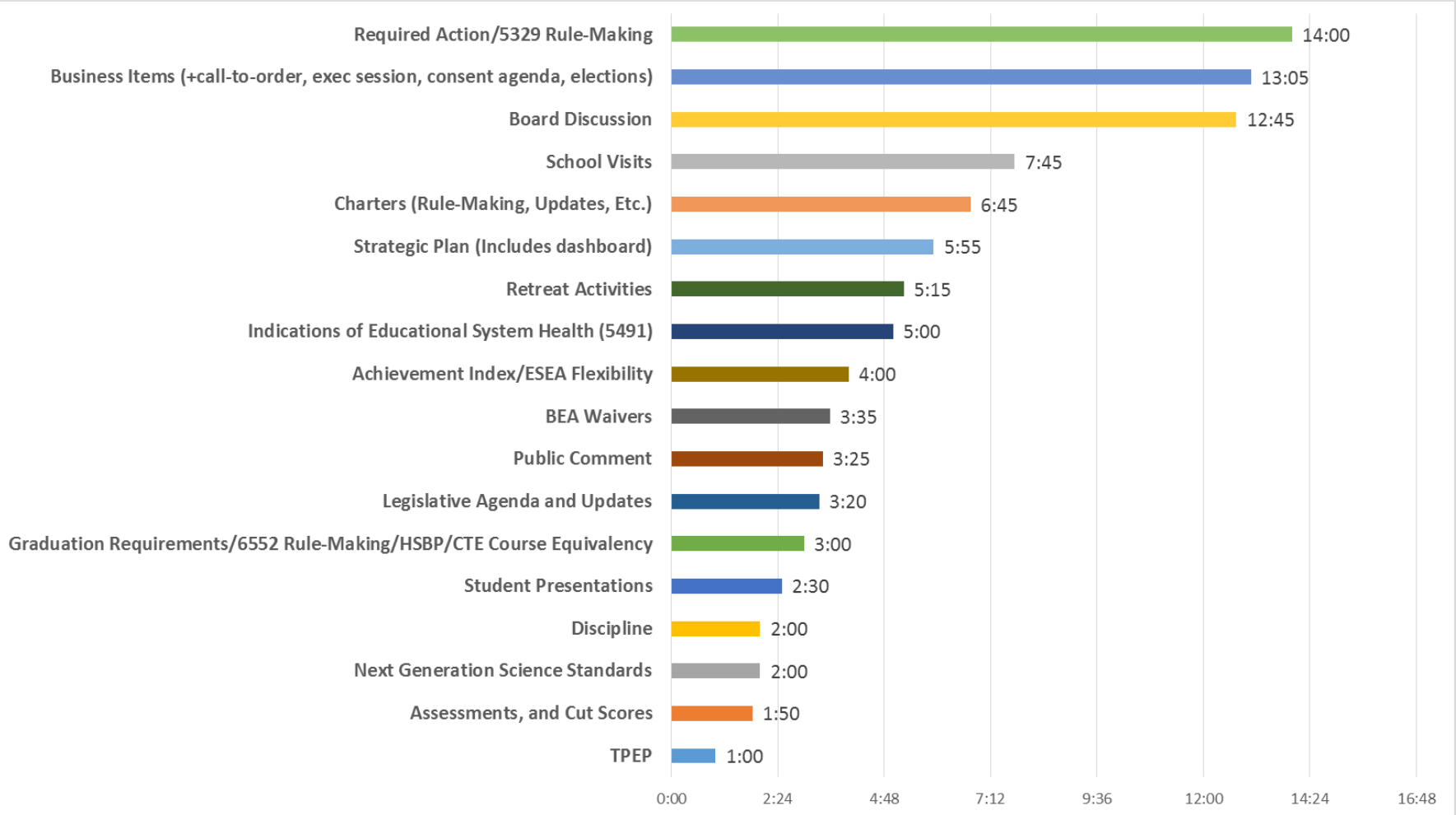
- 2014
- 2013
- 2012
- 2011

Board Meetings

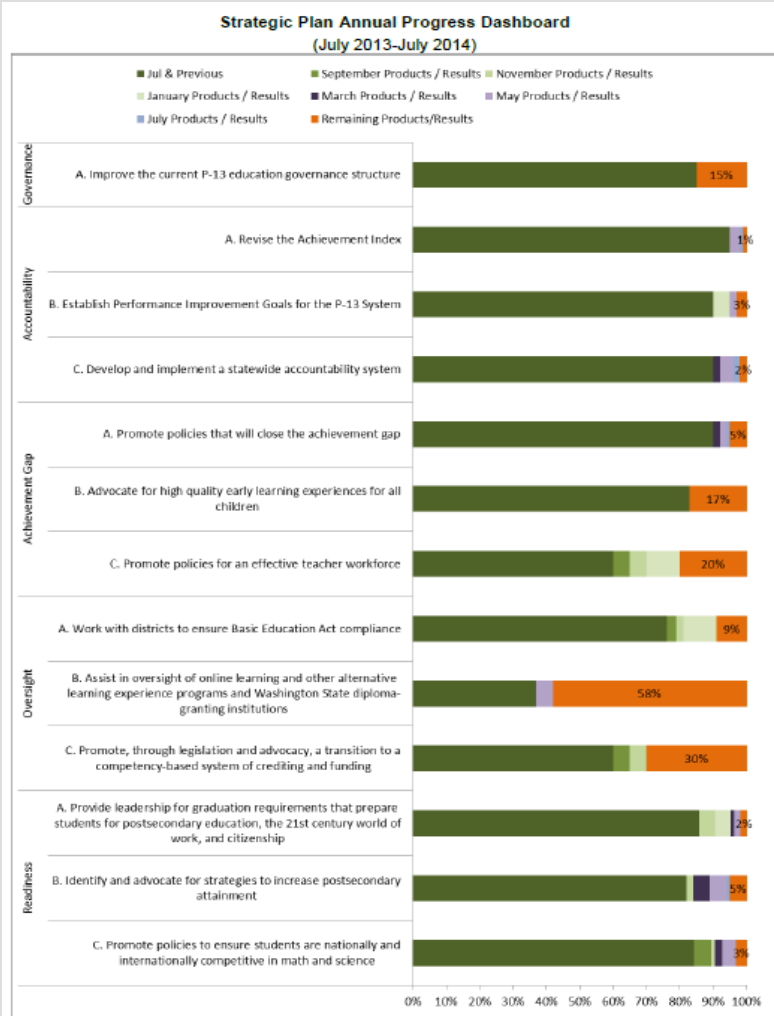
(Where have we been?)



Board Agenda Breakdown (July to July)



Strategic Plan Breakdown (July to July)



- Good conceptual alignment between how we spend our time in meetings, and what our major objectives were/are.
- Areas we did not fully develop/explore:
 1. Oversight of online programs/ALE
 2. Policies for effective teacher workforce
- Issues that developed or emerged
 1. Charter schools
 2. School discipline



Board Norms

(Developed at our last SBE Retreat in Yakima)



- Board meetings will focus on the State Board of Education (SBE) goals as articulated in the Strategic Plan, while recognizing that other matters may also be part of a meeting agenda.
- At board meetings and in all communications with the public and staff, SBE members will maintain the dignity and integrity appropriate to an effective public body.
- Every board member should play a meaningful role in the Board's overall deliberations. Each member expects of others a commitment to the work of the SBE and will endeavor to understand the views of other members and to engage in civil discussion. The Board embraces a healthy debate on policy issues.
- The principal purpose of Board meetings is to discuss policies that help all students to succeed, and to graduate from high school college and/or career-ready. Agendas, presentations, and discussions for each board meeting should reflect this overarching purpose.
- Board meetings should include the following procedures:
 - Board meetings should start on time and end on time.
 - Meeting materials should be made available one week in advance (see Bylaw Article V section 2) and should be of high quality.
 - Board members are expected to consistently attend and prepare for Board meetings and to review the materials in advance of the meeting (see Bylaw Article III, section 2).
 - Each staff presentation should begin by clarifying the purpose of the presentation and the decision to be made or issue to be considered.
 - Board members should hold their questions (except for brief clarifying questions) until the end of each presentation, or until the presenter offers a designated "pause" for questions.
 - Each Board member expects of others a commitment to speak with purpose during each discussion. The Board Chair – or his/her designee – will provide leadership to ensure that the discussions and deliberations are leading to a focused outcome.
 - Board meetings should be a forum for Board discussion. Staff and guest presentations should be structured to facilitate this discussion, not supplant it.
- When considering policy proposals, each Board member expects of others an opportunity for advance review. The Board agrees to a "no surprises" mode of operation – all significant proposals should be sent in advance of the meeting (preferably before Board packets are sent) to the Chair and Executive Director for their consideration in constructing the agenda and materials for the meeting.
- Board members may submit proposed agenda items to the Chair or Executive Director (see Bylaw Article V, section 2) for consideration by the Executive Committee. The Executive Committee will respond to member proposals, as appropriate, in a timely fashion.
- Although the SBE is composed of appointed and elected members, Board members strive for commonality and unity of purpose through their deliberations.
- Board members will maintain the confidentiality of executive sessions.
- Members of the SBE should support board decisions and policies when providing information to the public. This does not preclude board members from expressing their personal views. The executive director or a board designee will be the spokesperson for the board to the media (same as Bylaw Article III, section 3).



Board Norms – A Look Back



- How are we doing? Issues to think about:
 - ✦ Getting every member involved
 - ✦ SBE Strategic Plan Dashboard Procedures
 - ✦ Packet materials – explore online tools
 - ✦ Use of emails
 - ✦ ‘Putting our best public foot forward’
 - ✦ Each board member on equal footing

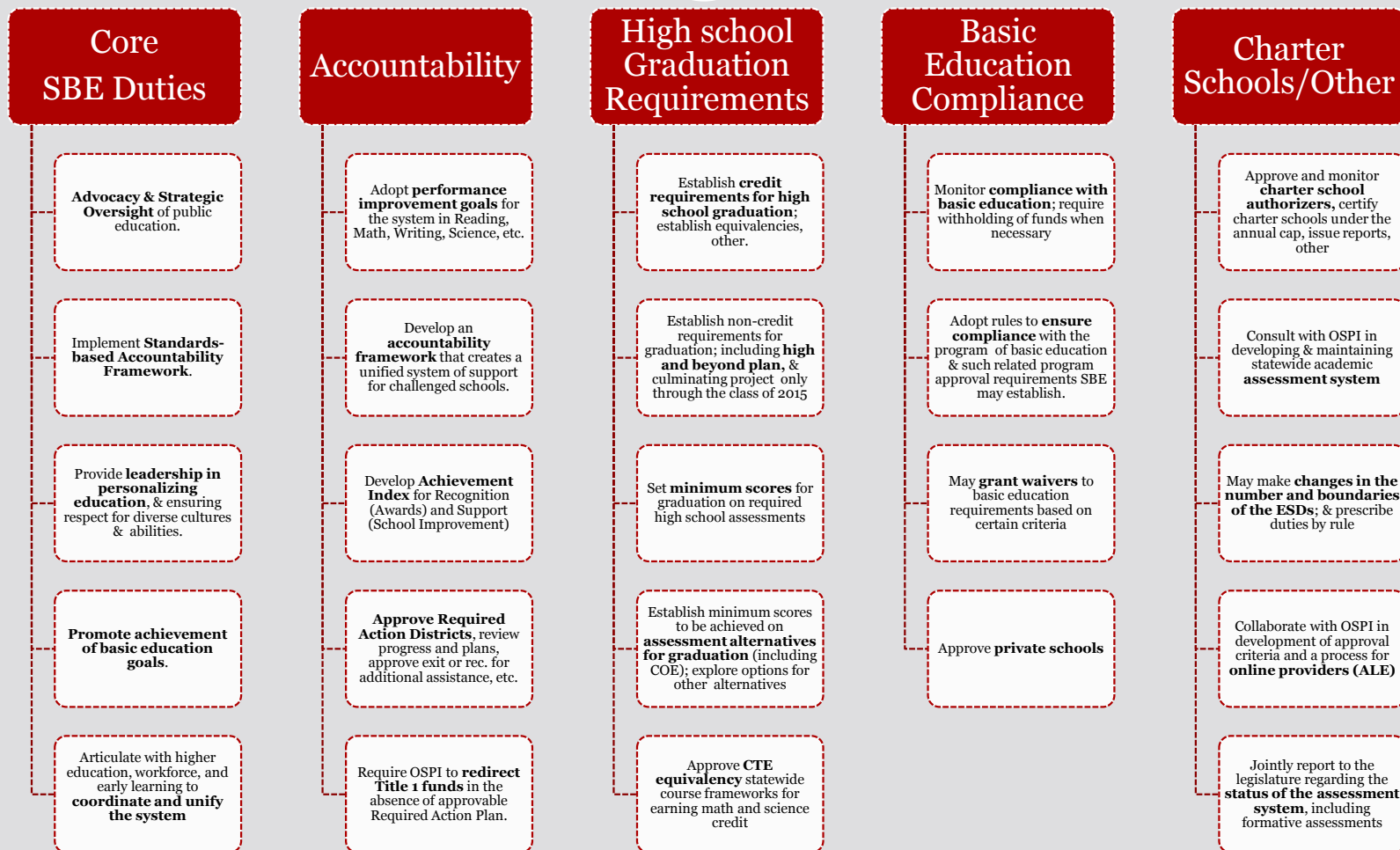


Statutory Authority & WAC Review



Statutory Authority of SBE

Conceptual Overview



Core Powers and Duties



- Provide advocacy and strategic oversight of public education
- Implement a standards-based accountability framework that creates a unified system of increasing levels of support of schools in order to improve student academic achievement
- Provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles
- Promote achievement of the goals of basic education (RCW 28A.150.210)



Accountability



- Adopt and revise performance improvement goals in reading, writing, science, and math; academic and technical skills, as appropriate; and attendance as needed to improve student learning.
- Identify scores on assessments to meet standard and graduate.
- Adopt an accountability framework that creates a unified system of support for challenged schools and uses data for decision.
- Approve or recommend modification of the OSPI system for recognizing, provided differentiates support and targeted assistance, and intervention, based on the SBE framework.
- Work with ERDC to explore using the prototypical funding allocation model as a tool for how schools and school districts report on how resources are being used.
- Establish a process for identifying realistic by challenging system-wide performance goals and measurements.



Achievement Index



- Develop a Washington Achievement Index to identify schools and school districts for recognition, continuous improvement, and additional state support, using multiple measures of outcomes.
- Annually recognize schools for exemplary performance.
- Seek approval from USED for use of the Achievement Index to replace federal accountability system.



Required Action Plans



- Approval and rejection of required action plans based on requirements in 28A.657.050.
- Assign schools to level two of the required action process if one or more schools have remained persistently lowest-achieving for more than three years and have not demonstrated significant improvement towards exiting that status.
- Release districts from required action status once requirements have been met and recommended by OSPI.
- Direct OSPI to redirect district's Title I funds based on audit findings if no final required action plan is submitted or approved.



Graduation Requirements



- Establish high school graduation requirements and equivalencies
- Grant extension for districts to implement 24 credits for one or two years



Basic Education Compliance



- Adopt rules to implement and ensure compliance with the program requirements of basic education and such related supplemental program approval requirements as the Board may establish
- Grant waiver from length of school year, student teacher ratios, and other administrative rules for educational restructuring
- Grant waivers from basic education requirements for the purposes of:
 - ✦ Innovation
 - ✦ Enhancing the educational program for each student
 - ✦ Implement collaborative schools for innovation and success pilot

(Waivers may be granted from RCW 28A.150.200 through 220. This includes transportation, basic education goals, instructional day requirements, instructional hour requirements, graduation requirements, etc.)

- Grant waivers from one-hundred eight day school year requirement to allow schools to operate on a flexible calendar for the purposes of economy and efficiency
- If a school district's basic education program fails to meet the basic education requirements enumerated in RCW [28A.150.260](#) and [28A.150.220](#), the state board of education shall require the superintendent of public instruction to withhold state funds in whole or in part for the basic education allocation until program compliance is assured. However, the state board of education may waive this requirement in the event of substantial lack of classroom space.



Private schools



- Approve and accredit private schools
- Approve online private schools



Charter Schools



- Approve district authorizers of charter schools.
- Oversee the performance and effectiveness of district charter authorizers.
- Certify charter school approval and manage lottery process in the event that the annual limit on schools is exceeded.
- Establish timelines for authorizer and school application and approval processes
- Submit annual report on charter school performance to the Legislature.
- Submit recommendation on lifting cap on number of charter schools, after schools have been operating for five years.
- Establish authorizer fee.



Standards and Assessments



- Approve the guidelines, protocol, and scoring criteria submitted by OSPI for collections of evidence.
- Examine opportunities for additional alternative assessments.
- Identify the scores students must achieve on the SAT or ACT as an alternative assessment to meet the standards for the certificate of academic achievement.



Miscellaneous



- Collaborate with OSPI on develop criteria and approve multidistrict online providers
- Grant waivers for districts under 2,000 students from the requirement to offer at least one math or science course equivalency.
- Redraw boundaries of ESDs and change number of ESDs.
- Certify audiologist and speech pathologist educational staff associates.
- Adopt rules defining “verbal abuse, physical abuses, and sexual misconduct” to apply to all classified and certificated employees.
- Provide a fiscal impact statement on proposed rules (only state agency required to do so).
- The state board of education shall promulgate rules and regulations for the enforcement of RCW [28A.195.010](#) through [28A.195.040](#), [28A.225.010](#), and [28A.305.130](#), including a provision which denies approval to any school engaging in a policy of racial segregation or discrimination.



Former Authorities



- School facilities
- Teacher and personnel standards



Reviewing SBE WACs

(Washington Administrative Code)



- Purpose: SBE is obligated to review its WACs every 3 years for the purpose of eliminating antiquated rules, and refreshing relevant rules to conform with changing laws.

WAC 180-08-015

Scheduled review of state board rules.

The state board of education shall review all board rules not less than every three years.

[Statutory Authority: RCW [34.05.220](#). WSR 99-10-092, § 180-08-015, filed 5/4/99, effective 6/4/99.]



What Is Covered in SBE Rules, Title 180 WAC?



Chapter

- 180-08 Practice, procedure and access to public records.
- 180-16 State support of public schools.
- 180-17 Accountability.
- 180-18 Waivers for restructuring purposes.
- 180-19 Charter schools.
- 180-22 Educational Service Districts.
- 180-38 Private school immunization requirement.
- 180-44 Teachers' responsibilities.



What Is Covered in SBE Rules, Title 180 WAC?



Chapter

- 180-51 High school graduation requirements.
- 180-52 Tests for students receiving home-based instruction.
- 180-55 Private school accreditation.
- 180-72 Adult education.
- 180-90 Private schools.
- 180-96 General educational development (GED) test.
- 180-105 Performance improvement goals.



Recent Rule-Making Activity



Over the last three years the SBE has filed nine sets of new or amended WACs:

WAC(s)	Filing Date	Subject
180-16-200, 180-51-068, and others	8/22/2014	Rules to implement E2SHB 6552: Instructional hours, high school graduation requirements, other provisions.
180-17-060 180-17-070	5/18/2014	Level II Required Action.
180-19-220 – 180-19-260	3/25/2014	Oversight of district authorizers of charter schools.
180-19-210	12/26/2013	Annual reports by charter authorizers.



Recent Rule-Making Activity



WAC(s)	Filing Date	Subject
180-19-060 – 180-19-090	6/1/2013	Charter authorizer oversight fee, timelines for charter applications and RFPs, certification of approved charters.
180-19-010 – 180-19-050	3/19/2013	Charter definitions, district authorizer application, evaluation and approval processes, authorizing contract.
180-18-040 180-180-050 180-18-065	11/30/2012	BEA waivers: “Option One” waivers, parent-teacher conference waivers, economy and efficiency waivers.
180-51-067	1/13/2012	High school graduation requirements.
180-51-050	1/11/2012	“Seat-time”-based definition of high school credit, proficiency/competency-based credits.



Case Review #1: W.A.C. 180-44-010

“Teachers are required to make daily preparation for their duties” (1965)



28A.04.120(6) and 28A.58.101—Responsibilities related to instruction.

(1) It shall be the responsibility of the teacher to follow the prescribed courses of study and to enforce the rules and regulations of the school district, the state superintendent of public instruction and the state board of education, maintaining and rendering the appropriate records and reports.

(2) Teachers shall have the right, and it shall be their duty, to direct and control within reasonable limits the studies of their pupils, taking into consideration individual differences among pupils: Provided, That all pupils shall receive instruction in such prescribed courses of study as are required by law and regulations.

(3) Teachers shall be responsible for the evaluation of each pupil's educational growth and development and for making periodic reports to parents or guardian and to the designated school administrator.

(4) Teachers are required to make daily preparation for their duties, preparation to include attendance at teachers' meetings and such other professional work contributing to efficient school service as may be required by the principal, superintendent or board of directors.

[Order 7-77, § 180-44-010, filed 6/1/77; SBE 44-4-20, filed 3/29/65, effective 4/29/65.]



Case Review #2: W.A.C. 180-44-020 & 040

“Teachers shall maintain good order... give careful attention to the maintenance of a healthful atmosphere.” (1965)



180-44-020

Regulatory provisions relating to RCW

28A.04.120(6) and 28A.58.101—Responsibilities related to discipline of pupils.

(1) Teachers shall maintain good order and discipline in their classrooms at all times, and any neglect of this requirement shall constitute sufficient cause for dismissal.

[Order 7-77, § 180-44-020, filed 6/1/77; SBE 44-4-21, filed 3/29/65, effective 4/29/65.]

180-44-040

Regulatory provisions relating to RCW

28A.04.120(6) and 28A.58.101—Classroom—Physical environment.

Every teacher shall give careful attention to the maintenance of a healthful atmosphere in the classroom, reporting to the principal or his designated representative any shortcomings in lighting, heating or ventilation.

[SBE 44-4-23, filed 3/29/65, effective 4/29/65.]



Case Review #3: W.A.C.

“Each school district board of directors shall... adopt district-wide performance goals using the federal requirements...”



- Consideration of impact on NCLB and lost ESEA waiver on statewide goals-setting.
- Clean up antiquated reference to WASL

WAC 180-105-020

Agency filings affecting this section

Reading and mathematics.

(1) Each school district board of directors shall by December 15, 2003:

(a) Adopt district-wide performance improvement goals using the federal requirements to determine the increase in the percentage of students who meet or exceed the standard on the Washington assessment of student learning for reading and mathematics in grades four, seven, and ten; and

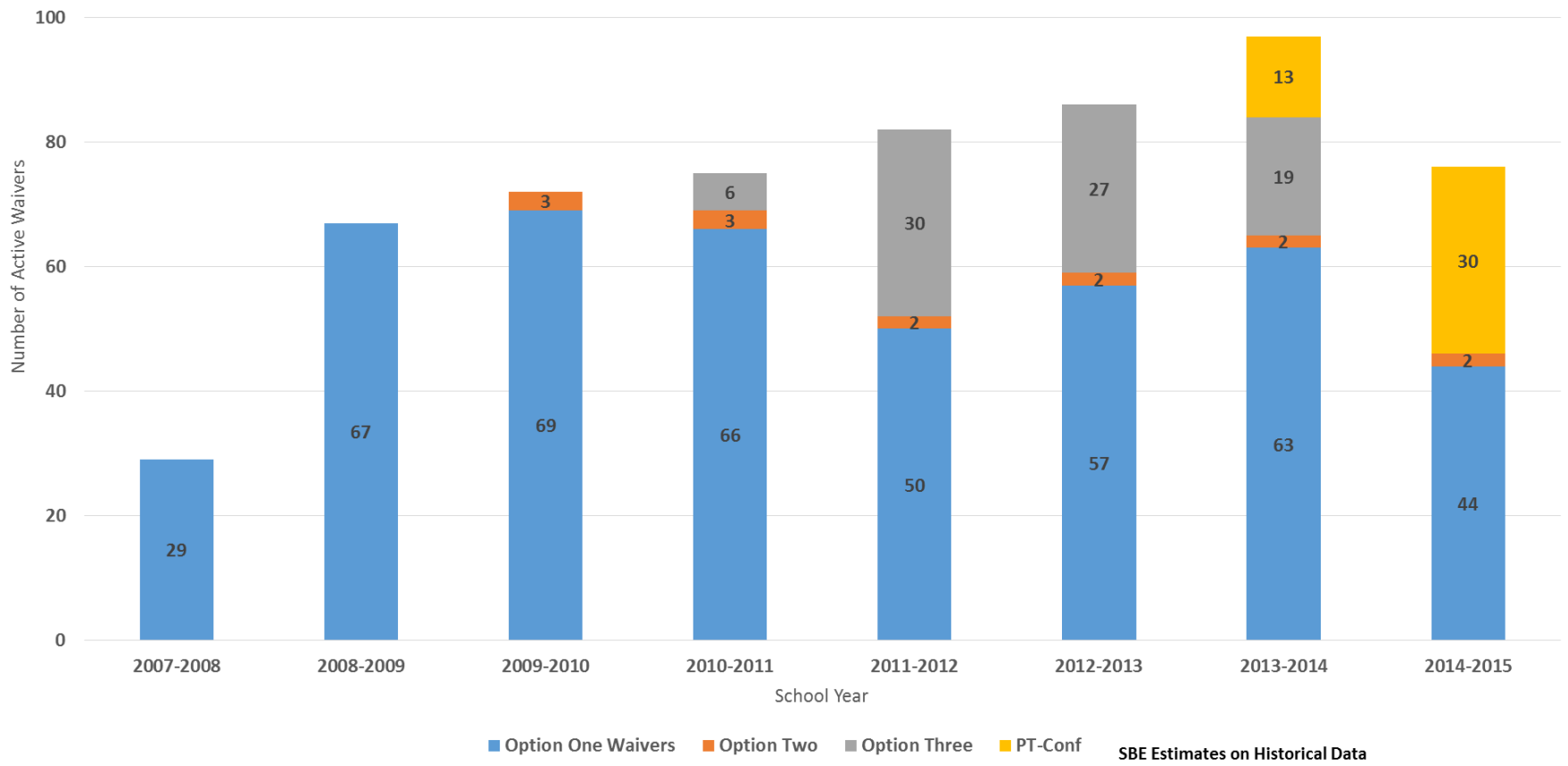
(b) Direct each school in the district that administers the Washington assessment of student learning for grade four, seven, or ten to adopt performance improvement goals using the federal requirements to determine the increase in the percentage of students meeting the standard for its fourth, seventh, or tenth grade students in reading and mathematics.

(2) School districts and schools shall establish separate district-wide and school reading and mathematics improvement goals using the federal requirements to determine the increase in requirements under subsection (1) of this section for each of the following groups of students:

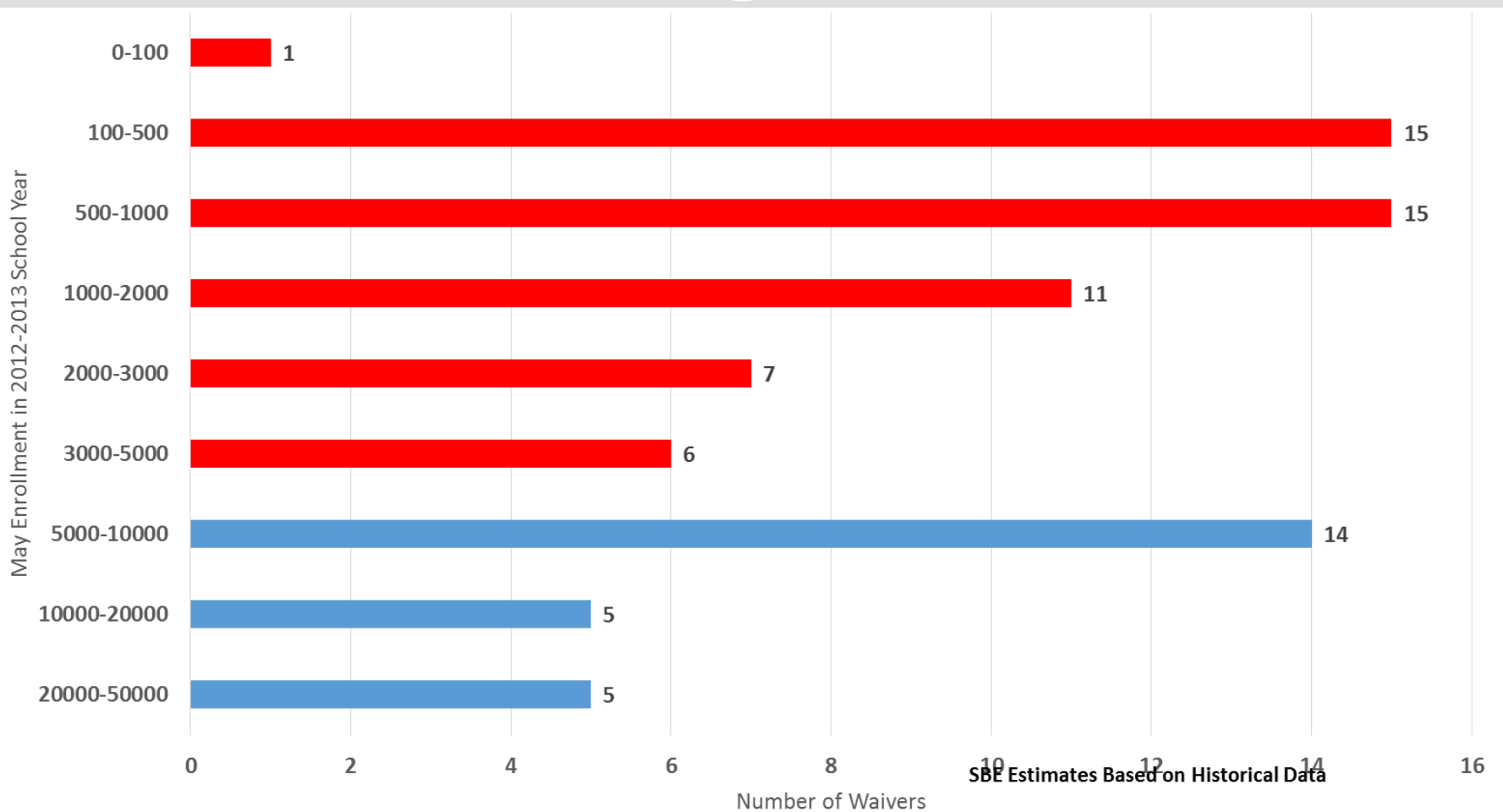
Data on BEA Compliance Waivers



Number of Active Waivers Over Time



Number of Districts with BEA Waivers by Size Grouping 2012-2013



Results!



Time Well Spent – Results!



State Board of Education Select Accomplishments



2008

- Required third credit of math
- Developed Core 24 graduation requirements framework

2009

- New definition of Basic Education adopted (HB 2261)
- Developed Achievement Index and held first Washington Achievement Awards
- Adopted math and science standards



2010

- Established Required Action school and district accountability process (SB 6696)
- Completed high school transcript study

2011

- Required additional credit of English and a half credit of social studies
- Established competency-based credits and outcomes-based accountability

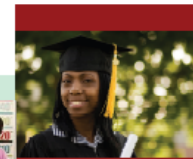
2012

- Developed online Achievement Index dashboard
- Convened the Achievement and Accountability Workgroup for input on accountability framework



2013

- Statewide Accountability System (SB 5329)
- Revised Achievement Index to include student growth
- Approved first charter school authorizer (Spokane)



2014

- 24 credit career and college-ready diploma (SB 6552)
- Statewide CTE course equivalency models (SB 6552)
- Index incorporated into unified accountability system



TIER	INDEX RANGE
Exemplary	5.50-7.00
Very Good	5.00-5.49
Good	4.00-4.99
Fair	2.50-3.99
Struggling	1.00-2.49





Statutory Authority of the State Board of Education

*Comprehensive List of All Statutory References
to SBE, including Powers & Duties.*

ESSENTIAL STATUTES

SUMMARY: THE SBE ASSUMED THE RESPONSIBILITIES OF THE A+ COMMISSION WHEN IT WAS RECONSTITUTED.

RCW 28A.305.901

Transfer of powers and duties -- Academic achievement and accountability commission.

(1) The academic achievement and accountability commission is hereby abolished and its powers, duties, and functions are hereby transferred to the state board of education. All references to the director or the academic achievement and accountability commission in the Revised Code of Washington shall be construed to mean the director or the state board of education.

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SUMMARY: THIS STATUTE LAYS OUT THE GENERAL PURPOSE AND AUTHORITY FOR SBE. HIGHLIGHTS INCLUDE: PROVIDE 'STRATEGIC OVERSIGHT' OF PUBLIC EDUCATION, IMPLEMENT A STANDARDS-BASED ACCOUNTABILITY FRAMEWORK, PROVIDE LEADERSHIP IN PERSONALIZING EDUCATION, AND PROMOTE ACHIEVEMENT OF BASIC EDUCATION GOALS. ADOPT PERFORMANCE GOALS, IDENTIFY CUT SCORES FOR TESTS REQUIRED FOR GRADUATION, ACCREDIT PRIVATE SCHOOLS, ANNUALLY REVIEW THE ASSESSMENT REPORTING SYSTEM, AND ARTICULATE WITH EARLY LEARNING AND HIGHER EDUCATION TO PROMOTE SEAMLESSNESS.

RCW 28A.305.130

Powers and duties -- Purpose.

The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210. In addition to any other powers and duties as provided by law, the state board of education shall:

- (1) Hold regularly scheduled meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business;
- (2) Form committees as necessary to effectively and efficiently conduct the work of the board;
- (3) Seek advice from the public and interested parties regarding the work of the board;

(4) For purposes of statewide accountability:

(a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning. The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090(7) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students from disproportionately academically underachieving racial and ethnic backgrounds. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board 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;

(b)(i) Identify the scores students must achieve in order to meet the standard on the statewide student assessment and, for high school students, to obtain a certificate of academic achievement. The board shall also determine student scores that identify levels of student performance below and beyond the standard. The board shall consider the incorporation of the standard error of measurement into the decision regarding the award of the certificates. The board 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.

(ii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the tenth grade English language arts assessment and the end-of-course mathematics assessments developed in accordance with RCW 28A.655.070 to be used as the state transitions to high school assessments developed with a multistate consortium.

(iii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the high school English language arts assessment and the comprehensive mathematics assessment developed with a multistate consortium in accordance with RCW 28A.655.070. To determine the appropriate score, the state board shall review the transition experience of Washington students to the consortium-developed assessments, examine the student scores used in other states that are administering the consortium-developed assessments, and review the scores in other states that require passage of an eleventh grade assessment as a high school graduation requirement. The scores established by the state board of education for the purposes of earning a certificate of academic achievement and graduation from high school may be different from the scores used for the purpose of determining a student's career and college readiness.

(iv) The legislature shall be advised of the initial performance standards for the high school statewide student assessment. Any changes recommended by the board in the performance standards for the high school assessment shall be presented to the education committees of the house of representatives and the senate by November 30th of the school year in which the changes will take place to permit the legislature to take statutory action before the changes are implemented if such action is deemed warranted by the legislature. The legislature shall be advised of the initial performance standards and any changes made to the elementary level performance standards and the middle school level performance standards. The board must provide an explanation of and rationale for all initial performance standards and any changes, for all grade levels of the statewide student assessment. If the board changes the performance standards for any grade level or subject, the superintendent of public instruction must recalculate the results from the previous ten years of administering that assessment regarding students below, meeting, and beyond the state standard, to the extent that this data is available, and post a comparison of the original and recalculated results on the superintendent's web site;

(c) 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; and

(d) Include in the biennial report required under RCW 28A.305.035, information on the progress that has been made in achieving goals adopted by the board;

(5) Accredited, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.195.010, private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

(6) Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system;

(7) Hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes. Any other personnel of the board shall be appointed as provided by RCW 28A.300.020. The board may delegate to the executive director by resolution such duties as deemed necessary to efficiently carry on the business of the board including, but not limited to, the authority to employ necessary personnel and the authority to enter into, amend, and terminate contracts on behalf of the board. The executive director, administrative assistant, and all but one of the other personnel of the board are exempt from civil service, together with other staff as now or hereafter designated as exempt in accordance with chapter 41.06 RCW; and

(8) Adopt a seal that shall be kept in the office of the superintendent of public instruction.

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SUMMARY: THIS STATUTE LAYS OUT SBE'S MEMBERSHIP AND TERMS

RCW 28A.305.011

Board membership -- Terms -- Compensation.

(1) The membership of the **state board of education** shall be composed of sixteen members who are residents of the state of Washington:

(a) Seven shall be members representing the educational system, as follows:

(i) Five members elected by school district directors. Three of the members elected by school district directors shall be residents of western Washington and two members shall be residents of eastern Washington;

(ii) One member elected at-large by the members of the boards of directors of all private schools in the state meeting the requirements of RCW 28A.195.010; and

(iii) The superintendent of public instruction;

(b) Seven members appointed by the governor; and

(c) Two students selected in a manner determined by the **state board of education**.

(2) Initial appointments shall be for terms from one to four years in length, with the terms expiring on the second Monday of January of the applicable year. As the terms of the first appointees expire or vacancies on the board occur, the governor shall appoint or reappoint members of the board to complete the initial terms or to four-year terms, as appropriate.

(a) Appointees of the governor must be individuals who have demonstrated interest in public schools and are supportive of educational improvement, have a positive record of service, and who will devote sufficient time to the responsibilities of the board.

(b) In appointing board members, the governor shall consider the diversity of the population of the state.

(c) All appointments to the board made by the governor are subject to confirmation by the senate.

(d) No person may serve as a member of the board, except the superintendent of public instruction, for more than two consecutive full four-year terms.

(3) The governor may remove an appointed member of the board for neglect of duty, misconduct, malfeasance, or misfeasance in office, or for incompetent or unprofessional conduct as defined in chapter 18.130 RCW. In such a case, the governor shall file with the secretary of state a statement of the causes for and the order of removal from office, and the secretary of state shall send a certified copy of the statement of causes and order of removal to the last known post office address of the member.

(4)(a) The chair of the board shall be elected by a majority vote of the members of the board. The chair of the board shall serve a term of two years, and may be reelected to an additional term. A member of the board may not serve as chair for more than two consecutive terms.

(b) Eight voting members of the board constitute a quorum for the transaction of business.

(c) All members except the student members are voting members.

(5) Members of the board appointed by the governor who are not public employees shall be compensated in accordance with RCW 43.03.250 and shall be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

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SUMMARY: THIS STATUTE LAYS OUT PROCEDURES FOR ELECTING SBE BOARD MEMBERS

RCW 28A.305.021

Election of board members -- Restrictions.

The election of **state board of education** members by school directors and private school board members shall be conducted by the office of the superintendent of public instruction for the members of the state board who begin serving on January 1, 2006, and thereafter.

(1) The superintendent shall adopt rules for the conduct of elections, which shall include, but need not be limited to: The definition of the eastern Washington and western Washington geographic regions of the state for the purpose of determining board member positions; the weighting of votes cast by the number of students in the school director's school district or board member's private school; election and dispute resolution procedures; the process for filling vacancies; and election timelines. The election timeline shall include calling for elections no later than the twenty-fifth of August, and notification of the election results no later than the fifteenth of December.

(2) State board member positions one and two shall be filled by residents of the eastern Washington region and positions three, four, and five shall be filled by residents of the western Washington region.

(3) A school director shall be eligible to vote only for a candidate for each position in the geographic region within which the school director resides.

(4) Initial terms of the individuals elected by the school directors shall be for terms of two to four years in length as follows: Two members, one from eastern Washington and one from western Washington, shall be elected to two-year terms; two members, one from eastern Washington and one from western Washington, shall be elected to four-year terms; and one member from western Washington shall be elected to a three-year term. The term of the private school member shall be two years. All terms shall expire on the second Monday of January of the applicable year.

(5) No person employed in any public or private school, college, university, or other educational institution or any educational service district superintendent's office or in the office of the superintendent of public instruction is eligible for membership on the **state board of education**. No member of a board of directors of a local school district or private school may continue to serve in that capacity after having been elected to the state board.

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HIGH SCHOOL GRADUATION REQUIREMENT STATUTES

SUMMARY: THIS STATUTE LAYS OUT SBE'S RESPONSIBILITIES TO ESTABLISH HIGH SCHOOL GRADUATION REQUIREMENTS OR EQUIVALENCIES FOR STUDENTS. (THIS IS WHERE MUCH OF THE LANGUAGE OF SB 6552 RESIDES).

RCW 28A.230.090

High school graduation requirements or equivalencies -- Reevaluation of graduation requirements -- Review and authorization of proposed changes -- Credit for courses taken before attending high school -- Postsecondary credit equivalencies.

(1) The **state board of education** shall establish high school graduation requirements or equivalencies for students, except as provided in RCW 28A.230.122 and except those equivalencies established by local high schools or school districts under RCW 28A.230.097. The purpose of a high school diploma is to declare that a student is ready for success in postsecondary education, gainful employment, and citizenship, and is equipped with the skills to be a lifelong learner.

(a) Any course in Washington state history and government used to fulfill high school graduation requirements shall consider including information on the culture, history, and government of the American Indian peoples who were the first inhabitants of the state.

(b) The certificate of academic achievement requirements under RCW 28A.655.061 or the certificate of individual achievement requirements under RCW 28A.155.045 are required for

graduation from a public high school but are not the only requirements for graduation.

(c) Any decision on whether a student has met the state board's high school graduation requirements for a high school and beyond plan shall remain at the local level. Effective with the graduating class of 2015, the **state board of education** may not establish a requirement for students to complete a culminating project for graduation.

(d)(i) The **state board of education** shall adopt rules to implement the career and college ready graduation requirement proposal adopted under board resolution on November 10, 2010, and revised on January 9, 2014, to take effect beginning with the graduating class of 2019 or as otherwise provided in this subsection (1)(d). The rules must include authorization for a school district to waive up to two credits for individual students based on unusual circumstances and in accordance with written policies that must be adopted by each board of directors of a school district that grants diplomas. The rules must also provide that the content of the third credit of mathematics and the content of the third credit of science may be chosen by the student based on the student's interests and high school and beyond plan with agreement of the student's parent or guardian or agreement of the school counselor or principal.

(ii) School districts may apply to the **state board of education** for a waiver to implement the career and college ready graduation requirement proposal beginning with the graduating class of 2020 or 2021 instead of the graduating class of 2019. In the application, a school district must describe why the waiver is being requested, the specific impediments preventing timely implementation, and efforts that will be taken to achieve implementation with the graduating class proposed under the waiver. The **state board of education** shall grant a waiver under this subsection (1)(d) to an applying school district at the next subsequent meeting of the board after receiving an application.

(2)(a) In recognition of the statutory authority of the **state board of education** to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

(b) The state board shall reevaluate the graduation requirements for students enrolled in vocationally intensive and rigorous career and technical education programs, particularly those programs that lead to a certificate or credential that is state or nationally recognized. The purpose of the evaluation is to ensure that students enrolled in these programs have sufficient opportunity to earn a certificate of academic achievement, complete the program and earn the program's certificate or credential, and complete other state and local graduation requirements.

(c) The state board shall forward any proposed changes to the high school graduation requirements to the education committees of the legislature for review and to the quality education council established under RCW 28A.290.010. The legislature shall have the opportunity to act during a regular legislative session before the changes are adopted through administrative rule by the state board. Changes that have a fiscal impact on school districts, as identified by a fiscal analysis prepared by the office of the superintendent of public instruction, shall take effect only if formally authorized and funded by the legislature through the omnibus

appropriations act or other enacted legislation.

(3) Pursuant to any requirement for instruction in languages other than English established by the **state board of education** or a local school district, or both, for purposes of high school graduation, students who receive instruction in American sign language or one or more American Indian languages shall be considered to have satisfied the state or local school district graduation requirement for instruction in one or more languages other than English.

(4) If requested by the student and his or her family, a student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

(a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or

(b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(5) Students who have taken and successfully completed high school courses under the circumstances in subsection (4) of this section shall not be required to take an additional competency examination or perform any other additional assignment to receive credit.

(6) At the college or university level, five quarter or three semester hours equals one high school credit.

COURSE EQUIVALENCIES

SUMMARY: THIS STATUTE LAYS OUT SBE'S RESPONSIBILITIES IN APPROVING CTE COURSE EQUIVALENCIES.

RCW 28A.700.070

Course equivalencies for career and technical courses -- Curriculum frameworks and course lists -- Grants to increase academic rigor.

(1) The office of the superintendent of public instruction shall support school district efforts under RCW 28A.230.097 to adopt course equivalencies for career and technical courses by:

(a) Recommending career and technical curriculum suitable for course equivalencies;

(b) Publicizing best practices for high schools and school districts in developing and adopting course equivalencies; and

(c) In consultation with the Washington association for career and technical education, providing professional development, technical assistance, and guidance for school districts seeking to expand their lists of equivalent courses.

(2) The office of the superintendent of public instruction shall provide professional development, technical assistance, and guidance for school districts to develop career and technical course equivalencies that also qualify as advanced placement courses.

(3) The office of the superintendent of public instruction, in consultation with one or more technical working groups convened for this purpose, shall develop curriculum frameworks for a selected list of career and technical courses that may be offered by high schools or skill centers whose content in science, technology, engineering, and mathematics is considered equivalent in full or in part to science or mathematics courses that meet high school graduation requirements. The content of the courses must be aligned with state essential academic learning requirements in mathematics as adopted by the superintendent of public instruction in July 2011 and the essential academic learning requirements in science as adopted in October 2013, and industry standards. The office shall submit the list of equivalent career and technical courses and their curriculum frameworks to the state board of education for review, an opportunity for public comment, and approval. The first list of courses under this subsection must be developed and approved before the 2015-16 school year. Thereafter, the office may periodically update or revise the list of courses using the process in this subsection.

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RCW 28A.700.005

Findings -- Intent -- 2008 c 170.

(1) The legislature finds that many secondary career and technical education programs have made progress in retooling for the twenty-first century by aligning with state and nationally certified programs that meet industry standards and by increasing the rigor of academic content in core skills such as reading, writing, mathematics, and science.

(2) However, the legislature also finds that increased expectations for students to meet the state's academic learning standards require students to take remedial courses. The state board of education is considering increasing credit requirements for high school graduation. Together these policies could restrict students from pursuing high quality career and technical education programs because students would not have adequate time in their schedules to enroll in a progressive sequence of career and technical courses.

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COURSE EQUIVALENCIES

SUMMARY: THIS STATUTE DESCRIBES DISTRICT RESPONSIBILITY TO GRANT ACADEMIC COURSE EQUIVALENCY FOR AT LEAST ONE SCIENCE OR ONE MATH COURSE FROM THE LIST APPROVED BY THE SBE.

RCW 28A.230.097

Career and technical high school course equivalencies.

(1) Each high school or school district board of directors shall adopt course equivalencies for career and technical high school courses offered to students in high schools and skill centers. A career and technical course equivalency may be for whole or partial credit. Each school district board of directors shall develop a course equivalency approval procedure. Boards of directors must approve AP computer science courses as equivalent to high school mathematics or science, and must denote on a student's transcript that AP computer science qualifies as a math-based quantitative course for students who take the course in their senior year. In order for a board to approve AP computer science as equivalent to high school mathematics, the student must be concurrently enrolled in or have successfully completed algebra II. Beginning no later than the 2015-16 school year, a school district board of directors must, at a minimum, grant academic course equivalency in mathematics or science for a high school career and technical course from the list of courses approved by the state board of education under RCW 28A.700.070, but is not limited to the courses on the list. If the list of courses is revised after the 2015-16 school year, the school district board of directors must grant academic course equivalency based on the revised list beginning with the school year immediately following the revision.

(2) Career and technical courses determined to be equivalent to academic core courses, in full or in part, by the high school or school district shall be accepted as meeting core requirements, including graduation requirements, if the courses are recorded on the student's transcript using the equivalent academic high school department designation and title. Full or partial credit shall be recorded as appropriate. The high school or school district shall also issue and keep record of course completion certificates that demonstrate that the career and technical courses were successfully completed as needed for industry certification, college credit, or preapprenticeship, as applicable. The certificate shall be part of the student's high school and beyond plan. The office of the superintendent of public instruction shall develop and make available electronic samples of certificates of course completion.

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SOCIAL STUDIES CIVIC COURSE

SUMMARY: THIS STATUTE SPECIFIES THAT CIVICS MUST BE PART OF THE SOCIAL STUDIES GRADUATION REQUIREMENTS.

RCW 28A.230.093

Social studies course credits -- Civics coursework.

(1) If, after July 26, 2009, the **state board of education** increases the number of course credits in social studies that are required for high school graduation under RCW 28A.230.090, the board shall also require that at least one-half credit of that requirement be coursework in civics.

(2) The content of the civics requirement must include, but not be limited to:

- (a) Federal, state, and local government organization and procedures;
- (b) Rights and responsibilities of citizens addressed in the Washington state and United States Constitutions;
- (c) Current issues addressed at each level of government; and
- (d) Electoral issues, including elections, ballot measures, initiatives, and referenda.

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SUMMARY: THESE SECTIONS SET FORTH BASIC EDUCATION PROGRAM REQUIREMENTS AND THE SBE'S RESPONSIBILITIES FOR ENSURING SCHOOL DISTRICT COMPLIANCE WITH THEM. THEY ARE THE STATUTORY FOUNDATION FOR THE BASIC EDUCATION COMPLIANCE REPORTS THE SBE REQUIRES DISTRICTS TO SUBMIT EACH YEAR THROUGH THE OSPI iGRANT SYSTEM.

BASIC EDUCATION COMPLIANCE STATUTES, WAIVERS, AND PRIVATE SCHOOL REGULATION

RCW 28A.150.220

Basic education -- Minimum instructional requirements -- Program accessibility -- Rules.

(1) In order for students to have the opportunity to develop the basic education knowledge and skills under RCW 28A.150.210, school districts must provide instruction of sufficient quantity and quality and give students the opportunity to complete graduation requirements that are intended to prepare them for postsecondary education, gainful employment, and citizenship. The program established under this section shall be the minimum instructional program of basic education offered by school districts.

(2) Each school district shall make available to students the following minimum instructional

offering each school year:

(a) For students enrolled in grades one through twelve, at least a district-wide annual average of one thousand hours, which shall be increased beginning in the 2015-16 school year to at least one thousand eighty instructional hours for students enrolled in grades nine through twelve and at least one thousand instructional hours for students in grades one through eight, all of which may be calculated by a school district using a district-wide annual average of instructional hours over grades one through twelve; and

(b) For students enrolled in kindergarten, at least four hundred fifty instructional hours, which shall be increased to at least one thousand instructional hours according to the implementation schedule under RCW 28A.150.315.

(3) The instructional program of basic education provided by each school district shall include:

(a) Instruction in the essential academic learning requirements under RCW 28A.655.070;

(b) Instruction that provides students the opportunity to complete twenty-four credits for high school graduation, beginning with the graduating class of 2019 or as otherwise provided in RCW 28A.230.090. Course distribution requirements may be established by the state board of education under RCW 28A.230.090;

(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;

(d) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(e) Supplemental instruction and services for eligible and enrolled students and exited students whose primary language is other than English through the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080;

(f) The opportunity for an appropriate education at public expense as defined by RCW 28A.155.020 for all eligible students with disabilities as defined in RCW 28A.155.020; and

(g) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030.

(4) Nothing contained in 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.

(5)(a) 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, to be increased to a minimum of one hundred eighty school days per school year according to the implementation schedule under RCW 28A.150.315.

(b) Schools administering the Washington kindergarten inventory of developing skills may use up to three school days at the beginning of the school year to meet with parents and families as required in the parent involvement component of the inventory.

(c) In the case of students who are graduating from high school, a school district may schedule the last five school days of the one hundred eighty day school year for noninstructional purposes including, but not limited to, the observance of graduation and early release from school upon the request of a student. 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. Any hours scheduled by a school district for noninstructional purposes during the last five school days for such students shall count toward the instructional hours requirement in subsection (2)(a) of this section.

(6) Nothing in this section precludes a school district from enriching the instructional program of basic education, such as offering additional instruction or providing additional services, programs, or activities that the school district determines to be appropriate for the education of the school district's students.

(7) 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.

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RCW 28A.150.250

Annual basic education allocation -- Full funding--Withholding of funds for noncompliance.

(1) From those funds made available by the legislature for the current use of the common schools, the superintendent of public instruction shall distribute annually as provided in RCW 28A.510.250 to each school district of the state operating a basic education instructional program approved by the state board of education an amount based on the formulas provided in RCW 28A.150.260, 28A.150.390, and 28A.150.392 which, when combined with an appropriate portion of such locally available revenues, other than receipts from federal forest revenues distributed to school districts pursuant to RCW 28A.520.010 and 28A.520.020, as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support, excluding excess property tax levies, will constitute a basic education allocation in dollars for each annual average full-time equivalent student enrolled.

(2) The instructional program of basic education shall be considered to be fully funded by those amounts of dollars appropriated by the legislature pursuant to RCW 28A.150.260, 28A.150.390, and 28A.150.392 to fund those program requirements identified in RCW

28A.150.220 in accordance with the formula provided in RCW 28A.150.260 and those amounts of dollars appropriated by the legislature to fund the salary requirements of RCW 28A.150.410.

(3) If a school district's basic education program fails to meet the basic education requirements enumerated in RCW 28A.150.260 and 28A.150.220, the state board of education shall require the superintendent of public instruction to withhold state funds in whole or in part for the basic education allocation until program compliance is assured. However, the state board of education may waive this requirement in the event of substantial lack of classroom space.

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SUMMARY: THESE SECTIONS DELEGATE MOSTLY BROAD AUTHORITY TO THE SBE TO GRANT WAIVERS OF BASIC EDUCATION REQUIREMENTS TO SCHOOL DISTRICTS, ON APPLICATION BY THE DISTRICTS. RCW 28A.305.140 AND 28A.655.180 ARE THE AUTHORITY FOR THE "OPTION ONE" WAIVER REQUESTS THAT FREQUENTLY COME BEFORE THE BOARD FOR APPROVAL AT REGULAR MEETINGS. "INNOVATION WAIVERS" UNDER 28A.630.083 ARE MORE SPECIALIZED WAIVERS THAT MAY BE GRANTED JOINTLY WITH OSPI. IN THE 2014 SESSION THE LEGISLATURE EXTENDED FOR ANOTHER THREE YEARS THE AUTHORITY FOR THE SBE TO GRANT A LIMITED NUMBER OF WAIVERS OF THE MINIMUM 180-DAY SCHOOL YEAR TO SMALL DISTRICTS FOR PURPOSES OF ECONOMY AND EFFICIENCY.

RCW 28A.655.180

Waivers for educational restructuring programs. (Effective until June 30, 2019.)

(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 or to implement an innovation school or innovation zone designated under RCW 28A.630.081 or to implement a collaborative schools for innovation and success pilot project approved under RCW 28A.630.104.

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

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RCW 28A.305.140

Waiver from provisions of RCW 28A.150.200 through 28A.150.220 authorized. (Effective until June 30, 2019.)

(1) 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:

(a) 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;

(b) Implement an innovation school or innovation zone designated under RCW 28A.630.081;
or

(c) Implement a collaborative schools for innovation and success pilot project approved under RCW 28A.630.104.

(2) The state board shall adopt criteria to evaluate the need for the waiver or waivers.

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RCW 28A.630.083

Waivers for innovation schools and innovation zones. (Expires June 30, 2019.)

(1)(a) The superintendent of public instruction and the state board of education, each within the scope of their statutory authority, may grant waivers of state statutes and administrative rules for designated innovation schools and innovation zones as follows:

(i) Waivers may be granted under RCW 28A.655.180 and 28A.305.140;

(ii) Waivers may be granted to permit the commingling of funds appropriated by the legislature on a categorical basis for such programs as, but not limited to, highly capable students, transitional bilingual instruction, and learning assistance; and

(iii) Waivers may be granted of other administrative rules that in the opinion of the superintendent of public instruction or the state board of education are necessary to be waived to implement an innovation school or innovation zone.

(b) State administrative rules dealing with public health, safety, and civil rights, including accessibility for individuals with disabilities, may not be waived.

(2) At the request of a school district, the superintendent of public instruction may petition the United States department of education or other federal agencies to waive federal regulations necessary to implement an innovation school or innovation zone.

(3) The state board of education may grant waivers for innovation schools or innovation

zones of administrative rules pertaining to calculation of course credits for high school courses.

(4) Waivers may be granted under this section for a period not to exceed the duration of the designation of the innovation school or innovation zone.

(5) The superintendent of public instruction and the **state board of education** shall provide an expedited review of requests for waivers for designated innovation schools and innovation zones. Requests may be denied if the superintendent of public instruction or the **state board of education** conclude that the waiver:

(a) Is likely to result in a decrease in academic achievement in the innovation school or innovation zone;

(b) Would jeopardize the receipt of state or federal funds that a school district would otherwise be eligible to receive, unless the school district submits a written authorization for the waiver acknowledging that receipt of these funds could be jeopardized; or

(c) Would violate state or federal laws or rules that are not authorized to be waived.

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RCW 28A.305.141

Waiver from one hundred eighty-day school year requirement -- Criteria. (Expires August 31, 2017.)

(1) In addition to waivers authorized under RCW 28A.305.140 and 28A.655.180, the **state board of education** may grant waivers from the requirement for a one hundred eighty-day school year under RCW 28A.150.220 to school districts that propose to operate one or more schools on a flexible calendar for purposes of economy and efficiency as provided in this section. The requirement under RCW 28A.150.220 that school districts offer minimum instructional hours shall not be waived.

(2) A school district seeking a waiver under this section must submit an application that includes:

(a) A proposed calendar for the school day and school year that demonstrates how the instructional hour requirement will be maintained;

(b) An explanation and estimate of the economies and efficiencies to be gained from compressing the instructional hours into fewer than one hundred eighty days;

(c) An explanation of how monetary savings from the proposal will be redirected to support student learning;

(d) A summary of comments received at one or more public hearings on the proposal and how concerns will be addressed;

(e) An explanation of the impact on students who rely upon free and reduced-price school child nutrition services and the impact on the ability of the child nutrition program to operate an economically independent program;

(f) An explanation of the impact on employees in education support positions and the ability to recruit and retain employees in education support positions;

(g) An explanation of the impact on students whose parents work during the missed school day; and

(h) Other information that the **state board of education** may request to assure that the proposed flexible calendar will not adversely affect student learning.

(3) The **state board of education** shall adopt criteria to evaluate waiver requests. No more than five districts may be granted waivers. Waivers may be granted for up to three years. After each school year, the **state board of education** shall analyze empirical evidence to determine whether the reduction is affecting student learning. If the **state board of education** determines that student learning is adversely affected, the school district shall discontinue the flexible calendar as soon as possible but not later than the beginning of the next school year after the determination has been made. All waivers expire August 31, 2017.

(a) Two of the five waivers granted under this subsection shall be granted to school districts with student populations of less than one hundred fifty students.

(b) Three of the five waivers granted under this subsection shall be granted to school districts with student populations of between one hundred fifty-one and five hundred students.

(4) This section expires August 31, 2017.

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SUMMARY: THIS STATUTE REFERENCES CERTAIN SBE REQUIREMENTS IN THE STATE LAW ON MANDATORY SCHOOL ATTENDANCE. WASHINGTON IS ONE OF JUST TWO U.S. STATES THAT SETS THE MANDATORY AGE OF SCHOOL ATTENDANCE AS LATE AS EIGHT YEARS OLD

RCW 28A.225.010

Attendance mandatory -- Age -- Exceptions.

(1) All parents in this state of any child eight years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

(a) The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW 28A.195.010(4);

(b) The child is receiving home-based instruction as provided in subsection (4) of this section;

(c) The child is attending an education center as provided in chapter 28A.205 RCW;

(d) The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the department of social and health services, is incarcerated in an adult correctional facility, or has been temporarily excused upon the request of his or her parents for purposes agreed upon by the school authorities and the parent: PROVIDED, That such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress: PROVIDED FURTHER, That students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and shall not affect school district compliance with the provisions of RCW 28A.150.220;

(e) The child is excused from school subject to approval by the student's parent for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, for up to two days per school year without any penalty. Such absences may not mandate school closures. Students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and may not affect school district compliance with the provisions of RCW 28A.150.220; or

(f) The child is sixteen years of age or older and:

(i) The child is regularly and lawfully employed and either the parent agrees that the child should not be required to attend school or the child is emancipated in accordance with chapter 13.64 RCW;

(ii) The child has already met graduation requirements in accordance with state board of education rules and regulations; or

(iii) The child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW 28A.305.190.

(2) A parent for the purpose of this chapter means a parent, guardian, or person having legal custody of a child.

(3) An approved private school for the purposes of this chapter and chapter 28A.200 RCW shall be one approved under regulations established by the state board of education pursuant to RCW 28A.305.130.

(4) For the purposes of this chapter and chapter 28A.200 RCW, instruction shall be home-based if it consists of planned and supervised instructional and related educational activities, including a curriculum and instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of an appreciation of art and music, provided for a number of hours equivalent to the total annual program hours per grade level established for approved private schools under RCW 28A.195.010 and 28A.195.040 and if such activities are:

(a) Provided by a parent who is instructing his or her child only and are supervised by a certificated person. A certificated person for purposes of this chapter and chapter 28A.200 RCW shall be a person certified under chapter 28A.410 RCW. For purposes of this section, "supervised by a certificated person" means: The planning by the certificated person and the parent of objectives consistent with this subsection; a minimum each month of an average of one contact hour per week with the child being supervised by the certificated person; and evaluation of such child's progress by the certificated person. The number of children supervised by the certificated person shall not exceed thirty for purposes of this subsection; or

(b) Provided by a parent who is instructing his or her child only and who has either earned forty-five college level quarter credit hours or its equivalent in semester hours or has completed a course in home-based instruction at a postsecondary institution or a vocational-technical institute; or

(c) Provided by a parent who is deemed sufficiently qualified to provide home-based instruction by the superintendent of the local school district in which the child resides.

(5) The legislature recognizes that home-based instruction is less structured and more experiential than the instruction normally provided in a classroom setting. Therefore, the provisions of subsection (4) of this section relating to the nature and quantity of instructional and related educational activities shall be liberally construed.

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PRIVATE SCHOOLS

SUMMARY: THIS STATUTE EXPRESSES THE RECOGNITION THAT PRIVATE SCHOOLS SHOULD BE SUBJECT ONLY TO THE MINIMUM STATE CONTROLS NECESSARY FOR STUDENT HEALTH AND SAFETY, AND TO INSURE BASIC EDUCATION SUFFICIENT TO MEET USUAL GRADUATION REQUIREMENTS.

RCW 28A.195.010

Private schools -- Exemption from high school assessment requirements -- Extension programs for parents to teach children in their custody.

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the **state board of education** may grant provisional status for one year in order that the school or school district may take action to meet the requirements. The **state board of education** shall not require private school students to meet the student learning goals, obtain a certificate of academic achievement, or a certificate of individual achievement to graduate from high school, to master the essential academic learning requirements, or to be assessed pursuant to RCW 28A.655.061. However, private schools may choose, on a voluntary basis, to have their students master these essential academic learning requirements, take the assessments, and obtain a certificate of academic achievement or a certificate of individual achievement. Minimum requirements shall be as follows:

(1) The minimum school year for instructional purposes shall consist of no less than one hundred eighty school days or the equivalent in annual minimum instructional hour offerings, with a school-wide annual average total instructional hour offering of one thousand hours for students enrolled in grades one through twelve, and at least four hundred fifty hours for students enrolled in kindergarten.

(2) The school day shall be the same as defined in RCW 28A.150.203.

(3) All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.

(4) An approved private school may operate an extension program for parents, guardians, or persons having legal custody of a child to teach children in their custody. The extension program shall require at a minimum that:

(a) The parent, guardian, or custodian be under the supervision of an employee of the approved private school who is certified under chapter 28A.410 RCW;

(b) The planning by the certified person and the parent, guardian, or person having legal custody include objectives consistent with this subsection and subsections (1), (2), (5), (6), and (7) of this section;

(c) The certified person spend a minimum average each month of one contact hour per week with each student under his or her supervision who is enrolled in the approved private school extension program;

(d) Each student's progress be evaluated by the certified person; and

(e) The certified employee shall not supervise more than thirty students enrolled in the approved private school's extension program.

(5) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

(6) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: PROVIDED, That each school building shall meet reasonable health and fire safety requirements. A residential dwelling of the parent, guardian, or custodian shall be deemed to be an adequate physical facility when a parent, guardian, or person having legal custody is instructing his or her child under subsection (4) of this section.

(7) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

(8) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.

All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection (7) of this section provided, school rules and administration, or other matters not specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved.

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ONLINE PROVIDERS

SUMMARY: THIS STATUTE LAYS OUT SBE'S RESPONSIBILITIES IN COLLABORATING WITH OSPI TO DEVELOP APPROVAL CRITERIA AND A PROCESS FOR APPROVING ONLINE PROVIDERS.

RCW 28A.250.020

Multidistrict online providers -- Approval criteria -- Advisory committee.

(1) The superintendent of public instruction, in collaboration with the **state board of education**, shall develop and implement approval criteria and a process for approving online providers; a process for monitoring and if necessary rescinding the approval of courses or programs offered by an online provider; and an appeals process. The criteria and processes for multidistrict online providers shall be adopted by rule by December 1, 2009.

(2) When developing the approval criteria, the superintendent of public instruction shall require that providers offering online courses or programs have accreditation, or are candidates for accreditation, through the Northwest accreditation commission or another national, regional, or state accreditation program listed by the office of the superintendent of public instruction. In addition to other criteria, the approval criteria shall include the degree of alignment with state academic standards and require that all teachers be certificated in accordance with Washington state law. When reviewing online providers that offer high school courses, the superintendent of public instruction shall assure that the courses offered by the provider are eligible for high school credit. However, final decisions regarding whether credit meets the school district's graduation requirements shall remain the responsibility of the school districts.

(3) Initial approval of online providers by the superintendent of public instruction shall be for four years. The superintendent of public instruction shall develop a process for the renewal of approvals and for rescinding approvals based on noncompliance with approval requirements. Any multidistrict online provider that was approved by the digital learning commons or accredited by the Northwest association of accredited schools before July 26, 2009, and that meets the teacher certification requirements of subsection (2) of this section, is exempt from the initial approval process under this section until August 31, 2012, but must comply with the process for renewal of approvals and must comply with approval requirements.

(4) The superintendent of public instruction shall make the first round of decisions regarding approval of multidistrict online providers by April 1, 2010. The first round of decisions regarding approval of online providers that are not multidistrict online providers shall be made by April 1, 2013. Thereafter, the superintendent of public instruction shall make annual approval decisions no later than November 1st of each year.

(5) The superintendent of public instruction shall establish an online learning advisory committee within existing resources that shall provide advice to the superintendent regarding the approval criteria, major components of the web site, the model school district policy, model agreements, and other related matters. The committee shall include a representative of each of the following groups: Private and public online providers, parents of online students, accreditation organizations, educational service districts, school principals, teachers, school administrators, school board members, institutions of higher education, and other individuals as determined by the superintendent. Members of the advisory committee shall be selected by the superintendent based on nominations from statewide organizations, shall serve three-year terms, and may be reappointed. The superintendent shall select the chair of the committee.

COURSE EQUIVALENCIES

SUMMARY: THIS STATUTE LAYS OUT SBE'S RESPONSIBILITIES IN APPROVING CTE COURSE EQUIVALENCIES, AND PROVIDES FOR A WAIVER OF THESE RESPONSIBILITIES FOR DISTRICTS WITH FEWER THAN TWO THOUSAND STUDENTS.

RCW 28A.230.010

Course content requirements -- Access to career and technical course equivalencies -- Duties of school district boards of directors -- Waivers. (*Effective September 1, 2015.*)

(1) School district boards of directors shall identify and offer courses with content that meet or exceed: (a) The basic education skills identified in RCW 28A.150.210; (b) the graduation requirements under RCW 28A.230.090; (c) the courses required to meet the minimum college entrance requirements under RCW 28A.230.130; and (d) the course options for career development under RCW 28A.230.130. Such courses may be applied or theoretical, academic, or vocational.

(2) School district boards of directors must provide high school students with the opportunity to access at least one career and technical education course that is considered equivalent to a mathematics course or at least one career and technical education course that is considered equivalent to a science course as determined by the office of the superintendent of public instruction and the state board of education in RCW 28A.700.070. Students may access such courses at high schools, interdistrict cooperatives, skill centers or branch or satellite skill centers, or through online learning or applicable running start vocational courses.

(3) School district boards of directors of school districts with fewer than two thousand students may apply to the state board of education for a waiver from the provisions of subsection (2) of this section.

HOME-BASED INSTRUCTION

SUMMARY: THIS STATUTE LAYS OUT SBE'S RESPONSIBILITIES IN APPROVING STANDARDIZED TESTS TO BE USED BY STUDENTS IN HOME-BASED INSTRUCTION TO DEMONSTRATE ANNUAL ACADEMIC PROGRESS.

RCW 28A.200.010

Home-based instruction -- Duties of parents -- Exemption from high school assessment requirements.

(1) Each parent whose child is receiving home-based instruction under RCW 28A.225.010(4) shall have the duty to:

(a) File annually a signed declaration of intent that he or she is planning to cause his or her child to receive home-based instruction. The statement shall include the name and age of the child, shall specify whether a certificated person will be supervising the instruction, and shall be written in a format prescribed by the superintendent of public instruction. Each parent shall file the statement by September 15th of the school year or within two weeks of the beginning of any public school quarter, trimester, or semester with the superintendent of the public school district within which the parent resides or the district that accepts the transfer, and the student shall be deemed a transfer student of the nonresident district. Parents may apply for transfer under RCW 28A.225.220;

(b) Ensure that test scores or annual academic progress assessments and immunization records, together with any other records that are kept relating to the instructional and educational activities provided, are forwarded to any other public or private school to which the child transfers. At the time of a transfer to a public school, the superintendent of the local school district in which the child enrolls may require a standardized achievement test to be administered and shall have the authority to determine the appropriate grade and course level placement of the child after consultation with parents and review of the child's records; and

(c) Ensure that a standardized achievement test approved by the state board of education is administered annually to the child by a qualified individual or that an annual assessment of the student's academic progress is written by a certificated person who is currently working in the field of education. 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 academic achievement or a certificate of individual achievement pursuant to RCW 28A.655.061 and 28A.155.045. The standardized test administered or the annual academic progress assessment written shall be made a part of the child's permanent records. If, as a result of the annual test or assessment, it is determined that the child is not making reasonable progress consistent with his or her age or stage of development, the parent shall make a good faith effort to remedy any deficiency.

(2) Failure of a parent to comply with the duties in this section shall be deemed a failure of such parent's child to attend school without valid justification under RCW 28A.225.020. Parents who do comply with the duties set forth in this section shall be presumed to be providing home-based instruction as set forth in RCW 28A.225.010(4).

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ONLINE PROGRAMS BY PRIVATE SCHOOLS

SUMMARY: THIS STATUTE ALLOW FOR PRIVATE SCHOOLS APPROVED BY THE SBE TO OFFER AN ONLINE PROGRAM.

RCW 28A.195.090

Online school programs.

(1) If a private school that has been approved under this chapter by the state board of education seeks approval also to offer and administer an online school program as defined under RCW 28A.250.010, including under contract with a third party, the requirements for minimum instructional hour offerings under RCW 28A.195.010(1) shall be deemed met for the online school program. A residential dwelling of a parent, guardian, or custodian shall be deemed an adequate physical facility for students enrolled in the online school program. The online school program is not required to be offered for the same grade levels as the approved private school.

(2) The state board of education may approve an online school program under this section that meets other applicable requirements under this chapter.

(3) No private school offering and administering an online program under this section, third party that contracts with a private school to offer and administer an online program, or parent or guardian providing an online program may receive state funding to provide the program.

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THIS SECTION SETS FORTH REQUIREMENTS FOR THE EDUCATION OF PERSONS ENTITLED TO A BASIC EDUCATION WHO ARE RESIDENT AT STATE INSTITUTIONS, INCLUDING JUVENILE REHABILITATION CENTERS FOR JUVENILE OFFENDERS, RESIDENTIAL HABILITATION FACILITIES FOR PERSONS WITH DEVELOPMENT DISABILITIES, CORRECTIONAL FACILITIES, AND THE CHILD STUDY AND TREATMENT CENTER AND SECONDARY SCHOOL AT WESTERN STATE HOSPITAL.

RCW 28A.190.030

Educational programs for residential school residents -- School district to conduct -- Scope of duties and authority.

Each school district within which there is located a residential school shall, singly or in concert with another school district pursuant to RCW 28A.335.160 and 28A.225.250 or pursuant to chapter 39.34 RCW, conduct a program of education, including related student activities, for residents of the residential school. Except as otherwise provided for by contract pursuant to RCW 28A.190.050, the duties and authority of a school district and its employees to conduct such a program shall be limited to the following:

(1) The employment, supervision and control of administrators, teachers, specialized personnel and other persons, deemed necessary by the school district for the conduct of the program of education;

(2) The purchase, lease or rental and provision of textbooks, maps, audiovisual equipment, paper, writing instruments, physical education equipment and other instructional equipment, materials and supplies, deemed necessary by the school district for the conduct of the program of education;

(3) The development and implementation, in consultation with the superintendent or chief administrator of the residential school or his or her designee, of the curriculum;

(4) The conduct of a program of education, including related student activities, for residents who are three years of age and less than twenty-one years of age, and have not met high school graduation requirements as now or hereafter established by the **state board of education** and the school district which includes:

(a) Not less than one hundred and eighty school days each school year;

(b) Special education pursuant to RCW 28A.155.010 through 28A.155.100, and vocational education, as necessary to address the unique needs and limitations of residents; and

(c) Such courses of instruction and school related student activities as are provided by the school district for nonresidential school students to the extent it is practical and judged appropriate for the residents by the school district after consultation with the superintendent or chief administrator of the residential school: PROVIDED, That a preschool special education program may be provided for residential school students with disabilities;

(5) The control of students while participating in a program of education conducted pursuant to this section and the discipline, suspension or expulsion of students for violation of reasonable rules of conduct adopted by the school district; and

(6) The expenditure of funds for the direct and indirect costs of maintaining and operating the program of education that are appropriated by the legislature and allocated by the superintendent of public instruction for the exclusive purpose of maintaining and operating residential school programs of education, and funds from federal and private grants, bequests and gifts made for the purpose of maintaining and operating the program of education.

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ACCOUNTABILITY SYSTEM STATUTES

SUMMARY: THIS STATUTE ESTABLISHES SBE'S AUTHORITY TO ESTABLISH AN ACCOUNTABILITY FRAMEWORK, AND TO WORK WITH OSPI ON A 'SYSTEM DESIGN'. ALSO REQUIRES DEVELOPMENT OF AN INDEX FOR ESTABLISHMENT OF AWARDS, ALLOWS SBE/OSPI TO PURSUE USED APPROVAL FOR USE OF INDEX, AND ADDRESS ISSUE OF DIFFERENTIATED SUPPORT AND TARGETED ASSISTANCE.

RCW 28A.657.110

Accountability framework for system of support for challenged schools -- Washington achievement index -- Recognition of schools for exemplary performance -- Use of state system to replace federal accountability system.

(1) By November 1, 2013, the **state board of education** shall propose rules for adoption establishing an accountability framework that creates a unified system of support for challenged schools that aligns with basic education, increases the level of support based upon the magnitude of need, and uses data for decisions. The board must seek input from the public and interested groups in developing the framework. Based on the framework, the superintendent of public instruction shall design a comprehensive system of specific strategies for recognition, provision of differentiated support and targeted assistance, and, if necessary, requiring intervention in schools and school districts. The superintendent shall submit the system design to the **state board of education** for review. The **state board of education** shall recommend approval or modification of the system design to the superintendent no later than January 1, 2014, and the system must be implemented statewide no later than the 2014-15 school year. To the extent state funds are appropriated for this purpose, the system must apply equally to Title I, Title I-eligible, and non-Title I schools in the state.

(2) The **state board of education** shall develop a Washington achievement index to identify schools and school districts for recognition, for continuous improvement, and for additional state support. The index shall be based on criteria that are fair, consistent, and transparent. Performance shall be measured using multiple outcomes and indicators including, but not limited to, graduation rates and results from statewide assessments. The index shall be developed in such a way as to be easily understood by both employees within the schools and school districts, as well as parents and community members. It is the legislature's intent that the index provide feedback to schools and school districts to self-assess their progress, and enable the identification of schools with exemplary performance and those that need assistance to overcome challenges in order to achieve exemplary performance.

(3) The **state board of education**, in cooperation with the office of the superintendent of public instruction, shall annually recognize schools for exemplary performance as measured on the Washington achievement index. The **state board of education** shall have ongoing collaboration with the educational opportunity gap oversight and accountability committee regarding the measures used to measure the closing of the achievement gaps and the recognition provided to the school districts for closing the achievement gaps.

(4) In coordination with the superintendent of public instruction, the **state board of education** shall seek approval from the United States department of education for use of the Washington achievement index and the state system of differentiated support, assistance, and intervention to replace the federal accountability system under P.L. 107-110, the no child left behind act of 2001.

(5) The **state board of education** shall work with the education data center established within the office of financial management and the technical working group established in RCW

28A.290.020 to determine the feasibility of using the prototypical funding allocation model as not only a tool for allocating resources to schools and school districts but also as a tool for schools and school districts to report to the state legislature and the state board of education on how the state resources received are being used.

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SUMMARY: THIS STATUTE ESTABLISHES THE REQUIRED ACTION REVIEW PANEL, TO BE INVOKED WHEN SBE REJECTS A REQUIRED ACTION PLAN.

RCW 28A.657.070

Required action plan review panel -- Membership -- Duties -- Timelines and procedures for deliberations.

(1) A required action plan review panel shall be established to offer an objective, external review of a request from a school district for reconsideration of the state board of education's rejection of the district's required action plan or reconsideration of a level two required action plan developed only by the superintendent of public instruction as provided under RCW 28A.657.105. The review and reconsideration by the panel shall be based on whether the state board of education or the superintendent of public instruction gave appropriate consideration to the unique circumstances and characteristics identified in the academic performance audit or level two needs assessment and review of the local school district.

(2)(a) The panel shall be composed of five individuals with expertise in school improvement, school and school district restructuring, or parent and community involvement in schools. Two of the panel members shall be appointed by the speaker of the house of representatives; two shall be appointed by the president of the senate; and one shall be appointed by the governor.

(b) The speaker of the house of representatives, president of the senate, and governor shall solicit recommendations for possible panel members from the Washington association of school administrators, the Washington state school directors' association, the association of Washington school principals, the educational opportunity gap oversight and accountability committee, and associations representing certificated teachers, classified school employees, and parents.

(c) Members of the panel shall be appointed no later than December 1, 2010, but the superintendent of public instruction shall convene the panel only as needed to consider a school district's request for reconsideration. Appointments shall be for a four-year term, with opportunity for reappointment. Reappointments in the case of a vacancy shall be made expeditiously so that all requests are considered in a timely manner.

(3)(a) In the case of a rejection of a required action plan, the required action plan review panel may reaffirm the decision of the state board of education, recommend that the state board reconsider the rejection, or recommend changes to the required action plan that should be considered by the district and the state board of education to secure approval of the plan. The state board of education shall consider the recommendations of the panel and issue a decision in writing to the local school district and the panel. If the school district must submit a new required

action plan to the **state board of education**, the district must submit the plan within forty days of the board's decision.

(b) In the case of a level two required action plan where the local school district and the superintendent of public instruction have not come to agreement, the required action plan review panel may reaffirm the level two required action plan submitted by the superintendent of public instruction or recommend changes to the plan that should be considered by the **state board of education**, the superintendent of public instruction, and the local school district. The **state board of education** shall consider the recommendations of the panel and issue a decision in writing to the local school district, the superintendent of public instruction, and the panel.

(4) The **state board of education** and superintendent of public instruction must develop timelines and procedures for the deliberations under this section so that school districts can implement a required action plan within the time frame required under RCW 28A.657.060.

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SUMMARY: THIS STATUTE ESTABLISHES THE REQUIRED ACTION PLAN APPROVAL PROCESS.

RCW 28A.657.050

Required action plans -- Development -- Publication of guidelines, research, and models -- Submission -- Contents -- Effect on existing collective bargaining agreements. (Effective until June 30, 2019.)

(1)(a) The local district superintendent and local school board of a school district designated as a required action district must submit a required action plan to the **state board of education** for approval. Unless otherwise required by subsection (3) of this section, the plan must be submitted under a schedule as required by the state board. A required action plan must be developed in collaboration with administrators, teachers, and other staff, parents, unions representing any employees within the district, students, and other representatives of the local community.

(b) The superintendent of public instruction shall provide a district with assistance in developing its plan if requested, and shall develop and publish guidelines for the development of required action plans. The superintendent of public instruction, in consultation with the **state board of education**, shall also publish a list of research and evidence-based school improvement models, consistent with turnaround principles, that are approved for use in required action plans.

(c) The school board must conduct a public hearing to allow for comment on a proposed required action plan. The local school district shall submit the plan first to the office of the superintendent of public instruction to review and approve that the plan is consistent with federal and state guidelines, as applicable. After the office of the superintendent of public instruction has approved that the plan is consistent with federal and state guidelines, the local school district must submit its required action plan to the **state board of education** for approval.

(2) A required action plan must include all of the following:

(a) Implementation of an approved school improvement model required for the receipt of federal or state funds for school improvement for those persistently lowest-achieving schools that the district will be focusing on for required action. The approved school improvement model selected must address the concerns raised in the academic performance audit and be intended to improve student performance to allow a school district to be removed from the list of districts designated as a required action district by the **state board of education** within three years of implementation of the plan. The required action plan for districts with multiple persistently lowest-achieving schools must include separate plans for each school as well as a plan for how the school district will support the schools collectively;

(b) Submission of an application for federal or state funds for school improvement to the superintendent of public instruction;

(c) A budget that provides for adequate resources to implement the model selected and any other requirements of the plan;

(d) A description of the changes in the district's or school's existing policies, structures, agreements, processes, and practices that are intended to attain significant achievement gains for all students enrolled in the school and how the district intends to address the findings of the academic performance audit; and

(e) Identification of the measures that the school district will use in assessing student achievement at a school identified as a persistently lowest-achieving school, which include closing the educational opportunity gap, improving mathematics and reading or English language arts student achievement, and improving graduation rates as defined by the office of the superintendent of public instruction that enable the school to no longer be identified as a persistently lowest-achieving school.

(3)(a) For any district designated for required action, the parties to any collective bargaining agreement negotiated, renewed, or extended under chapter 41.59 or 41.56 RCW after June 10, 2010, must reopen the agreement, or negotiate an addendum, if needed, to make changes to terms and conditions of employment that are necessary to implement a required action plan. For any district applying to participate in a collaborative schools for innovation and success pilot project under RCW 28A.630.104, the parties to any collective bargaining agreement negotiated, renewed, or extended under chapter 41.59 or 41.56 RCW after June 7, 2012, must reopen the agreement, or negotiate an addendum, if needed, to make changes to terms and conditions of employment that are necessary to implement an innovation and success plan.

(b) If the school district and the employee organizations are unable to agree on the terms of an addendum or modification to an existing collective bargaining agreement, the parties, including all labor organizations affected under the required action plan, shall request the public employment relations commission to, and the commission shall, appoint an employee of the commission to act as a mediator to assist in the resolution of a dispute between the school district and the employee organizations. Beginning in 2011, and each year thereafter, mediation shall commence no later than April 15th. All mediations held under this section shall include the employer and representatives of all affected bargaining units.

(c) If the executive director of the public employment relations commission, upon the recommendation of the assigned mediator, finds that the employer and any affected bargaining unit are unable to reach agreement following a reasonable period of negotiations and mediation, but by no later than May 15th of the year in which mediation occurred, the executive director shall certify any disputed issues for a decision by the superior court in the county where the school district is located. The issues for determination by the superior court must be limited to the issues certified by the executive director.

(d) The process for filing with the court in this subsection (3)(d) must be used in the case where the executive director certifies issues for a decision by the superior court.

(i) The school district shall file a petition with the superior court, by no later than May 20th of the same year in which the issues were certified, setting forth the following:

(A) The name, address, and telephone number of the school district and its principal representative;

(B) The name, address, and telephone number of the employee organizations and their principal representatives;

(C) A description of the bargaining units involved;

(D) A copy of the unresolved issues certified by the executive director for a final and binding decision by the court; and

(E) The academic performance audit that the office of the superintendent of public instruction completed for the school district in the case of a required action district, or the comprehensive needs assessment in the case of a collaborative schools for innovation and success pilot project.

(ii) Within seven days after the filing of the petition, each party shall file with the court the proposal it is asking the court to order be implemented in a required action plan or innovation and success plan for the district for each issue certified by the executive director. Contemporaneously with the filing of the proposal, a party must file a brief with the court setting forth the reasons why the court should order implementation of its proposal in the final plan.

(iii) Following receipt of the proposals and briefs of the parties, the court must schedule a date and time for a hearing on the petition. The hearing must be limited to argument of the parties or their counsel regarding the proposals submitted for the court's consideration. The parties may waive a hearing by written agreement.

(iv) The court must enter an order selecting the proposal for inclusion in a required action plan that best responds to the issues raised in the school district's academic performance audit, and allows for the award of federal or state funds for school improvement to the district from the office of the superintendent of public instruction to implement an approved school improvement model. In the case of an innovation and success plan, the court must enter an order selecting the

proposal for inclusion in the plan that best responds to the issues raised in the school's comprehensive needs assessment. The court's decision must be issued no later than June 15th of the year in which the petition is filed and is final and binding on the parties; however the court's decision is subject to appeal only in the case where it does not allow the school district to implement a required action plan consistent with the requirements for the award of federal or state funds for school improvement by the superintendent of public instruction.

(e) Each party shall bear its own costs and attorneys' fees incurred under this statute.

(f) Any party that proceeds with the process in this section after knowledge that any provision of this section has not been complied with and who fails to state its objection in writing is deemed to have waived its right to object.

(4) All contracts entered into between a school district and an employee must be consistent with this section and allow school districts designated as required action districts to implement an approved school improvement model in a required action plan.

SUMMARY: THIS STATUTE ESTABLISHES THE LEVEL II PROCESS IN REQUIRED ACTION – THIS WAS A NEW ADD TO THE STATUTES AS A RESULT OF SENATE BILL 5329 (2012). THIS SECTION GIVES THE OSPI MORE AUTHORITY IN STRUGGLING SCHOOLS.

RCW 28A.657.105

Required action process -- Level two schools and plans.

(1) School districts assigned by the **state board of education** to level two of the required action process under this chapter are those with one or more schools that have remained as persistently lowest-achieving for more than three years and have not demonstrated recent and significant improvement or progress toward exiting persistently lowest-achieving status, despite implementation of a required action plan.

(2) Within ninety days following assignment of a school district to level two of the required action process, the superintendent of public instruction shall direct that a needs assessment and review be conducted to determine the reasons why the previous required action plan did not succeed in improving student achievement.

(3)(a) Based on the results of the needs assessment and review, the superintendent of public instruction shall work collaboratively with the school district board of directors to develop a revised required action plan for level two.

(b) The level two required action plan must explicitly address the reasons why the previous plan did not succeed and must specify the interventions that the school district must implement, which may include assignment or reassignment of personnel, reallocation of resources, use of specified curriculum or instructional strategies, use of a specified school improvement model, or

any other conditions determined by the superintendent of public instruction to be necessary for the level two required action plan to succeed, which conditions shall be binding on the school district. The level two required action plan shall also include the specific technical assistance and support to be provided by the office of the superintendent of public instruction, which may include assignment of school improvement specialists to have a regular on-site presence in the school and technical assistance provided through the educational service district. Individuals assigned as on-site school improvement specialists must have demonstrated experience in school turnaround and cultural competence.

(c) The level two required action plan must be submitted to the [state board of education](#) for approval.

(4) If the superintendent of public instruction and the school district board of directors are unable to come to an agreement on a level two required action plan within ninety days of the completion of the needs assessment and review conducted under subsection (2) of this section, the superintendent of public instruction shall complete and submit a level two required action plan directly to the [state board of education](#) for approval. The school district board of directors may submit a request to the required action plan review panel established under RCW [28A.657.070](#) for reconsideration of the superintendent's level two required action plan within ten days of the submission of the plan to the [state board of education](#). After the [state board of education](#) considers the recommendations of the required action plan review panel, the decision of the board regarding the level two required action plan is final and not subject to further reconsideration.

(5) If changes to a collective bargaining agreement are necessary to implement a level two required action plan, the parties must reopen the agreement, or negotiate an addendum, using the process outlined under RCW [28A.657.050](#). If the level two required action plan is developed by the superintendent of public instruction under subsection (4) of this section, a designee of the superintendent shall participate in the discussions among the parties to the collective bargaining agreement.

(6) While a school district is assigned to level two of the required action process under this chapter, the superintendent of public instruction is responsible and accountable for assuring that the level two required action plan is implemented with fidelity. The superintendent of public instruction shall defer to the school district board of directors as the governing authority of the school district and continue to work in partnership with the school district to implement the level two required action plan. However, if the superintendent of public instruction finds that the level two required action plan is not being implemented as specified, including the implementation of any binding conditions within the plan, the superintendent may direct actions that must be taken by school district personnel to implement the level two required action plan or the binding conditions. If necessary, the superintendent of public instruction may exercise authority under RCW [28A.505.120](#) regarding allocation of funds.

(7) The superintendent of public instruction shall include in the budget estimates and information submitted to the governor under RCW [28A.300.170](#) a request for sufficient funds to support implementation of the level two required action plans established under this section.

(8) The superintendent of public instruction must recommend to the **state board of education** that a school district be released from assignment to level two of the required action process after the district implements the level two required action plan for a period of three years; has made progress, as defined by the superintendent of public instruction using the criteria established under RCW 28A.657.020; and no longer has a school within the district identified as persistently lowest-achieving. The **state board of education** shall release a school district from the level two assignment upon confirmation that the school district has met the requirements for a release.

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SUMMARY: THIS STATUTE ESTABLISHES THE RAD REVIEW PROCESS AND THE PROCEDURES FOR RESUBMISSION

RCW 28A.657.060

Required action plans -- Approval or nonapproval by **state board of education -- Resubmission or reconsideration -- Implementation.**

A required action plan developed by a district's school board and superintendent must be submitted to the **state board of education** for approval. The state board must accept for inclusion in any required action plan the final decision by the superior court on any issue certified by the executive director of the public employment relations commission under the process in RCW 28A.657.050. The **state board of education** shall approve a plan proposed by a school district only if the plan meets the requirements in RCW 28A.657.050 and provides sufficient remedies to address the findings in the academic performance audit to improve student achievement. Any addendum or modification to an existing collective bargaining agreement, negotiated under RCW 28A.657.050 or by agreement of the district and the exclusive bargaining unit, related to student achievement or school improvement shall not go into effect until approval of a required action plan by the **state board of education**. If the state board does not approve a proposed plan, it must notify the local school board and local district's superintendent in writing with an explicit rationale for why the plan was not approved. Nonapproval by the **state board of education** of the local school district's initial required action plan submitted is not intended to trigger any actions under RCW 28A.657.080. With the assistance of the office of the superintendent of public instruction, the superintendent and school board of the required action district shall either: (1) Submit a new plan to the **state board of education** for approval within forty days of notification that its plan was rejected, or (2) submit a request to the required action plan review panel established under RCW 28A.657.070 for reconsideration of the state board's rejection within ten days of the notification that the plan was rejected. If federal or state funds for school improvement are not available, the plan is not required to be implemented until such funding becomes available. If federal or state funds for this purpose are available, a required action plan must be implemented in the immediate school year following the district's designation as a required action district.

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SUMMARY: THIS STATUTE SPECIFIES THAT OSPI MUST PROVIDE A REPORT TO SBE TWICE PER YEAR ON RADS. IT ALSO DESCRIBES THAT AT THE END OF THREE YEARS OF IMPLEMENTING A REQUIRED ACTION PLAN, THE SBE MAY RELEASE A DISTRICT FROM RAD, RECOMMEND A DISTRICT REMAIN IN LEVEL I OR DESIGNATE A DISTRICT TO LEVEL II.

RCW 28A.657.100

Required action districts -- Progress reports -- Release from designation -- Assignment to level two of the required action process.

(1) The superintendent of public instruction must provide a report twice per year to the **state board of education** regarding the progress made by all school districts designated as required action districts.

(2) The superintendent of public instruction must recommend to the **state board of education** that a school district be released from the designation as a required action district after the district implements a required action plan for a period of three years; has made progress, as defined by the superintendent of public instruction using the criteria adopted under RCW 28A.657.020 including progress in closing the educational opportunity gap; and no longer has a school within the district identified as persistently lowest-achieving. The state board shall release a school district from the designation as a required action district upon confirmation that the district has met the requirements for a release.

(3) If the **state board of education** determines that the required action district has not met the requirements for release after at least three years of implementing a required action plan, the board may recommend that the district remain in required action and submit a new or revised plan under the process in RCW 28A.657.050, or the board may direct that the school district be assigned to level two of the required action process as provided in RCW 28A.657.105. If the required action district received a federal school improvement grant for the same persistently lowest-achieving school in 2010 or 2011, the board may direct that the school district be assigned to level two of the required action process after one year of implementing a required action plan under this chapter if the district is not making progress. Before making a determination of whether to recommend that a school district that is not making progress remain in required action or be assigned to level two of the required action process, the **state board of education** must submit its findings to the education accountability system oversight committee under RCW 28A.657.130 and provide an opportunity for the oversight committee to review and comment.

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SUMMARY: THIS STATUTE DESCRIBES DESIGNATION OF RADS.

RCW 28A.657.030

Required action districts -- Recommendation for designation -- Reconsideration -- Designation -- Notice.

(1) Beginning in January 2011, the superintendent of public instruction shall annually recommend to the **state board of education** school districts for designation as required action districts. A district with at least one school identified as a persistently lowest-achieving school according to the criteria established by the superintendent of public instruction under RCW 28A.657.020 shall be designated as a required action district. However, a school district shall not be recommended for designation as a required action district if the district was awarded a federal school improvement grant by the superintendent in 2010 or 2011 and for three consecutive years following receipt of the grant implemented a federal school intervention model at each school identified for improvement. The **state board of education** may designate a district that received a school improvement grant in 2010 or 2011 as a required action district if after three years of voluntarily implementing a plan the district continues to have a school identified as persistently lowest-achieving and meets the criteria for designation established by the superintendent of public instruction.

(2) The superintendent of public instruction shall provide a school district superintendent with written notice of the recommendation for designation as a required action district by certified mail or personal service. A school district superintendent may request reconsideration of the superintendent of public instruction's recommendation. The reconsideration shall be limited to a determination of whether the school district met the criteria for being recommended as a required action district. A request for reconsideration must be in writing and served on the superintendent of public instruction within ten days of service of the notice of the superintendent's recommendation.

(3) The **state board of education** shall annually designate those districts recommended by the superintendent in subsection (1) of this section as required action districts. A district designated as a required action district shall be required to notify all parents of students attending a school identified as a persistently lowest-achieving school in the district of the **state board of education's** designation of the district as a required action district and the process for complying with the requirements set forth in RCW 28A.657.040 through 28A.657.100.

ACCOUNTABILITY FRAMEWORK

SUMMARY: THIS STATUTE LAYS OUT SBE'S RESPONSIBILITIES IN ESTABLISHING AN ACCOUNTABILITY FRAMEWORK.

RCW 28A.657.005

Findings.

(1) The legislature finds that an effective educational accountability system is premised on creating and maintaining partnerships between the state and local school district boards of directors. The legislature also recognizes it takes time to make significant changes that are sustainable over the long term in an educational system that serves more than one million students from diverse communities.

(2) The legislature further finds that it is the state's responsibility to create a coherent and effective accountability framework for the continuous improvement of all schools and school districts. This system must provide an excellent and equitable education for all students, an aligned federal and state accountability system, and the tools necessary for schools and school districts to be accountable. These tools include accounting and data reporting systems, assessment systems to monitor student achievement, and a comprehensive system of differentiated support, targeted assistance, and, if necessary, intervention.

(3) The office of the superintendent of public instruction is responsible for developing and implementing the accountability tools to build district capacity and working within federal and state guidelines. The legislature assigned the **state board of education** responsibility and oversight for creating an accountability framework. This framework provides a unified system of support for challenged schools that aligns with basic education, increases the level of support based upon the magnitude of need, and uses data for decisions. Such a system will identify schools and their districts for recognition as well as for additional state support.

(4) For a specific group of persistently lowest-achieving schools and their districts, it is necessary to provide a required action process that creates a partnership between the state and local district to target funds and assistance to turn around the identified schools. The legislature finds that state takeover of persistently lowest-achieving schools is unlikely to produce long-term improvement in student achievement because takeover is an unsustainable approach to school governance and an inadequate response to addressing the underlying barriers to improved outcomes for all students. However, in the rare case of a persistently lowest-achieving school that continues to fail to improve even after required action and supplemental assistance, it is appropriate and necessary to assign the superintendent of public instruction the responsibility to intercede, provide robust technical assistance, and direct the necessary interventions. Even though the superintendent of public instruction continues to work in partnership with the local school board, the superintendent of public instruction is accountable for assuring that adequate steps are taken to improve student achievement in these schools.

(5) Phase I of this accountability system will recognize schools that have done an exemplary job of raising student achievement and closing the achievement gaps using the Washington achievement index adopted by the **state board of education**. The **state board of education** shall have ongoing collaboration with the educational opportunity gap oversight and accountability committee regarding the measures used to measure the closing of the achievement gaps and recognition provided to the school districts for closing the achievement gaps. Phase I will also target the lowest five percent of persistently lowest-achieving schools defined under federal guidelines to provide federal funds and federal intervention models through a voluntary option in 2010, and for those who do not volunteer and have not improved student achievement, a required action process beginning in 2011.

(6) Phase II of this accountability system will work toward implementing the Washington achievement index for identification of challenged schools in need of improvement, including those that are not Title I schools, and the use of state and local intervention models and federal and state funds through a comprehensive system of differentiated support, targeted assistance, and intervention beginning in the 2014-15 school year. If federal approval of the Washington achievement index is not obtained, the federal guidelines for identifying schools will continue to be used. If it ever becomes necessary, a process is established to assign responsibility to the superintendent of public instruction to intervene in persistently lowest-achieving schools that have failed to improve despite required action.

(7) The expectation from implementation of this accountability system is the improvement of student achievement for all students to prepare them for postsecondary education, work, and global citizenship in the twenty-first century.

SUMMARY: THIS STATUTE ESTABLISHES THE EDUCATION ACCOUNTABILITY SYSTEM OVERSIGHT COMMITTEE.

RCW 28A.657.130

Education accountability system oversight committee -- Membership -- Duties -- Reports.

(1) The education accountability system oversight committee is established to provide ongoing monitoring of the outcomes of the comprehensive system of recognition, support, and intervention for schools and school districts established under this chapter.

(2) The oversight committee shall be composed of the following members:

(a) Two members from each of the largest caucuses of the house of representatives, to be appointed by the speaker of the house of representatives;

(b) Two members from each of the largest caucuses of the senate, to be appointed by the president of the senate;

(c) Two members appointed by the governor; and

(d) One nonlegislative member of the educational opportunity gap oversight and accountability committee.

(3) The oversight committee shall choose a chair from among its membership who shall serve as chair for no more than one consecutive year.

(4) The committee shall:

(a) Monitor the progress and outcomes of the education accountability system established

under this chapter, including but not limited to the effectiveness in improving student achievement of the tiered system of assistance and intervention provided to challenged schools in need of improvement, persistently lowest-achieving schools in required action districts, and level two required action districts;

(b) Review and make recommendations to the **state board of education** regarding the proposed assignment of a required action district to level two of the required action process under RCW 28A.657.105;

(c) Make recommendations to the **state board of education**, the superintendent of public instruction, the governor, and the legislature as necessary if the oversight committee finds that changes to the accountability system should be made; and

(d) Report biennially to the education committees of the legislature.

(5) Staff support for the oversight committee must be provided by the senate committee services and the house of representatives office of program research.

(6) Legislative members of the oversight committee may be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

SUMMARY: THIS STATUTE ENABLES THE SBE TO DIRECT THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO REDIRECT DISTRICT'S TITLE I FUNDS IF A DISTRICT FAILS TO SUBMIT OR FAILS TO GET THE BOARD'S APPROVAL ON A REQUIRED ACTION PLAN.

RCW 28A.657.080

Redirecting Title I funds based on academic performance audit findings.

The **state board of education** may direct the superintendent of public instruction to require a school district that has not submitted a final required action plan for approval, or has submitted but not received **state board of education** approval of a required action plan by the beginning of the school year in which the plan is intended to be implemented, to redirect the district's Title I funds based on the academic performance audit findings.

[2010 c 235 § 108.]

SUMMARY: THIS STATUTE DESCRIBES THE REQUIREMENTS OF THE ACADEMIC PERFORMANCE AUDITS.

RCW 28A.657.040

Academic performance audits of lowest-achieving schools in required action districts -- External review teams -- Audit findings.

(1) The superintendent of public instruction shall contract with an external review team to conduct an academic performance audit of the district and each persistently lowest-achieving school in a required action district to identify the potential reasons for the school's low performance and lack of progress. The review team must consist of persons under contract with the superintendent who have expertise in comprehensive school and district reform and may not include staff from the agency, the school district that is the subject of the audit, or members or staff of the **state board of education**.

(2) The audit must be conducted based on criteria developed by the superintendent of public instruction and must include but not be limited to an examination of the following:

- (a) Student demographics;
- (b) Mobility patterns;
- (c) School feeder patterns;
- (d) The performance of different student groups on assessments;
- (e) Effective school leadership;
- (f) Strategic allocation of resources;
- (g) Clear and shared focus on student learning;
- (h) High standards and expectations for all students;
- (i) High level of collaboration and communication;
- (j) Aligned curriculum, instruction, and assessment to state standards;
- (k) Frequency of monitoring of learning and teaching;
- (l) Focused professional development;
- (m) Supportive learning environment;
- (n) High level of family and community involvement;
- (o) Alternative secondary schools best practices; and
- (p) Any unique circumstances or characteristics of the school or district.

(3) Audit findings must be made available to the local school district, its staff, the community, and the **state board of education**.

GOALS-SETTING STATUTES

THIS STATUTE TASKS THE SBE WITH GOAL-SETTING AND UPDATING THE LEGISLATURE EDUCATION COMMITTEES THROUGH BIENNIAL REPORTS. THE RREPORT MUST INCLUDE A NATIONAL COMPARISON AND PEER STATE COMPARISONS TO SEE IF THE WASHINGTON EDUCATIONAL SYSTEM IS COMPARABLE TO PEERS OR IN THE TOP TEN PERCENT NATIONALLY. WHEN NOT ON TARGET, THE SBE MUST RECOMMEND EVIDENC-BASED REFORM TO BOLSTER THE LOW PERFROMING INDOCATOR.

RCW 28A.150.550

Statewide indicators of educational system health -- Disaggregation -- Use of indicators -- Status reports.

(1) The following statewide indicators of educational system health are established:

(a) The percentage of students demonstrating the characteristics of entering kindergartners in all six areas identified by the Washington kindergarten inventory of developing skills administered in accordance with RCW 28A.655.080;

(b) The percentage of students meeting the standard on the fourth grade statewide reading assessment administered in accordance with RCW 28A.655.070;

(c) The percentage of students meeting the standard on the eighth grade statewide mathematics assessment administered in accordance with RCW 28A.655.070;

(d) The four-year cohort high school graduation rate;

(e) The percentage of high school graduates who during the second quarter after graduation are either enrolled in postsecondary education or training or are employed, and the percentage during the fourth quarter after graduation who are either enrolled in postsecondary education or training or are employed; and

(f) The percentage of students enrolled in precollege or remedial courses in college.

(2) The statewide indicators established in subsection (1) of this section shall be disaggregated as provided under RCW 28A.300.042.

(3) The **state board of education**, with assistance from the office of the superintendent of public instruction, the workforce training and education coordinating board, the educational opportunity gap oversight and accountability committee, and the student achievement council, shall establish a process for identifying realistic but challenging system-wide performance goals

and measurements, if necessary, for each of the indicators established in subsection (1) of this section, including for subcategories of students as provided under subsection (2) of this section. The performance goal for each indicator must be set on a biennial basis, and may only be adjusted upward.

(4) The **state board of education**, the office of the superintendent of public instruction, and the student achievement council shall each align their strategic planning and education reform efforts with the statewide indicators and performance goals established under this section.

(5)(a) The **state board of education**, with assistance from the office of the superintendent of public instruction, the workforce training and education coordinating board, the educational opportunity gap oversight and accountability committee, and the student achievement council, shall submit a report on the status of each indicator in subsection (1) of this section and recommend revised performance goals and measurements, if necessary, by December 1st of each even-numbered year, except that the initial report establishing baseline values and initial goals shall be delivered to the education committees of the legislature by December 1, 2013.

(b) If the educational system is not on target to meet the performance goals on any individual indicator, the report must recommend evidence-based reforms intended to improve student achievement in that area.

(c) To the extent data is available, the performance goals for each indicator must be compared with national data in order to identify whether Washington student achievement results are within the top ten percent nationally or are comparable to results in peer states with similar characteristics as Washington. If comparison data show that Washington students are falling behind national peers on any indicator, the report must recommend evidence-based reforms targeted at addressing the indicator in question.

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RCW 28B.77.020

Educational attainment goals and priorities -- Short-term strategic action plan -- Ten-year roadmap -- System reviews -- Role of education data center -- Responsibility for work of the office -- Additional duties.

(1) Aligned with the state's biennial budget and policy cycles, the council shall propose educational attainment goals and priorities to meet the state's evolving needs. The council shall identify strategies for meeting the goals and priorities by means of a short-term strategic action plan and a ten-year plan that serves as a roadmap.

(a) The goals must address the needs of Washington residents to reach higher levels of educational attainment and Washington's workforce needs for certificates and degrees in particular fields of study.

(b) The council shall identify the resources it deems appropriate to meet statewide goals and also recognize current state economic conditions and state resources.

(c) In proposing goals, the council shall collaborate with the superintendent of public instruction, the professional educator standards board, the **state board of education**, the state board for community and technical colleges, the four-year institutions of higher education, independent colleges and degree-granting institutions, certificate-granting institutions, and the workforce training and education coordinating board.

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CHARTER SCHOOL AUTHORIZER OVERSIGHT STATUTES

SUMMARY: THIS STATUTE ESTABLISHES THE SBES AUTHORITY TO EXERCISE OVERSIGHT OF THE PERFORMANCE OF CHARTER AUTHORIZERS (I.E., SCHOOL DISTRICTS) IT HAS APPROVED UNDER RCW 28A.710.090, TO REVOKE, FOR CAUSE, AN AUTHORIZER'S AUTHORITY TO AUTHORIZE CHARTER SCHOOLS, AND , IN THE EVENT OF REVOCATON, TO TRANSFER ITS CHARTER SCHOOLS' CHARTERS TO ANOTHER AUTHORIZER.

RCW 28A.710.120

Oversight of authorizers -- Notification of identified problems -- Process for revocation of authorizer's authority -- Timelines for actions.

(1) The **state board of education** is responsible for overseeing the performance and effectiveness of all authorizers approved under RCW 28A.710.090.

(2) Persistently unsatisfactory performance of an authorizer's portfolio of charter schools, a pattern of well-founded complaints about the authorizer or its charter schools, or other objective circumstances may trigger a special review by the **state board of education**.

(3) In reviewing or evaluating the performance of authorizers, the board must apply nationally recognized principles and standards for quality charter authorizing. Evidence of material or persistent failure by an authorizer to carry out its duties in accordance with the principles and standards constitutes grounds for revocation of the authorizing contract by the state board, as provided under this section.

(4) If at any time the **state board of education** finds that an authorizer is not in compliance with a charter contract, its authorizing contract, or the authorizer duties under RCW 28A.710.100, the board must notify the authorizer in writing of the identified problems, and the authorizer shall have reasonable opportunity to respond and remedy the problems.

(5) If an authorizer persists after due notice from the **state board of education** in violating a material provision of a charter contract or its authorizing contract, or fails to remedy other identified authorizing problems, the **state board of education** shall notify the authorizer, within a

reasonable amount of time under the circumstances, that it intends to revoke the authorizer's chartering authority unless the authorizer demonstrates a timely and satisfactory remedy for the violation or deficiencies.

(6) In the event of revocation of any authorizer's chartering authority, the **state board of education** shall manage the timely and orderly transfer of each charter contract held by that authorizer to another authorizer in the state, with the mutual agreement of each affected charter school and proposed new authorizer. The new authorizer shall assume the existing charter contract for the remainder of the charter term.

(7) The **state board of education** must establish timelines and a process for taking actions under this section in response to performance deficiencies by an authorizer.

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SUMMARY: THIS SECTION ESTABLISHES THE RESPONSIBILITY OF THE SBE TO ENSURE COMPLIANCE WITH THE LIMITS ON THE NUMBER OF CHARTER SCHOOLS THAT MAY BE ESTABLISHED ANNUALLY AND OVER A FIVE-YEAR PERIOD.

RCW 28A.710.150

Maximum number of charter schools -- Process -- Certification -- Lottery--Notice.

(1) A maximum of forty public charter schools may be established under this chapter, over a five-year period. No more than eight charter schools may be established in any single year during the five-year period, except that if in any single year fewer than eight charter schools are established, then additional charter schools equal in number to the difference between the number established in that year and eight may be established in subsequent years during the five-year period.

(2) To ensure compliance with the limits for establishing new charter schools, certification from the **state board of education** must be obtained before final authorization of a charter school. Within ten days of taking action to approve or deny an application under RCW 28A.710.140, an authorizer must submit a report of the action to the applicant and to the **state board of education**, which must include a copy of the authorizer's resolution setting forth the action taken, the reasons for the decision, and assurances of compliance with the procedural requirements and application elements under RCW 28A.710.130 and 28A.710.140. The authorizer must also indicate whether the charter school is designed to enroll and serve at-risk student populations. The **state board of education** must establish, for each year in which charter schools may be authorized as part of the timeline to be established pursuant to RCW 28A.710.140, the last date by which the authorizer must submit the report. The **state board of education** must send notice of the date to each authorizer no later than six months before the date.

(3) Upon the receipt of notice from an authorizer that a charter school has been approved, the **state board of education** shall certify whether the approval is in compliance with the limits on the maximum number of charters allowed under subsection (1) of this section. If the board receives simultaneous notification of approved charters that exceed the annual allowable limits in

subsection (1) of this section, the board must select approved charters for implementation through a lottery process, and must assign implementation dates accordingly.

(4) The **state board of education** must notify authorizers when the maximum allowable number of charter schools has been reached.

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SUMMARY: THIS SECTION REQUIRES THE SBE TO MAKE AN ANNUAL REPORT, IN COLLABORATION WITH THE WASHINGTON STATE CHARTER SCHOOLS COMMISSION, ON THE STATE'S CHARTER SCHOOLS FOR THE PREVIOUS YEAR, AND TO RECOMMEND, AFTER THE FIFTH YEAR, WHETHER THE LEGISLATURE SHOULD AUTHORIZE THE ESTABLISHMENT OF ADDITIONAL SCHOOLS.

RCW 28A.710.250

Annual reports -- Recommendation regarding additional schools.

(1) By December 1st of each year beginning in the first year after there have been charter schools operating for a full school year, the **state board of education**, in collaboration with the commission, must issue an annual report on the state's charter schools for the preceding school year to the governor, the legislature, and the public at-large.

(2) The annual report must be based on the reports submitted by each authorizer as well as any additional relevant data compiled by the board. The report must include a comparison of the performance of charter school students with the performance of academically, ethnically, and economically comparable groups of students in noncharter public schools. In addition, the annual report must include the **state board of education's** assessment of the successes, challenges, and areas for improvement in meeting the purposes of this chapter, including the board's assessment of the sufficiency of funding for charter schools, the efficacy of the formula for authorizer funding, and any suggested changes in state law or policy necessary to strengthen the state's charter schools.

(3) Together with the issuance of the annual report following the fifth year after there have been charter schools operating for a full school year, the **state board of education**, in collaboration with the commission, shall submit a recommendation regarding whether or not the legislature should authorize the establishment of additional public charter schools.

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SUMMARY: THIS SECTION REQUIRES THE SBE TO SET A FEE, DEDUCTED FROM THE STATE ALLOCATION TO EACH CHARTER SCHOOL, THAT IS RETAINED BY AUTHORIZERS TO SUPPORT THE COSTS OF THEIR AUTHORIZING ACTIVITIES.

RCW 28A.710.110

Authorizer oversight fee -- Establishment -- Use.

(1) The **state board of education** shall establish a statewide formula for an authorizer oversight fee, which shall be calculated as a percentage of the state operating funding allocated under RCW 28A.710.220 to each charter school under the jurisdiction of an authorizer, but may not exceed four percent of each charter school's annual funding. The office of the superintendent of public instruction shall deduct the oversight fee from each charter school's allocation under RCW 28A.710.220 and transmit the fee to the appropriate authorizer.

(2) The **state board of education** may establish a sliding scale for the authorizer oversight fee, with the funding percentage decreasing after the authorizer has achieved a certain threshold, such as after a certain number of years of authorizing or after a certain number of charter schools have been authorized.

(3) An authorizer must use its oversight fee exclusively for the purpose of fulfilling its duties under RCW 28A.710.100.

(4) An authorizer may provide contracted, fee-based services to charter schools under its jurisdiction that are in addition to the oversight duties under RCW 28A.710.100. An authorizer may not charge more than market rates for the contracted services provided. A charter school may not be required to purchase contracted services from an authorizer. Fees collected by the authorizer under this subsection must be separately accounted for and reported annually to the **state board of education**.

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SUMMARY: THIS SECTION REQUIRES THE SBE TO ESTABLISH A PROCESS FOR SCHOOL DISTRICTS TO APPLY FOR APPROVAL AS AUTHORIZERS OF CHARTER SCHOOLS, SPECIFIES MINIMUM COMPONENTS OF THE APPLICATION, AND DIRECTS THE SBE AND A DISTRICT WHOSE APPLICATION HAS BEEN APPROVED TO EXECUTE AN AUTHORIZING CONTRACT.

RCW 28A.710.090

Charter school authorizers -- Approval process.

(1) The **state board of education** shall establish an annual application and approval process and timelines for entities seeking approval to be charter school authorizers. The initial process and timelines must be established no later than ninety days after December 6, 2012.

(2) At a minimum, each applicant must submit to the state board:

(a) The applicant's strategic vision for chartering;

(b) A plan to support the vision presented, including explanation and evidence of the applicant's budget and personnel capacity and commitment to execute the responsibilities of quality charter authorizing;

(c) A draft or preliminary outline of the request for proposals that the applicant would, if approved as an authorizer, issue to solicit charter school applicants;

(d) A draft of the performance framework that the applicant would, if approved as an authorizer, use to guide the establishment of a charter contract and for ongoing oversight and evaluation of charter schools;

(e) A draft of the applicant's proposed renewal, revocation, and nonrenewal processes, consistent with RCW 28A.710.190 and 28A.710.200;

(f) A statement of assurance that the applicant seeks to serve as an authorizer in fulfillment of the expectations, spirit, and intent of this chapter, and that if approved as an authorizer, the applicant will fully participate in any authorizer training provided or required by the state; and

(g) A statement of assurance that the applicant will provide public accountability and transparency in all matters concerning charter authorizing practices, decisions, and expenditures.

(3) The state board of education shall consider the merits of each application and make its decision within the timelines established by the board.

(4) Within thirty days of making a decision to approve an application under this section, the state board of education must execute a renewable authorizing contract with the entity. The initial term of an authorizing contract shall be six years. The authorizing contract must specify each approved entity's agreement to serve as an authorizer in accordance with the expectations of this chapter, and may specify additional performance terms based on the applicant's proposal and plan for chartering. No approved entity may commence charter authorizing without an authorizing contract in effect.

SUMMARY: THIS SECTION REQUIRES THE SBE TO REVIEW PETITIONS TO TRANSFER CHARTER CONTRACTS FROM ONE AUTHORIZER TO ANOTHER AND DETERMINE WHETHER TO GRANT THE TRANSFERS.

RCW 28A.710.210

Charter school termination protocol -- Dissolution of nonprofit corporation applicant -- Transfer of charter contract.

(1) Before making a decision to not renew or to revoke a charter contract, authorizers must develop a charter school termination protocol to ensure timely notification to parents, orderly transition of students and student records to new schools, as necessary, and proper disposition of public school funds, property, and assets. The protocol must specify tasks, timelines, and responsible parties, including delineating the respective duties of the charter school and the authorizer.

(2) In the event that the nonprofit corporation applicant of a charter school should dissolve for any reason including, without limitation, because of the termination of the charter contract, the

public school funds of the charter school that have been provided pursuant to RCW 28A.710.220 must be returned to the state or local account from which the public funds originated. If the charter school has comingled the funds, the funds must be returned in proportion to the proportion of those funds received by the charter school from the public accounts in the last year preceding the dissolution. The dissolution of an applicant nonprofit corporation shall otherwise proceed as provided by law.

(3) A charter contract may not be transferred from one authorizer to another or from one charter school applicant to another before the expiration of the charter contract term except by petition to the state board of education by the charter school or its authorizer. The state board of education must review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the charter school's students.

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SUMMARY: THIS SECTION REQUIRES AUTHORIZERS TO REPORT TO THE SBE DECISIONS TO RENEW, NOT TO RENEW, OR REVOKE CHARTER APPLICATIONS.

RCW 28A.710.200

Charter contracts -- Nonrenewal or revocation.

(1) A charter contract may be revoked at any time or not renewed if the authorizer determines that the charter school did any of the following or otherwise failed to comply with the provisions of this chapter:

(a) Committed a material and substantial violation of any of the terms, conditions, standards, or procedures required under this chapter or the charter contract;

(b) Failed to meet or make sufficient progress toward the performance expectations set forth in the charter contract;

(c) Failed to meet generally accepted standards of fiscal management; or

(d) Substantially violated any material provision of law from which the charter school is not exempt.

(2) A charter contract may not be renewed if, at the time of the renewal application, the charter school's performance falls in the bottom quartile of schools on the accountability index developed by the state board of education under RCW 28A.657.110, unless the charter school demonstrates exceptional circumstances that the authorizer finds justifiable.

(3) Each authorizer must develop revocation and nonrenewal processes that:

(a) Provide the charter school board with a timely notification of the prospect of and reasons for revocation or nonrenewal;

- (b) Allow the charter school board a reasonable amount of time in which to prepare a response;
 - (c) Provide the charter school board with an opportunity to submit documents and give testimony challenging the rationale for closure and in support of the continuation of the school at a recorded public proceeding held for that purpose;
 - (d) Allow the charter school board to be represented by counsel and to call witnesses on its behalf; and
 - (e) After a reasonable period for deliberation, require a final determination to be made and conveyed in writing to the charter school board.
- (4) If an authorizer revokes or does not renew a charter, the authorizer must clearly state in a resolution the reasons for the revocation or nonrenewal.
- (5) Within ten days of taking action to renew, not renew, or revoke a charter contract, an authorizer must submit a report of the action to the applicant and to the **state board of education**, which must include a copy of the authorizer's resolution setting forth the action taken, the reasons for the decision, and assurances of compliance with the procedural requirements established by the authorizer under this section.

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SUMMARY: THIS SECTION DECLARES THAT CHARTER SCHOOLS ARE SUBJECT TO THE SUPERVISION OF THE SPI AND SBE, INCLUDING ACCOUNTABILITY MEASURES, EXCEPT AS OTHERWISE PROVIDED IN THE CHARTER SCHOOL LAW.

RCW 28A.710.040

Charter schools -- Requirements.

- (1) A charter school must operate according to the terms of its charter contract and the provisions of this chapter.
- (2) All charter schools must:
- (a) Comply with local, state, and federal health, safety, parents' rights, civil rights, and nondiscrimination laws applicable to school districts and to the same extent as school districts, including but not limited to chapter 28A.642 RCW (discrimination prohibition) and chapter 28A.640 RCW (sexual equality);
 - (b) Provide basic education, as provided in RCW 28A.150.210, including instruction in the essential academic learning requirements and participate in the statewide student assessment system as developed under RCW 28A.655.070;

(c) Employ certificated instructional staff as required in RCW 28A.410.025: PROVIDED, That charter schools may hire noncertificated instructional staff of unusual competence and in exceptional cases as specified in RCW 28A.150.203(7);

(d) Comply with the employee record check requirements in RCW 28A.400.303;

(e) Adhere to generally accepted accounting principles and be subject to financial examinations and audits as determined by the state auditor, including annual audits for legal and fiscal compliance;

(f) Comply with the annual performance report under RCW 28A.655.110;

(g) Be subject to the performance improvement goals adopted by the state board of education under RCW 28A.305.130;

(h) Comply with the open public meetings act in chapter 42.30 RCW and public records requirements in chapter 42.56 RCW; and

(i) Be subject to and comply with legislation enacted after December 6, 2012, governing the operation and management of charter schools.

(3) Public charter schools must comply with all state statutes and rules made applicable to the charter school in the school's charter contract and are subject to the specific state statutes and rules identified in subsection (2) of this section. Charter schools are not subject to and are exempt from all other state statutes and rules applicable to school districts and school district boards of directors, for the purpose of allowing flexibility to innovate in areas such as scheduling, personnel, funding, and educational programs in order to improve student outcomes and academic achievement. Charter schools are exempt from all school district policies except policies made applicable in the school's charter contract.

(4) No charter school may engage in any sectarian practices in its educational program, admissions or employment policies, or operations.

(5) Charter schools are subject to the supervision of the superintendent of public instruction and the state board of education, including accountability measures, to the same extent as other public schools, except as otherwise provided in chapter 2, Laws of 2013.

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SUMMARY: THIS SECTION REQUIRES CHARTER AUTHORIZERS TO NOTIFY THE SBE OF EXECUTION OF A CHARTER CONTRACT WITH A CHARTER SCHOOL AND TO SEND THE SBE A COPY OF THE CONTRACT.

RCW 28A.710.160
Charter contracts.

(1) The purposes of the charter application submitted under RCW 28A.710.130 are to present the proposed charter school's academic and operational vision and plans and to demonstrate and provide the authorizer a clear basis for the applicant's capacities to execute the proposed vision and plans. An approved charter application does not serve as the school's charter contract.

(2) Within ninety days of approval of a charter application, the authorizer and the governing board of the approved charter school must execute a charter contract by which, fundamentally, the public charter school agrees to provide educational services that at a minimum meet basic education standards in return for an allocation of public funds to be used for such purpose all as set forth in this and other applicable statutes and in the charter contract. The charter contract must clearly set forth the academic and operational performance expectations and measures by which the charter school will be judged and the administrative relationship between the authorizer and charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract must include but need not be limited to applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the charter school is operating and has collected baseline achievement data for its enrolled students.

(3) The charter contract must be signed by the president of the school district board of directors if the school district board of directors is the authorizer or the chair of the commission if the commission is the authorizer and by the president of the charter school board. Within ten days of executing a charter contract, the authorizer must submit to the state board of education written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

RCW 28A.710.140

Charter applications -- Submission--Approval or denial.

(1) The state board of education must establish an annual statewide timeline for charter application submission and approval or denial, which must be followed by all authorizers.

RCW 28A.710.130

Charter school applications -- Request for proposals, content -- Charter school application, content.

(1)(a) Each authorizer must annually issue and broadly publicize a request for proposals for charter school applicants by the date established by the state board of education under RCW 28A.710.140.

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SUMMARY: THIS SECTION REQUIRES EACH AUTHORIZER TO SUBMIT AN ANNUAL REPORT TO THE SBE, INCLUDING GENERAL INFORMATION ON THE AUTHORIZER'S PORTFOLIO OF CHARTER SCHOOLS AND THE ACADEMIC, FINANCIAL AND FINANCIAL PERFORMANCE OF EACH SCHOOL.

RCW 28A.710.100

Charter school authorizers -- Powers and duties -- Delegation of authority -- Annual report -- Liability.

(1) Authorizers are responsible for:

- (a) Soliciting and evaluating charter applications;
- (b) Approving quality charter applications that meet identified educational needs and promote a diversity of educational choices;
- (c) Denying weak or inadequate charter applications;
- (d) Negotiating and executing sound charter contracts with each authorized charter school;
- (e) Monitoring, in accordance with charter contract terms, the performance and legal compliance of charter schools including, without limitation, education and academic performance goals and student achievement; and
- (f) Determining whether each charter contract merits renewal, nonrenewal, or revocation.

(2) An authorizer may delegate its responsibilities under this section to employees or contractors.

(3) All authorizers must develop and follow chartering policies and practices that are consistent with the principles and standards for quality charter authorizing developed by the national association of charter school authorizers in at least the following areas:

- (a) Organizational capacity and infrastructure;
- (b) Soliciting and evaluating charter applications;
- (c) Performance contracting;
- (d) Ongoing charter school oversight and evaluation; and
- (e) Charter renewal decision making.

(4) Each authorizer must submit an annual report to the state board of education, according to a timeline, content, and format specified by the board, which includes:

- (a) The authorizer's strategic vision for chartering and progress toward achieving that vision;
 - (b) The academic and financial performance of all operating charter schools overseen by the authorizer, including the progress of the charter schools based on the authorizer's performance framework;
 - (c) The status of the authorizer's charter school portfolio, identifying all charter schools in each of the following categories: Approved but not yet open, operating, renewed, transferred, revoked, not renewed, voluntarily closed, or never opened;
 - (d) The authorizer's operating costs and expenses detailed in annual audited financial statements that conform with generally accepted accounting principles; and
 - (e) The services purchased from the authorizer by the charter schools under its jurisdiction under RCW [28A.710.110](#), including an itemized accounting of the actual costs of these services.
- (5) Neither an authorizer, individuals who comprise the membership of an authorizer in their official capacity, nor the employees of an authorizer are liable for acts or omissions of a charter school they authorize.
- (6) No employee, trustee, agent, or representative of an authorizer may simultaneously serve as an employee, trustee, agent, representative, vendor, or contractor of a charter school under the jurisdiction of that authorizer.
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RCW 28A.710.080

Charter school authorizers -- Eligibility.

The following entities are eligible to be authorizers of charter schools:

- (1) The Washington charter school commission established under RCW [28A.710.070](#), for charter schools located anywhere in the state; and
 - (2) School district boards of directors that have been approved by the [state board of education](#) under [*RCW 28A.710.090](#) before authorizing a charter school, for charter schools located within the school district's own boundaries.
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STANDARDS & ASSESSMENT SYSTEM STATUTES

SUMMARY: THIS STATUTE LAYS OUT SBE'S RESPONSIBILITIES IN ALTERNATIVE ASSESSMENT METHODS.

RCW 28A.655.065

Objective alternative assessment methods -- Appeals from assessment scores -- Waivers and appeals from assessment requirements -- Rules.

(1) The legislature has made a commitment to rigorous academic standards for receipt of a high school diploma. The primary way that students will demonstrate that they meet the standards in reading, writing, mathematics, and science is through the Washington assessment of student learning. Only objective assessments that are comparable in rigor to the state assessment are authorized as an alternative assessment. Before seeking an alternative assessment, the legislature expects students to make a genuine effort to meet state standards, through regular and consistent attendance at school and participation in extended learning and other assistance programs.

(2) Under RCW 28A.655.061, beginning in the 2006-07 school year, the superintendent of public instruction shall implement objective alternative assessment methods as provided in this section for students to demonstrate achievement of the state standards in content areas in which the student has not yet met the standard on the high school Washington assessment of student learning. A student may access an alternative if the student meets applicable eligibility criteria in RCW 28A.655.061 and this section and other eligibility criteria established by the superintendent of public instruction, including but not limited to attendance criteria and participation in the remediation or supplemental instruction contained in the student learning plan developed under RCW 28A.655.061. A school district may waive attendance and/or remediation criteria for special, unavoidable circumstances.

(3) For the purposes of this section, "applicant" means a student seeking to use one of the alternative assessment methods in this section.

(4) One alternative assessment method shall be a combination of the applicant's grades in applicable courses and the applicant's highest score on the high school Washington assessment of student learning, as provided in this subsection. A student is eligible to apply for the alternative assessment method under this subsection (4) if the student has a cumulative grade point average of at least 3.2 on a four point grading scale. The superintendent of public instruction shall determine which high school courses are applicable to the alternative assessment method and shall issue guidelines to school districts.

(a) Using guidelines prepared by the superintendent of public instruction, a school district shall identify the group of students in the same school as the applicant who took the same high school courses as the applicant in the applicable content area. From the group of students identified in this manner, the district shall select the comparison cohort that shall be those students who met or slightly exceeded the state standard on the Washington assessment of student learning.

(b) The district shall compare the applicant's grades in high school courses in the applicable

content area to the grades of students in the comparison cohort for the same high school courses. If the applicant's grades are equal to or above the mean grades of the comparison cohort, the applicant shall be deemed to have met the state standard on the alternative assessment.

(c) An applicant may not use the alternative assessment under this subsection (4) if there are fewer than six students in the comparison cohort.

(5) The superintendent of public instruction shall develop an alternative assessment method that shall be an evaluation of a collection of work samples prepared and submitted by the applicant. Effective September 1, 2009, collection of work samples may be submitted only in content areas where meeting the state standard on the high school assessment is required for purposes of graduation.

(a) The superintendent of public instruction shall develop guidelines for the types and number of work samples in each content area that may be submitted as a collection of evidence that the applicant has met the state standard in that content area. Work samples may be collected from academic, career and technical, or remedial courses and may include performance tasks as well as written products. The superintendent shall submit the guidelines for approval by the **state board of education**.

(b) The superintendent shall develop protocols for submission of the collection of work samples that include affidavits from the applicant's teachers and school district that the samples are the work of the applicant and a requirement that a portion of the samples be prepared under the direct supervision of a classroom teacher. The superintendent shall submit the protocols for approval by the **state board of education**.

(c) The superintendent shall develop uniform scoring criteria for evaluating the collection of work samples and submit the scoring criteria for approval by the **state board of education**. Collections shall be scored at the state level or regionally by a panel of educators selected and trained by the superintendent to ensure objectivity, reliability, and rigor in the evaluation. An educator may not score work samples submitted by applicants from the educator's school district. If the panel awards an applicant's collection of work samples the minimum required score, the applicant shall be deemed to have met the state standard on the alternative assessment.

(d) Using an open and public process that includes consultation with district superintendents, school principals, and other educators, the **state board of education** shall consider the guidelines, protocols, scoring criteria, and other information regarding the collection of work samples submitted by the superintendent of public instruction. The collection of work samples may be implemented as an alternative assessment after the **state board of education** has approved the guidelines, protocols, and scoring criteria and determined that the collection of work samples: (i) Will meet professionally accepted standards for a valid and reliable measure of the grade level expectations and the essential academic learning requirements; and (ii) is comparable to or exceeds the rigor of the skills and knowledge that a student must demonstrate on the Washington assessment of student learning in the applicable content area. The state board shall make an approval decision and determination no later than December 1, 2006, and thereafter may increase the required rigor of the collection of work samples.

(e) By September of 2006, the superintendent of public instruction shall develop informational materials for parents, teachers, and students regarding the collection of work samples and the status of its development as an alternative assessment method. The materials shall provide specific guidance regarding the type and number of work samples likely to be required, include examples of work that meets the state learning standards, and describe the scoring criteria and process for the collection. The materials shall also encourage students in the graduating class of 2008 to begin creating a collection if they believe they may seek to use the collection once it is implemented as an alternative assessment.

(6)(a) For students enrolled in a career and technical education program approved under RCW [28A.700.030](#), the superintendent of public instruction shall develop additional guidelines for collections of work samples that are tailored to different career and technical programs. The additional guidelines shall:

(i) Provide multiple examples of work samples that are related to the particular career and technical program;

(ii) Permit work samples based on completed activities or projects where demonstration of academic knowledge is inferred; and

(iii) Provide multiple examples of work samples drawn from career and technical courses.

(b) The purpose of the additional guidelines is to provide a clear pathway toward a certificate of academic achievement for career and technical students by showing them applied and relevant opportunities to demonstrate their knowledge and skills, and to provide guidance to teachers in integrating academic and career and technical instruction and assessment and assisting career and technical students in compiling a collection. The superintendent of public instruction shall develop and disseminate additional guidelines for no fewer than ten career and technical education programs representing a variety of program offerings by no later than September 1, 2008. Guidelines for ten additional programs shall be developed and disseminated no later than June 1, 2009.

(c) The superintendent shall consult with community and technical colleges, employers, the workforce training and education coordinating board, apprenticeship programs, and other regional and national experts in career and technical education to create appropriate guidelines and examples of work samples and other evidence of a career and technical student's knowledge and skills on the state academic standards.

(7) The superintendent of public instruction shall study the feasibility of using existing mathematics assessments in languages other than English as an additional alternative assessment option. The study shall include an estimation of the cost of translating the tenth grade mathematics assessment into other languages and scoring the assessments should they be implemented.

(8) The superintendent of public instruction shall implement:

(a) By June 1, 2006, a process for students to appeal the score they received on the high school assessments; and

(b) By January 1, 2007, guidelines and appeal processes for waiving specific requirements in RCW 28A.655.061 pertaining to the certificate of academic achievement and to the certificate of individual achievement for students who: (i) Transfer to a Washington public school in their junior or senior year with the intent of obtaining a public high school diploma, or (ii) have special, unavoidable circumstances.

(9) The state board of education shall examine opportunities for additional alternative assessments, including the possible use of one or more standardized norm-referenced student achievement tests and the possible use of the reading, writing, or mathematics portions of the ACT ASSET and ACT COMPASS test instruments as objective alternative assessments for demonstrating that a student has met the state standards for the certificate of academic achievement. The state board shall submit its findings and recommendations to the education committees of the legislature by January 10, 2008.

(10) The superintendent of public instruction shall adopt rules to implement this section.

ASSESSMENTS

SUMMARY: THESE STATUTES SPECIFY SBE'S RESPONSIBILITIES IN ASSESSEMTNS AND ALTERNATIVE ASSESSMENTS. EXCUSES HOME-BASED INSTRUCTION STUDENTS FROM THE ASSESSMENT REQUIREMENT. FINDINGS SECTION BELOW REFERS TO LEGISLATIVE INTENT TO ESTABLISH TWO SCORES ON THE CONSORTIUM-DEVELOPED ASSESSMENTS, ONE FOR GRADUATION AND ONE FOR COLLEGE AND CAREER READINESS.

RCW 28A.655.066

Statewide end-of-course assessments for high school mathematics. (*Effective until September 1, 2019.*)

(1)(a) In consultation with the state board of education, the superintendent of public instruction shall develop statewide end-of-course assessments for high school mathematics that measure student achievement of the state mathematics standards. The superintendent shall take steps to ensure that the language of the assessments is responsive to a diverse student population. The assessments shall be implemented statewide in the 2010-11 school year.

(b) The superintendent shall develop end-of-course assessments for the first year of high

school mathematics that include the standards common to algebra I and integrated mathematics I and for the second year of high school mathematics that include the standards common to geometry and integrated mathematics II. The assessments under this subsection (1)(b) shall be used to demonstrate that a student meets the state standard on the mathematics content area of the high school statewide student assessment for purposes of RCW 28A.655.061.

(c) The superintendent of public instruction shall also develop subtests for the end-of-course assessments that measure standards for the first two years of high school mathematics that are unique to algebra I, integrated mathematics I, geometry, and integrated mathematics II. The results of the subtests shall be reported at the student, teacher, school, and district level.

(2) All of the objective alternative assessments available to students under RCW 28A.655.061 and 28A.655.065 shall be available to any student who has taken an end-of-course assessment once but does not meet the state mathematics standard on an end-of-course assessment.

(3) The superintendent of public instruction shall report at least annually or more often if necessary to keep the education committees of the legislature informed on each step of the development and implementation process under this section.

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RCW 28A.655.061

High school assessment system -- Certificate of academic achievement -- Exemptions -- Options to retake high school assessment -- Objective alternative assessment -- Student learning plans.

(1) The high school assessment system shall include but need not be limited to the statewide student assessment, opportunities for a student to retake the content areas of the assessment in which the student was not successful, and, if approved by the legislature pursuant to subsection (10) of this section, one or more objective alternative assessments for a student to demonstrate achievement of state academic standards. The objective alternative assessments for each content area shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment for each content area.

(2) Subject to the conditions in this section, a certificate of academic achievement shall be obtained and is evidence that the students have successfully met the state standard in the content areas included in the certificate. With the exception of students satisfying the provisions of RCW 28A.155.045 or *28A.655.0611, acquisition of the certificate is required for graduation from a public high school but is not the only requirement for graduation.

(3)(a) Beginning with the graduating class of 2008 through the graduating class of 2015, with the exception of students satisfying the provisions of RCW 28A.155.045, a student who meets the state standards on the reading, writing, and mathematics high school statewide student assessment shall earn a certificate of academic achievement. The mathematics assessment shall

be the end-of-course assessment for the first year of high school mathematics that assesses the standards common to algebra I and integrated mathematics I or the end-of-course assessment for the second year of high school mathematics that assesses standards common to geometry and integrated mathematics II.

(b) As the state transitions from reading and writing assessments to an English language arts assessment and from end-of-course assessments to a comprehensive assessment for high school mathematics, a student in a graduating class of 2016 through 2018 shall earn a certificate of academic achievement if the student meets the state standard as follows:

(i) Students in the graduating class of 2016 may use the results from:

(A) The reading and writing assessment or the English language arts assessment developed with the multistate consortium; and

(B) The end-of-course assessment for the first year of high school mathematics, the end-of-course assessment for the second year of high school mathematics, or the comprehensive mathematics assessment developed with the multistate consortium.

(ii) Students in the graduating classes of 2017 and 2018 may use the results from:

(A) The tenth grade English language arts assessment developed by the superintendent of public instruction using resources from the multistate consortium or the English language arts assessment developed with the multistate consortium; and

(B) The end-of-course assessment for the first year of high school mathematics, the end-of-course assessment for the second year of high school mathematics, or the comprehensive mathematics assessment developed with the multistate consortium.

(c) Beginning with the graduating class of 2019, a student who meets the state standards on the high school English language arts assessment developed with the multistate consortium and the comprehensive mathematics assessment developed with the multistate consortium shall earn a certificate of academic achievement.

(d) If a student does not successfully meet the state standards in one or more content areas required for the certificate of academic achievement, then the student may retake the assessment in the content area at least twice a year at no cost to the student. If the student successfully meets the state standards on a retake of the assessment then the student shall earn a certificate of academic achievement. Once objective alternative assessments are authorized pursuant to subsection (10) of this section, a student may use the objective alternative assessments to demonstrate that the student successfully meets the state standards for that content area if the student has taken the statewide student assessment at least once. If the student successfully meets the state standards on the objective alternative assessments then the student shall earn a certificate of academic achievement.

(4) Beginning with the graduating class of 2015, a student must meet the state standards in

science in addition to the other content areas required under subsection (3) of this section on the statewide student assessment, a retake, or the objective alternative assessments in order to earn a certificate of academic achievement.

(5) The **state board of education** may not require the acquisition of the certificate of academic achievement for students in home-based instruction under chapter 28A.200 RCW, for students enrolled in private schools under chapter 28A.195 RCW, or for students satisfying the provisions of RCW 28A.155.045.

(6) A student may retain and use the highest result from each successfully completed content area of the high school assessment.

(7) School districts must make available to students the following options:

(a) To retake the statewide student assessment at least twice a year in the content areas in which the student did not meet the state standards if the student is enrolled in a public school; or

(b) To retake the statewide student assessment at least twice a year in the content areas in which the student did not meet the state standards if the student is enrolled in a high school completion program at a community or technical college. The superintendent of public instruction and the state board for community and technical colleges shall jointly identify means by which students in these programs can be assessed.

(8) Students who achieve the standard in a content area of the high school assessment but who wish to improve their results shall pay for retaking the assessment, using a uniform cost determined by the superintendent of public instruction.

(9) Opportunities to retake the assessment at least twice a year shall be available to each school district.

(10)(a) The office of the superintendent of public instruction shall develop options for implementing objective alternative assessments, which may include an appeals process for students' scores, for students to demonstrate achievement of the state academic standards. The objective alternative assessments shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment and be objective in its determination of student achievement of the state standards. Before any objective alternative assessments in addition to those authorized in RCW 28A.655.065 or (b) of this subsection are used by a student to demonstrate that the student has met the state standards in a content area required to obtain a certificate, the legislature shall formally approve the use of any objective alternative assessments through the omnibus appropriations act or by statute or concurrent resolution.

(b)(i) A student's score on the mathematics, reading or English, or writing portion of the SAT or the ACT may be used as an objective alternative assessment under this section for demonstrating that a student has met or exceeded the state standards for the certificate of academic achievement. The **state board of education** shall identify the scores students must

achieve on the relevant portion of the SAT or ACT to meet or exceed the state standard in the relevant content area on the statewide student assessment. A student's score on the science portion of the ACT or the science subject area tests of the SAT may be used as an objective alternative assessment under this section as soon as the state board of education determines that sufficient data is available to identify reliable equivalent scores for the science content area of the statewide student assessment. After the first scores are established, the state board may increase but not decrease the scores required for students to meet or exceed the state standards.

(ii) A student who scores at least a three on the grading scale of one to five for selected AP examinations may use the score as an objective alternative assessment under this section for demonstrating that a student has met or exceeded state standards for the certificate of academic achievement. A score of three on the AP examinations in calculus or statistics may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of three on the AP examinations in English language and composition may be used as an alternative assessment for the writing portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examinations in English literature and composition, macroeconomics, microeconomics, psychology, United States history, world history, United States government and politics, or comparative government and politics may be used as an alternative assessment for the reading portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examination in biology, physics, chemistry, or environmental science may be used as an alternative assessment for the science portion of the statewide student assessment.

(iii) A student who scores at least a four on selected externally administered international baccalaureate (IB) examinations may use the score as an objective alternative assessment under this section for demonstrating that the student has met or exceeded state standards for the certificate of academic achievement. A score of four on the higher level IB examinations for any of the IB English language and literature courses or for any of the IB individuals and societies courses may be used as an alternative assessment for the reading, writing, or English language arts portions of the statewide student assessment. A score of four on the higher level IB examinations for any of the IB mathematics courses may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of four on the higher level IB examinations for IB biology, chemistry, or physics may be used as an alternative assessment for the science portion of the statewide student assessment.

(11) To help assure continued progress in academic achievement as a foundation for high school graduation and to assure that students are on track for high school graduation, each school district shall prepare plans for and notify students and their parents or legal guardians as provided in this subsection. Student learning plans are required for eighth grade students who were not successful on any or all of the content areas of the state assessment during the previous school year or who may not be on track to graduate due to credit deficiencies or absences. The parent or legal guardian shall be notified about the information in the student learning plan, preferably through a parent conference and at least annually. To the extent feasible, schools serving English language learner students and their parents shall translate the plan into the

primary language of the family. The plan shall include the following information as applicable:

- (a) The student's results on the state assessment;
- (b) If the student is in the transitional bilingual program, the score on his or her Washington language proficiency test II;
- (c) Any credit deficiencies;
- (d) The student's attendance rates over the previous two years;
- (e) The student's progress toward meeting state and local graduation requirements;
- (f) The courses, competencies, and other steps needed to be taken by the student to meet state academic standards and stay on track for graduation;
- (g) Remediation strategies and alternative education options available to students, including informing students of the option to continue to receive instructional services after grade twelve or until the age of twenty-one;
- (h) The alternative assessment options available to students under this section and RCW 28A.655.065;
- (i) School district programs, high school courses, and career and technical education options available for students to meet graduation requirements; and
- (j) Available programs offered through skill centers or community and technical colleges, including the college high school diploma options under RCW 28B.50.535.

[2013 2nd sp.s. c 22 § 2; 2011 1st sp.s. c 22 § 2; 2010 c 244 § 1; 2009 c 524 § 5; 2008 c 321 § 2. Prior: 2007 c 355 § 5; 2007 c 354 § 2; 2006 c 115 § 4; 2004 c 19 § 101.]

NOTES:

***Reviser's note:** RCW 28A.655.0611 expired August 31, 2013.

Findings -- Intent -- 2013 2nd sp.s. c 22: "The legislature finds that the superintendent of public instruction was authorized to align the state essential academic learning requirements for mathematics, reading, writing, and communication with the common set of standards for students in grades kindergarten through twelve, known as the common core state standards, which were initiated by the governors and chief school officers of forty-five states, including Washington. The legislature further finds that Washington has joined one of two multistate consortia using a federal grant to develop new English language arts and mathematics assessments in grades three through eight and grade eleven that are, among other factors, aligned with the common core state standards and intended to demonstrate a student's career and college readiness. The legislature further finds that the assessments are required to be ready for use by the 2014-15 school year.

The legislature intends to reduce the overall costs of the state assessment system by implementing the eleventh grade English language arts and mathematics assessments being developed by a multistate consortium in which Washington is participating, maximize use of the consortium assessments by developing a tenth grade high school English language arts assessment and modifying the algebra I and geometry end-of-course assessment to be used only during the transition to the consortium-developed assessments, and reduce to three the number of assessments that will be required for students to graduate beginning with the class of 2019.

The legislature further intends that the eleventh grade consortium-developed assessments have two different student performance standards: One for the purposes of high school graduation that will be established by the **state board of education** and one that is intended to demonstrate a student's career and college readiness." [2013 2nd sp.s. c 22 § 1.]

Finding -- Intent -- 2011 1st sp.s. c 22: "(1) The legislature continues to support end-of-course assessments as a fair and practical way to measure students' knowledge and skills in high school science, but the legislature also recognizes that there are important scientific concepts, principles, and content that are not able to be captured in a single course or a single assessment. The legislature also does not wish to narrow the high school science curriculum to a singular focus on biology.

(2) However, the legislature finds that the financial resources for developing additional end-of-course assessments for high school science are not available in the 2011-2013 biennium. Nevertheless, the legislature intends to revisit this issue in the future and further intends at an appropriate time to direct the superintendent of public instruction to develop one or more end-of-course assessments in additional science subjects." [2011 1st sp.s. c 22 § 1.]

SUMMARY: THIS STATUTE LAYS OUT SBE'S RESPONSIBILITIES IN PROVIDING CONSULTATION TO THE SPI TO MAINTAIN AND CONTINUE TO DEVELOP A STATEWIDE ASSESSMENT SYSTEM.

RCW 28A.655.070

Essential academic learning requirements and assessments -- Duties of the superintendent of public instruction.

(1) The superintendent of public instruction shall develop essential academic learning requirements that 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 **state board of education**.

(2) The superintendent of public instruction shall:

(a) 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; and

(b) Review and prioritize the essential academic learning requirements and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the statewide student assessment and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its web site any grade level content expectations provided to an assessment vendor for use in constructing the statewide student assessment.

(3)(a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science 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. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

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

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

(i) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning in the 2014-15 school year. The reading and writing assessments shall not be administered by the superintendent of public instruction or schools after the 2013-14 school year.

(ii) The high school assessments in English language arts and mathematics in (c)(i) of this subsection shall be used for the purposes of earning a certificate of academic achievement for high school graduation under the timeline established in RCW 28A.655.061 and for assessing student career and college readiness.

(iii) During the transition period specified in RCW 28A.655.061, the superintendent of public instruction shall use test items and other resources from the consortium assessment to develop and administer a tenth grade high school English language arts assessment, an end-of-course mathematics assessment to assess the standards common to algebra I and integrated mathematics I, and an end-of-course mathematics assessment to assess the standards common to geometry and integrated mathematics II.

(4) If the superintendent proposes any modification to the essential academic learning requirements or the statewide assessments, then the 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.

(5) 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.

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

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

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

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

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

(9) 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.

(10) 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.

(11) The superintendent shall consider methods to address the unique needs of special

education students when developing the assessments under this section.

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

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

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RCW 28A.655.066

Statewide end-of-course assessments for high school mathematics. (*Effective until September 1, 2019.*)

(1)(a) In consultation with the **state board of education**, the superintendent of public instruction shall develop statewide end-of-course assessments for high school mathematics that measure student achievement of the state mathematics standards. The superintendent shall take steps to ensure that the language of the assessments is responsive to a diverse student population. The assessments shall be implemented statewide in the 2010-11 school year.

(b) The superintendent shall develop end-of-course assessments for the first year of high school mathematics that include the standards common to algebra I and integrated mathematics I and for the second year of high school mathematics that include the standards common to geometry and integrated mathematics II. The assessments under this subsection (1)(b) shall be used to demonstrate that a student meets the state standard on the mathematics content area of the high school statewide student assessment for purposes of RCW 28A.655.061.

(c) The superintendent of public instruction shall also develop subtests for the end-of-course assessments that measure standards for the first two years of high school mathematics that are unique to algebra I, integrated mathematics I, geometry, and integrated mathematics II. The results of the subtests shall be reported at the student, teacher, school, and district level.

(2) All of the objective alternative assessments available to students under RCW 28A.655.061 and 28A.655.065 shall be available to any student who has taken an end-of-course assessment once but does not meet the state mathematics standard on an end-of-course assessment.

(3) The superintendent of public instruction shall report at least annually or more often if necessary to keep the education committees of the legislature informed on each step of the development and implementation process under this section.

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SUMMARY: THIS STATUTE DESCRIBES THE ASSESSMENT SYSTEM.

RCW 28A.300.041

Statewide student assessment system -- Redesign -- Reports to the legislature.

(1) The legislature finds that a statewide student assessment system should improve and inform classroom instruction, support accountability, and provide useful information to all levels of the educational system, including students, parents, teachers, schools, school districts, and the state. The legislature intends to redesign the current statewide system, in accordance with the recommendations of the Washington assessment of student learning legislative work group, to:

(a) Include multiple assessment formats, including both formative and summative, as necessary to provide information to help improve instruction and inform accountability;

(b) Enable collection of data that allows both statewide and nationwide comparisons of student learning and achievement; and

(c) Be balanced so that the information used to make significant decisions that affect school accountability or student educational progress includes many data points and does not rely on solely the results of a single assessment.

(2) The legislature further finds that one component of the assessment system should be instructionally supportive formative assessments. The key design elements or characteristics of an instructionally supportive assessment must:

(a) Be aligned to state standards in areas that are being assessed;

(b) Measure student growth and competency at multiple points throughout the year in a manner that allows instructors to monitor student progress and have the necessary trend data with which to improve instruction;

(c) Provide rapid feedback;

(d) Link student growth with instructional elements in order to gauge the effectiveness of educators and curricula;

(e) Provide tests that are appropriate to the skill level of the student;

(f) Support instruction for students of all abilities, including highly capable students and students with learning disabilities;

(g) Be culturally, linguistically, and cognitively relevant, appropriate, and understandable to each student taking the assessment;

(h) Inform parents and draw parents into greater participation of the student's study plan;

(i) Provide a way to analyze the assessment results relative to characteristics of the student such as, but not limited to, English language learners, gender, ethnicity, poverty, age, and disabilities;

(j) Strive to be computer-based and adaptive; and

(k) Engage students in their learning.

(3) The legislature further finds that a second component of the assessment system should be a state-administered summative achievement assessment that can be used as a check on the educational system in order to guide state expectations for the instruction of children and satisfy legislative demands for accountability. The key design elements or characteristics of the state administered achievement assessment must:

(a) Be aligned to state standards in areas that are being assessed;

(b) Maintain and increase academic rigor;

(c) Measure student learning growth over years; and

(d) Strengthen curriculum.

(4) The legislature further finds that a third component of the assessment system should include classroom-based assessments, which may be formative, summative, or both. Depending on their use, classroom-based assessments should have the same design elements and characteristics described in this section for formative and summative assessments.

(5) The legislature further finds that to sustain a strong and viable assessment system, preservice and ongoing training should be provided for teachers and administrators on the effective use of different types of assessments.

(6) The legislature further finds that as the statewide data system is developed, data should be collected for all state-required statewide assessments to be used for accountability and to monitor overall student achievement.

(7) The superintendent of public instruction, in consultation with the **state board of education**, shall begin design and development of an overall assessment system that meets the principles and characteristics described in this section. In designing formative and summative assessments, the superintendent shall solicit bids for the use of computerized adaptive testing methodologies.

(8) Beginning December 1, 2009, and annually thereafter, the superintendent and state board shall jointly report to the legislature regarding the assessment system, including a cost analysis of any changes and costs to expand availability and use of instructionally supportive formative assessments.

EDUCATIONAL SERVICE DISTRICT STATUTES

RCW 28A.310.280

ESD superintendent's powers and duties -- Records and reports.

In addition to other powers and duties as provided by law, each educational service district superintendent shall:

(1) Perform such recordkeeping, including such annual reports as may be required, and liaison and informational services to local school districts and the superintendent of public instruction as required by rule or regulation of the superintendent of public instruction or **state board of education**: PROVIDED, That the superintendent of public instruction and the **state board of education** may require some or all of the school districts to report information directly when such reporting procedures are deemed desirable or feasible.

(2) Keep records of official acts of the educational service district board and superintendents in accordance with *RCW 28A.21.120, as now or hereafter amended.

(3) Preserve carefully all reports of school officers and teachers and deliver to the successor of the office all records, books, documents, and papers belonging to the office either personally or through a personal representative, taking a receipt for the same, which shall be filed in the office of the county auditor in the county where the office is located.

RCW 28A.310.220

ESD board -- Delegation of powers and duties to superintendent.

Each educational service district board, by written order filed in the headquarters office, may delegate to the educational service district superintendent any of the powers and duties vested in or imposed upon the board by law or rule or regulation of the **state board of education** and/or the superintendent of public instruction. Such delegated powers and duties shall not be in conflict with rules or regulations of the superintendent of public instruction or the **state board of education** and may be exercised by the educational service district superintendent in the name of the board.

RCW 28A.310.190

ESD board -- Teachers' institutes, directors' meetings -- Cooperation with state supervisor -- Certification of data.

In addition to other powers and duties as provided by law, every educational service district board shall:

(1) If the district board deems necessary, hold each year one or more teachers' institutes as provided for in RCW 28A.415.010 and one or more school directors' meetings.

(2) Cooperate with the state supervisor of special aid for children with disabilities as provided in RCW 28A.155.010 through 28A.155.100.

(3) Certify statistical data as basis for apportionment purposes to county and state officials as provided in chapter 28A.545 RCW.

(4) Perform such other duties as may be prescribed by law or rule of the state board of education and/or the superintendent of public instruction as provided in RCW 28A.300.030 and *28A.305.210.

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RCW 28A.310.180

ESD board -- Compliance with rules and regulations -- Depository and distribution center - - Cooperative service programs, joint purchasing programs, and direct student service programs including pupil transportation.

In addition to other powers and duties as provided by law, every educational service district board shall:

(1) Comply with rules or regulations of the state board of education and the superintendent of public instruction.

(2) If the district board deems necessary, establish and operate for the schools within the boundaries of the educational service district a depository and distribution center for films, tapes, charts, maps, and other instructional material as recommended by the school district superintendents within the service area of the educational service district: PROVIDED, That the district may also provide the services of the depository and distribution center to private schools within the district so long as such private schools pay such fees that reflect actual costs for services and the use of instructional materials as may be established by the educational service district board.

(3) Establish cooperative service programs for school districts within the educational service district and joint purchasing programs for schools within the educational service district pursuant to RCW 28A.320.080(3): PROVIDED, That on matters relating to cooperative service programs the board and superintendent of the educational service district shall seek the prior advice of the superintendents of local school districts within the educational service district.

(4) Establish direct student service programs for school districts within the educational service district including pupil transportation. However, for the provision of state-funded pupil transportation for special education cooperatives programs for special education conducted under RCW 28A.155.010 through 28A.155.100, the educational service district, with the consent of the participating school districts, shall be entitled to receive directly state apportionment funds for that purpose: PROVIDED, That the board of directors and superintendent of a local school district request the educational service district to perform said service or services: PROVIDED FURTHER, That the educational service district board of directors and superintendents agree to provide the requested services: PROVIDED, FURTHER, That the provisions of chapter 39.34 RCW are strictly adhered to: PROVIDED FURTHER, That the educational service district board of directors may contract with the Washington state center for childhood deafness and hearing loss and the school for the blind to provide transportation services or other services necessary for the regional delivery of educational services for children who are deaf or hearing impaired.

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RCW 28A.310.110

ESD board -- Members -- Elections, contest of.

Any common school district board member eligible to vote for a candidate for membership on an educational service district or any candidate for the position, within ten days after the secretary to the state board of education's certification of election, may contest the election of the candidate pursuant to chapter 29A.68 RCW.

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RCW 28A.310.070

ESD board -- Members -- Restriction on other service.

No person shall serve as an employee of a school district or as a member of a board of directors of a common school district or as a member of the state board of education and as a member of an educational service district board at the same time.

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RCW 28A.310.030

ESD board -- Membership -- Board member district boundaries.

Except as otherwise provided in this chapter, in each educational service district there shall be an educational service district board consisting of seven members elected by the school directors of the educational service district, one from each of seven educational service district board-member districts. Board-member districts in districts reorganized under RCW 28A.310.020, or as provided for in RCW 28A.310.120 and under this section, shall be initially determined by the state board of education. If a reorganization pursuant to RCW 28A.310.020 places the residence of a board member into another or newly created educational service district, such member shall serve on the board of the educational service district of residence and at the next election called by the superintendent of public instruction pursuant to RCW 28A.310.080 a new seven member board shall be elected. If the redrawing of board-member district boundaries pursuant to this chapter shall cause the resident board-member district of two or more board members to coincide, such board members shall continue to serve on the board and at the next election called by the superintendent of public instruction a new board shall be elected. The board-member districts shall be arranged so far as practicable on a basis of equal population, with consideration being given existing board members of existing educational service district boards. Each educational service district board member shall be elected by the school directors of each school district within the educational service district. Beginning in 1971 and every ten years thereafter, educational service district boards shall review and, if necessary, shall change the boundaries of board-member districts so as to provide so far as practicable equal representation according to population of such board-member districts and to conform to school district boundary changes: PROVIDED, That all board-member district boundaries, to the extent necessary to conform with this chapter, shall be immediately redrawn for the purposes of the next election called by the superintendent of public instruction following any reorganization pursuant to this chapter. Such district board, if failing to make the necessary changes prior to June 1st of the appropriate year, shall refer for settlement questions on board-member district boundaries to the office of the superintendent of public instruction, which, after a public hearing, shall decide such questions.

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RCW 28A.310.020

Changes in number of, boundaries -- Initiating, hearings, considerations -- Superintendent's duties.

The state board of education upon its own initiative, or upon petition of any educational service district board, or upon petition of at least half of the district superintendents within an educational service district, or upon request of the superintendent of public instruction, may make changes in the number and boundaries of the educational service districts, including an equitable adjustment and transfer of any and all property, assets, and liabilities among the educational service districts whose boundaries and duties and responsibilities are increased and/or decreased by such changes, consistent with the purposes of RCW 28A.310.010: PROVIDED, That no reduction in the number of educational service districts will take effect

after June 30, 1995, without a majority approval vote by the affected school directors voting in such election by mail ballot. Prior to making any such changes, the state board shall hold at least one public hearing on such proposed action and shall consider any recommendations on such proposed action.

The state board in making any change in boundaries shall give consideration to, but not be limited by, the following factors: Size, population, topography, and climate of the proposed district.

The superintendent of public instruction shall furnish personnel, material, supplies, and information necessary to enable educational service district boards and superintendents to consider the proposed changes.

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RCW 28A.310.010

Purpose.

It shall be the intent and purpose of this chapter to establish educational service districts as regional agencies which are intended to:

- (1) Provide cooperative and informational services to local school districts;
- (2) Assist the superintendent of public instruction and the **state board of education** in the performance of their respective statutory or constitutional duties; and
- (3) Provide services to school districts and to the Washington state center for childhood deafness and hearing loss and the school for the blind to assure equal educational opportunities.

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RCW 28A.310.480

Delegation to ESD of **state board of education program, project or service -- Contract.**

The **state board of education** may delegate to any educational service district or combination of educational service districts all or any portion of a program, project, or service authorized or directed by the legislature to be performed by the **state board of education**: PROVIDED, That any such delegation shall be by contract pursuant to chapter 39.34 RCW, as now or hereafter amended.

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RCW 28A.310.340

Identification of core services for budget purposes -- Generally.

It is the intent of the legislature that a basic core of uniform services be provided by educational service districts and be identified in statute so that biennial budget requests for educational service districts may be based upon measurable goals and needs. Educational service districts as noted in RCW 28A.310.010, are intended primarily to:

- (1) Provide cooperative and informational services to local districts and to perform functions for those districts when such functions are more effectively or economically administered from the regional level;
- (2) Assist the state educational agencies, office of superintendent of public instruction and the state board of education in the legal performance of their duties; and
- (3) Assist in providing pupils with equal educational opportunities.

The purpose of RCW 28A.310.350 and 28A.310.360 is to further identify those core services in order to prepare educational service district budgets for the 1979-81 biennium, and those bienniums beyond.

MISCELLANEOUS STATUTES

RCW 28A.525.025

School facilities citizen advisory panel -- Membership -- Travel expenses -- Technical advisory group.

- (1) To maintain citizen oversight on issues pertaining to school facilities and funding for school construction, a school facilities citizen advisory panel shall be created by the state board of education. The panel shall advise and make recommendations to the superintendent of public instruction regarding school facilities, funding for school construction, joint planning and financing of educational facilities, facility plans and programs for nonhigh school districts, and

determinations of remote and necessary schools.

(2) The membership of the school facilities citizen advisory panel shall be as follows:

(a) One member of the **state board of education**;

(b) Two school district directors representing school districts of various sizes and geographic locations, who are appointed by the **state board of education** and selected from a list of five names submitted to the board by the Washington state school directors' association; and

(c) Four additional citizen members appointed by the **state board of education**.

(3) Members of the panel shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(4) In addition to the school facilities citizen advisory panel, the superintendent of public instruction may convene a technical advisory group including representatives from school business officers, building and construction contracting and trade organizations, architecture and engineering organizations, and other organizations with expertise in school facilities.

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RCW 28B.50.912

Transfer of powers from superintendent of public instruction and **state board of education to state board for community and technical colleges.**

All powers, duties, and functions of the superintendent of public instruction and the **state board of education** pertaining to projects of adult education, including the state-funded Even Start and including the adult education programs operated pursuant to 20 U.S.C. Sec. 1201 as amended by P.L. 100-297, are transferred to the state board for community and technical colleges. All references to the director or superintendent of public instruction or the **state board of education** in the Revised Code of Washington shall be construed to mean the director or the state board for community and technical colleges when referring to the functions transferred in this section.

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RCW 28A.305.902

Transfer of duties -- Review and recommendation -- 2006 c 263.

The legislature encourages the members of the new **state board of education** to review the transfer of duties from the state board to other entities made in chapter 263, Laws of 2006 and if any of the duties that were transferred away from the state board are necessary for the board to accomplish the purpose set out in chapter 263, Laws of 2006 then the state board shall come back to the legislature to request those necessary duties to be returned to the **state board of**

education. The state board of education is encouraged to make such a request by January 15, 2007.

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RCW 28A.150.230

District school directors' responsibilities.

(1) It is the intent and purpose of this section to guarantee that each common school district board of directors, whether or not acting through its respective administrative staff, be held accountable for the proper operation of their district to the local community and its electorate. In accordance with the provisions of Title 28A RCW, as now or hereafter amended, each common school district board of directors shall be vested with the final responsibility for the setting of policies ensuring quality in the content and extent of its educational program and that such program provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning.

(2) In conformance with the provisions of Title 28A RCW, as now or hereafter amended, it shall be the responsibility of each common school district board of directors to adopt policies to:

(a) Establish performance criteria and an evaluation process for its superintendent, classified staff, certificated personnel, including administrative staff, and for all programs constituting a part of such district's curriculum. Each district shall report annually to the superintendent of public instruction the following for each employee group listed in this subsection (2)(a): (i) Evaluation criteria and rubrics; (ii) a description of each rating; and (iii) the number of staff in each rating;

(b) Determine the final assignment of staff, certificated or classified, according to board enumerated classroom and program needs and data, based upon a plan to ensure that the assignment policy: (i) Supports the learning needs of all the students in the district; and (ii) gives specific attention to high-need schools and classrooms;

(c) Provide information to the local community and its electorate describing the school district's policies concerning hiring, assigning, terminating, and evaluating staff, including the criteria for evaluating teachers and principals;

(d) Determine the amount of instructional hours necessary for any student to acquire a quality education in such district, in not less than an amount otherwise required in RCW 28A.150.220, or rules of the state board of education;

(e) Determine the allocation of staff time, whether certificated or classified;

(f) Establish final curriculum standards consistent with law and rules of the superintendent of public instruction, relevant to the particular needs of district students or the unusual

characteristics of the district, and ensuring a quality education for each student in the district; and

(g) Evaluate teaching materials, including text books, teaching aids, handouts, or other printed material, in public hearing upon complaint by parents, guardians or custodians of students who consider dissemination of such material to students objectionable.

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RCW 18.35.020

Hearing instruments -- Dispensing -- License, certificate, permit required.

(1) No person shall engage in the fitting and dispensing of hearing instruments or imply or represent that he or she is engaged in the fitting and dispensing of hearing instruments unless he or she is a licensed hearing aid specialist, or a licensed audiologist or holds an interim permit issued by the department as provided in this chapter and is an owner or employee of an establishment that is bonded as provided by RCW 18.35.240. The owner or manager of an establishment that dispenses hearing instruments is responsible under this chapter for all transactions made in the establishment name or conducted on its premises by agents or persons employed by the establishment engaged in fitting and dispensing of hearing instruments. Every establishment that fits and dispenses shall have in its employ at least one licensed hearing aid specialist or licensed audiologist at all times, and shall annually submit proof that all testing equipment at that establishment that is required by the board to be calibrated has been properly calibrated.

(2) Effective January 1, 2003, no person shall engage in the practice of audiology or imply or represent that he or she is engaged in the practice of audiology unless he or she is a licensed audiologist or holds an audiology interim permit issued by the department as provided in this chapter. Audiologists who are certified as educational staff associates by the Washington professional educator standards board are excluded unless they elect to become licensed under this chapter. However, a person certified by the **state board of education** as an educational staff associate who practices outside the school setting must be a licensed audiologist.

(3) Effective January 1, 2003, no person shall engage in the practice of speech-language pathology or imply or represent that he or she is engaged in the practice of speech-language pathology unless he or she is a licensed speech-language pathologist or holds a speech-language pathology interim permit issued by the department as provided in this chapter. Speech-language pathologists who are certified as educational staff associates by the **state board of education** are excluded unless they elect to become licensed under this chapter. However, a person certified by the **state board of education** as an educational staff associate who practices outside the school setting must be a licensed speech-language pathologist.

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RCW 70.96A.050

Duties of department. (Effective until April 1, 2016.)

The department shall:

(1) Develop, encourage, and foster statewide, regional, and local plans and programs for the prevention of alcoholism and other drug addiction, treatment of alcoholics and other drug addicts and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons in cooperation with public and private agencies, organizations, and individuals and provide technical assistance and consultation services for these purposes;

(2) Coordinate the efforts and enlist the assistance of all public and private agencies, organizations, and individuals interested in prevention of alcoholism and drug addiction, and treatment of alcoholics and other drug addicts and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons;

(3) Cooperate with public and private agencies in establishing and conducting programs to provide treatment for alcoholics and other drug addicts and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons who are clients of the correctional system;

(4) Cooperate with the superintendent of public instruction, **state board of education**, schools, police departments, courts, and other public and private agencies, organizations and individuals in establishing programs for the prevention of alcoholism and other drug addiction, treatment of alcoholics or other drug addicts and their families, persons incapacitated by alcohol or other psychoactive chemicals, and intoxicated persons, and preparing curriculum materials thereon for use at all levels of school education;

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RCW 70.82.050

Powers, duties, functions, unallocated funds, transferred.

All powers, duties and functions of the superintendent of public instruction or the **state board of education** relating to the Cerebral Palsy Center as referred to in chapter 39, Laws of 1973 2nd ex. sess. shall be transferred to the department of social and health services as created in chapter 43.20A RCW, and all unallocated funds within any account to the credit of the superintendent of public instruction or the **state board of education** for purposes of such Cerebral Palsy Center shall be transferred effective July 1, 1974 to the credit of the department of social and health services, which department shall hereafter expend such funds for such Cerebral Palsy Center purposes as contemplated in the appropriations therefor. All employees of the Cerebral Palsy Center on July 1, 1974 who are classified employees under chapter 41.06 RCW, the state civil service law, shall be assigned and transferred to the department of social and health services to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may

be appropriate thereafter in accordance with the laws and rules governing the state civil service law.

RCW 43.41.400

Education data center.

(1) An education data center shall be established in the office of financial management. The education data center shall jointly, with the legislative evaluation and accountability program committee, conduct collaborative analyses of early learning, K-12, and higher education programs and education issues across the P-20 system, which includes the department of early learning, the superintendent of public instruction, the professional educator standards board, the state board of education, the state board for community and technical colleges, the workforce training and education coordinating board, the student achievement council, public and private nonprofit four-year institutions of higher education, and the employment security department. The education data center shall conduct collaborative analyses under this section with the legislative evaluation and accountability program committee and provide data electronically to the legislative evaluation and accountability program committee, to the extent permitted by state and federal confidentiality requirements. The education data center shall be considered an authorized representative of the state educational agencies in this section under applicable federal and state statutes for purposes of accessing and compiling student record data for research purposes.

RCW 43.06B.050

Annual reports.

The education ombuds shall report on the work and accomplishment of the office and advise and make recommendations to the governor, the legislature, and the state board of education annually. The initial report to the governor, the legislature, and the state board of education shall be made by September 1, 2007, and there shall be annual reports by September 1st each year thereafter. The annual reports shall provide at least the following information:

- (1) How the education ombuds's services have been used and by whom;
- (2) Methods for the education ombuds to increase and enhance family and community involvement in public education;
- (3) Recommendations to eliminate barriers and obstacles to meaningful family and community involvement in public education; and

(4) Strategies to improve the educational opportunities for all students in the state, including recommendations from organizations and groups provided in RCW 43.06B.020(8).

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RCW 28A.635.050

Certain corrupt practices of school officials -- Penalty.

(1) Except as otherwise provided in chapter 42.23 RCW, it shall be unlawful for any member of the state board of education, the superintendent of public instruction or any employee of the superintendent's office, any educational service district superintendent, any school district superintendent or principal, or any director of any school district, to request or receive, directly or indirectly, anything of value for or on account of his or her influence with respect to any act or proceeding of the state board of education, the office of the superintendent of public instruction, any office of educational service district superintendent or any school district, or any of these, when such act or proceeding shall inure to the benefit of those offering or giving the thing of value.

(2) Any willful violation of this section is a misdemeanor.

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RCW 28A.400.301

Information on past sexual misconduct -- Requirement for applicants -- Limitation on contracts and agreements -- Employee right to review personnel file.

(11) By September 1, 2004, the state board of education has the authority to and shall adopt rules defining "verbal abuse," "physical abuse," and "sexual misconduct" as used in this section for application to all classified and certificated employees. The definitions of verbal and physical abuse and sexual misconduct adopted by the state board of education must include the requirement that the school district has made a determination that there is sufficient information to conclude that the abuse or misconduct occurred and that the abuse or misconduct resulted in the employee's leaving his or her position at the school district.

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RCW 28A.305.135

Rule making -- School district fiscal impact statement required -- Exceptions.

(1) The **state board of education** must provide a school district fiscal impact statement prepared by the office of the superintendent of public instruction with the published notice of a rule-making hearing required under RCW 34.05.320 on rules proposed by the board. At the rule-making hearing, the board must also hear a presentation from the office of the superintendent of public instruction and take public testimony on the fiscal impact statement. A copy of the fiscal impact statement must be forwarded to the education committees of the legislature.

(2) The office of the superintendent of public instruction must solicit fiscal impact estimates from a representative sample of school districts across the state when preparing a fiscal impact statement.

(3) This section does not apply to the following rules:

(a) Emergency rules adopted under RCW 34.05.350;

(b) Rules adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, or rules of other Washington state agencies;

(c) Rules that adopt, amend, or repeal a procedure or practice related only to the operation of the **state board of education** and not to any external parties;

(d) Rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; or

(e) Rules the content of which is explicitly and specifically dictated by statute.

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RCW 28A.305.035

Joint report to the legislature.

(1) By October 15th of each even-numbered year, the **state board of education** and the professional educator standards board shall submit a joint report to the legislative education committees, the governor, and the superintendent of public instruction. The report shall address the progress the boards have made and the obstacles they have encountered, individually and collectively, in the work of achieving the goals in RCW 28A.150.210.

(2) The **state board of education** shall include the chairs and ranking minority members of the legislative education committees in board communications so that the legislature can be kept apprised of the discussions and proposed actions of the board.

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RCW 28A.300.136

Educational opportunity gap oversight and accountability committee -- Policy and strategy recommendations.

(1) An educational opportunity gap oversight and accountability committee is created to synthesize the findings and recommendations from the 2008 achievement gap studies into an implementation plan, and to recommend policies and strategies to the superintendent of public instruction, the professional educator standards board, and the state board of education to close the achievement gap.

(2) The committee shall recommend specific policies and strategies in at least the following areas:

- (a) Supporting and facilitating parent and community involvement and outreach;
- (b) Enhancing the cultural competency of current and future educators and the cultural relevance of curriculum and instruction;
- (c) Expanding pathways and strategies to prepare and recruit diverse teachers and administrators;
- (d) Recommending current programs and resources that should be redirected to narrow the gap;
- (e) Identifying data elements and systems needed to monitor progress in closing the gap;
- (f) Making closing the achievement gap part of the school and school district improvement process; and
- (g) Exploring innovative school models that have shown success in closing the achievement gap.

(3) Taking a multidisciplinary approach, the committee may seek input and advice from other state and local agencies and organizations with expertise in health, social services, gang and violence prevention, substance abuse prevention, and other issues that disproportionately affect student achievement and student success.

(4) The educational opportunity gap oversight and accountability committee shall be composed of the following members:

- (a) The chairs and ranking minority members of the house and senate education committees, or their designees;

(b) One additional member of the house of representatives appointed by the speaker of the house and one additional member of the senate appointed by the president of the senate;

(c) A representative of the office of the education ombuds;

(d) A representative of the center for the improvement of student learning in the office of the superintendent of public instruction;

(e) A representative of federally recognized Indian tribes whose traditional lands and territories lie within the borders of Washington state, designated by the federally recognized tribes; and

(f) Four members appointed by the governor in consultation with the state ethnic commissions, who represent the following populations: African-Americans, Hispanic Americans, Asian Americans, and Pacific Islander Americans.

(5) The governor and the tribes are encouraged to designate members who have experience working in and with schools.

(6) The committee may convene ad hoc working groups to obtain additional input and participation from community members. Members of ad hoc working groups shall serve without compensation and shall not be reimbursed for travel or other expenses.

(7) The chair or cochair of the committee shall be selected by the members of the committee. Staff support for the committee shall be provided by the center for the improvement of student learning. Members of the committee shall serve without compensation but must be reimbursed as provided in RCW 43.03.050 and 43.03.060. Legislative members of the committee shall be reimbursed for travel expenses in accordance with RCW 44.04.120.

(8) The superintendent of public instruction, the **state board of education**, the professional educator standards board, and the quality education council shall work collaboratively with the educational opportunity gap oversight and accountability committee to close the achievement gap.

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RCW 28A.300.040

Powers and duties.

In addition to any other powers and duties as provided by law, the powers and duties of the superintendent of public instruction shall be:

(1) To have supervision over all matters pertaining to the public schools of the state;

(2) To report to the governor and the legislature such information and data as may be required for the management and improvement of the schools;

(3) To prepare and have printed such forms, registers, courses of study, rules for the government of the common schools, and such other material and books as may be necessary for the discharge of the duties of teachers and officials charged with the administration of the laws relating to the common schools, and to distribute the same to educational service district superintendents;

(4) To travel, without neglecting his or her other official duties as superintendent of public instruction, for the purpose of attending educational meetings or conventions, of visiting schools, and of consulting educational service district superintendents or other school officials;

(5) To prepare and from time to time to revise a manual of the Washington state common school code, copies of which shall be made available online and which shall be sold at approximate actual cost of publication and distribution per volume to public and nonpublic agencies or individuals, said manual to contain Titles 28A and 28C RCW, rules related to the common schools, and such other matter as the state superintendent or the state board of education shall determine;

(6) To file all papers, reports and public documents transmitted to the superintendent by the school officials of the several counties or districts of the state, each year separately. Copies of all papers filed in the superintendent's office, and the superintendent's official acts, may, or upon request, shall be certified by the superintendent and attested by the superintendent's official seal, and when so certified shall be evidence of the papers or acts so certified to;

(7) To require annually, on or before the 15th day of August, of the president, manager, or principal of every educational institution in this state, a report as required by the superintendent of public instruction; and it is the duty of every president, manager, or principal, to complete and return such forms within such time as the superintendent of public instruction shall direct;

(8) To keep in the superintendent's office a record of all teachers receiving certificates to teach in the common schools of this state;

(9) To issue certificates as provided by law;

(10) To keep in the superintendent's office at the capital of the state, all books and papers pertaining to the business of the superintendent's office, and to keep and preserve in the superintendent's office a complete record of statistics, as well as a record of the meetings of the state board of education;

(11) With the assistance of the office of the attorney general, to decide all points of law which may be submitted to the superintendent in writing by any educational service district superintendent, or that may be submitted to the superintendent by any other person, upon appeal from the decision of any educational service district superintendent; and the superintendent shall

publish his or her rulings and decisions from time to time for the information of school officials and teachers; and the superintendent's decision shall be final unless set aside by a court of competent jurisdiction;

(12) To administer oaths and affirmations in the discharge of the superintendent's official duties;

(13) To deliver to his or her successor, at the expiration of the superintendent's term of office, all records, books, maps, documents and papers of whatever kind belonging to the superintendent's office or which may have been received by the superintendent's for the use of the superintendent's office;

(14) To administer family services and programs to promote the state's policy as provided in RCW 74.14A.025;

(15) To promote the adoption of school-based curricula and policies that provide quality, daily physical education for all students, and to encourage policies that provide all students with opportunities for physical activity outside of formal physical education classes;

(16) To perform such other duties as may be required by law.

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RCW 28A.290.010

Quality education council -- Purpose -- Membership and staffing -- Reports.

(1) The quality education council is created to recommend and inform the ongoing implementation by the legislature of an evolving program of basic education and the financing necessary to support such program. The council shall develop strategic recommendations on the program of basic education for the common schools. The council shall take into consideration the capacity report produced under RCW 28A.300.172 and the availability of data and progress of implementing the data systems required under RCW 28A.655.210. Any recommendations for modifications to the program of basic education shall be based on evidence that the programs effectively support student learning. The council shall update the statewide strategic recommendations every four years. The recommendations of the council are intended to:

(a) Inform future educational policy and funding decisions of the legislature and governor;

(b) Identify measurable goals and priorities for the educational system in Washington state for a ten-year time period, including the goals of basic education, ongoing strategies for coordinating statewide efforts to eliminate the achievement gap and reduce student dropout rates, and strategies to increase learning opportunities in science, technology, engineering, and mathematics that are aligned with the STEM framework for action and accountability developed under RCW 28A.188.030; and

(c) Enable the state of Washington to continue to implement an evolving program of basic education.

(2) The council may request updates and progress reports from the office of the superintendent of public instruction, the **state board of education**, the professional educator standards board, and the department of early learning on the work of the agencies as well as educational working groups established by the legislature.

(3) The chair of the council shall be selected from the councilmembers. The council shall be composed of the following members:

(a) Four members of the house of representatives, with two members representing each of the major caucuses and appointed by the speaker of the house of representatives;

(b) Four members of the senate, with two members representing each of the major caucuses and appointed by the president of the senate;

(c) One representative each from the office of the governor, office of the superintendent of public instruction, **state board of education**, professional educator standards board, and department of early learning; and

(d) One nonlegislative representative from the educational opportunity gap oversight and accountability committee established under RCW **28A.300.136**, to be selected by the members of the committee.

(4) The council shall meet no more than four days a year.

(5)(a) The council shall submit an initial report to the governor and the legislature by January 1, 2010, detailing its recommendations, including recommendations for resolving issues or decisions requiring legislative action during the 2010 legislative session, and recommendations for any funding necessary to continue development and implementation of chapter 548, Laws of 2009.

(b) The initial report shall, at a minimum, include:

(i) Consideration of how to establish a statewide beginning teacher mentoring and support system;

(ii) Recommendations for a program of early learning for at-risk children;

(iii) A recommended schedule for the concurrent phase-in of the changes to the instructional program of basic education and the implementation of the funding formulas and allocations to support the new instructional program of basic education as established under chapter 548, Laws of 2009. The phase-in schedule shall have full implementation completed by September 1, 2018; and

(iv) A recommended schedule for phased-in implementation of the new distribution formula for allocating state funds to school districts for the transportation of students to and from school, with phase-in beginning no later than September 1, 2013.

(6) The council shall submit a report to the legislature by January 1, 2012, detailing its recommendations for a comprehensive plan for a voluntary program of early learning. Before submitting the report, the council shall seek input from the early learning advisory council created in RCW 43.215.090.

(7) The council shall submit a report to the governor and the legislature by December 1, 2010, that includes:

(a) Recommendations for specific strategies, programs, and funding, including funding allocations through the funding distribution formula in RCW 28A.150.260, that are designed to close the achievement gap and increase the high school graduation rate in Washington public schools. The council shall consult with the educational opportunity gap oversight and accountability committee and the building bridges work group in developing its recommendations; and

(b) Recommendations for assuring adequate levels of state-funded classified staff to support essential school and district services.

(8) The council shall be staffed by the office of the superintendent of public instruction and the office of financial management. Additional staff support shall be provided by the state entities with representatives on the council. Senate committee services and the house of representatives office of program research may provide additional staff support.

(9) Legislative members of the council shall serve without additional compensation but may be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council may be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

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RCW 19.27.113

Automatic fire-extinguishing systems for certain school buildings.

The building code council shall adopt rules by December 1, 1991, requiring that all buildings classed as E-1 occupancies, as defined in the state building code, except portable school classrooms, constructed after July 28, 1991, be provided with an automatic fire-extinguishing system. Rules adopted by the council shall consider applicable nationally recognized fire and building code standards and local conditions.

By December 15, 1991, the council shall transmit to the superintendent of public instruction,

the **state board of education**, and the fire protection policy board copies of the rules as adopted. The superintendent of public instruction, the **state board of education**, and the fire protection policy board shall respond to the council by February 15, 1992, with any recommended changes to the rule. If changes are recommended the council shall immediately consider those changes to the rules through its rule-making procedures. The rules shall be effective on July 1, 1992.

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RCW 82.12.0264

Exemptions -- Use of dual-controlled motor vehicles by school for driver training.

The provisions of this chapter shall not apply in respect to the use of motor vehicles, equipped with dual controls, which are loaned to and used exclusively by a school in connection with its driver training program: PROVIDED, That this exemption and the term "school" shall apply only to (1) the University of Washington, Washington State University, the regional universities, The Evergreen State College and the state community colleges or (2) any public, private or parochial school accredited by either the **state board of education** or by the University of Washington (the state accrediting station) or (3) any public vocational school meeting the standards, courses and requirements established and prescribed or approved in accordance with the Community College Act of 1967 (chapter 8, Laws of 1967 first extraordinary session).

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RCW 51.08.012

"Accredited school."

For the purposes of this title, "accredited school" means a school or course of instruction which is:

(1) Approved by the state superintendent of public instruction, the **state board of education**, the *state board for community college education, or the state division of vocational education of the **coordinating council for occupational education; or

(2) Regulated or licensed as to course content by any agency of the state or under any occupational licensing act of the state, or recognized by the apprenticeship council under an agreement registered with the apprenticeship council pursuant to chapter 49.04 RCW.

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RCW 43.06B.030

Liability for good faith performance -- Privileged communications.

(1) Neither the education ombuds nor any regional educational ombuds are liable for good faith performance of responsibilities under this chapter.

(2) No discriminatory, disciplinary, or retaliatory action may be taken against any student or employee of any school district, the office of the superintendent of public instruction, or the state board of education, for any communication made, or information given or disclosed, to aid the education ombuds in carrying out his or her duties and responsibilities, unless the same was done without good faith or maliciously. This subsection is not intended to infringe upon the rights of a school district to supervise, discipline, or terminate an employee for other reasons or to discipline a student for other reasons.

(3) All communications by the education ombuds or the ombuds's staff or designee, if reasonably related to the education ombuds's duties and responsibilities and done in good faith, are privileged and that privilege shall serve as a defense to any action in libel or slander.

RCW 43.06B.010

Office created -- Purposes -- Appointment -- Regional education ombuds.

(1) There is hereby created the office of the education ombuds within the office of the governor for the purposes of providing information to parents, students, and others regarding their rights and responsibilities with respect to the state's public elementary and secondary education system, and advocating on behalf of elementary and secondary students.

(2)(a) The governor shall appoint an ombuds who shall be a person of recognized judgment, independence, objectivity, and integrity and shall be qualified by training or experience or both in the following areas:

(i) Public education law and policy in this state;

(ii) Dispute resolution or problem resolution techniques, including mediation and negotiation; and

(iii) Community outreach.

(b) The education ombuds may not be an employee of any school district, the office of the superintendent of public instruction, or the state board of education while serving as an education ombuds.

RCW 34.05.320

Notice of proposed rule -- Contents -- Distribution by agency -- Institutions of higher education.

(1) At least twenty days before the rule-making hearing at which the agency receives public comment regarding adoption of a rule, the agency shall cause notice of the hearing to be published in the state register. The publication constitutes the proposal of a rule. The notice shall include all of the following:

(a) A title, a description of the rule's purpose, and any other information which may be of assistance in identifying the rule or its purpose;

(b) Citations of the statutory authority for adopting the rule and the specific statute the rule is intended to implement;

(c) A short explanation of the rule, its purpose, and anticipated effects, including in the case of a proposal that would modify existing rules, a short description of the changes the proposal would make, and a statement of the reasons supporting the proposed action;

(d) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;

(e) The name of the person or organization, whether private, public, or governmental, proposing the rule;

(f) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;

(g) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a citation to such law or court decision;

(h) When, where, and how persons may present their views on the proposed rule;

(i) The date on which the agency intends to adopt the rule;

(j) A copy of the small business economic impact statement prepared under chapter 19.85 RCW, or a copy of the school district fiscal impact statement under RCW 28A.305.135 in the case of the **state board of education**, or an explanation for why the agency did not prepare the statement;

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RCW 28C.18.060

Board's duties.

The board, in cooperation with the operating agencies of the state training system and private career schools and colleges, shall:

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(17) Make recommendations to the commission of student assessment, the **state board of education**, and the superintendent of public instruction, concerning basic skill competencies and essential core competencies for K-12 education. Basic skills for this purpose shall be reading, writing, computation, speaking, and critical thinking, essential core competencies for this purpose shall be English, math, science/technology, history, geography, and critical thinking. The board shall monitor the development of and provide advice concerning secondary curriculum which integrates vocational and academic education;

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RCW 28B.77.005

Higher education coordinating board abolished -- Student achievement council -- Advisory committees.

(1) On July 1, 2012, the higher education coordinating board is abolished and the student achievement council is created.

(2) The council is composed of nine voting members as provided in this subsection.

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(iii) A representative of the state's K-12 education system, selected by the superintendent of public instruction in consultation with the department of early learning and the **state board of education**. The representative appointed under this subsection (2)(c)(iii) shall excuse himself or herself from voting on matters relating primarily to institutions of higher education.

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RCW 28B.77.003

Missions.

(1) Guided by the state's overarching objective of substantially increasing educational attainment for the purposes outlined in RCW 28B.77.001, the council has a dual mission:

(a) To propose to the governor and the legislature goals for increasing educational attainment in Washington, recommend the resources necessary to achieve the goals, and monitor progress toward meeting the goals;

(b) To propose to the governor, the legislature, and the state's educational institutions,

improvements and innovations needed to continually adapt the state's educational institutions to evolving educational attainment needs; and

(c) To advocate for higher education through various means, with the goal of educating the general public on the economic, social, and civic benefits of postsecondary education, and the consequent need for increased financial support and civic commitment in the state.

(2) In the pursuit of the missions the council links the work of educational programs, schools, and institutions from secondary through postsecondary education and training and through careers. The council must connect the work of the superintendent of public instruction, the **state board of education**, the professional educator standards board, the state board for community and technical colleges, the workforce training and education coordinating board, and the four-year institutions of higher education, as well as the independent schools and colleges.

RCW 28B.50.536

Test to earn a high school equivalency certificate -- Rules -- Issuance of high school equivalency certificate.

(1) Subject to rules adopted by the **state board of education** under RCW 28A.305.190, the state board for community and technical colleges shall adopt rules governing the eligibility of persons sixteen years of age and older to take a test to earn a high school equivalency certificate, rules governing the administration of the test, and rules governing the issuance of a high school equivalency certificate to persons who successfully complete the test.

(2) A high school equivalency certificate is a certificate issued jointly by the college board and the office of the superintendent of public instruction that indicates that the holder has attained standard scores at or above the minimum proficiency level prescribed by the college board on a high school equivalency test. The college board must identify and accept a high school equivalency test that is at least as rigorous as the general educational development test. The high school equivalency test identified by the college board must cover reading, writing, mathematics, science, and social studies subject areas.

(3) High school equivalency certificates issued under this section shall be issued in such form and substance as agreed upon by the state board for community and technical colleges and superintendent of public instruction.

RCW 28B.50.535

Community or technical college -- Issuance of high school diploma or certificate.

A community or technical college may issue a high school diploma or certificate as provided under this section.

(1) An individual who satisfactorily meets the requirements for high school completion shall be awarded a diploma from the college, subject to rules adopted by the superintendent of public instruction and the **state board of education**.

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RCW 28B.50.302

Title to or all interest in real estate, choses in action and assets obtained for vocational-technical institute purposes by school districts -- Vest in or assigned to state board for community and technical colleges -- Exceptions.

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Unexpended funds of a common school district derived from the sale of bonds issued for vocational-technical institute capital purposes and not committed for any existing construction contract, shall be transferred to the college district of which the institute is a part for application to such projects.

For the purposes of this section and to facilitate the process of allocating the assets, the board of directors of each school district in which a vocational-technical institute is located, and the director of each vocational-technical institute, shall each submit to the **state board of education**, and the state board for community and technical colleges within ninety days of September 1, 1991, an inventory listing all real estate, personal property, choses in action, and other assets, held by a school district which, under the criteria of this section, will become the assets of the state board for community and technical colleges.

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RCW 28B.50.250

Adult education programs in common school districts, limitations -- Certain federal programs, administration.

The state board for community and technical colleges and the **state board of education** are hereby authorized to permit, on an ad hoc basis, the common school districts to conduct pursuant to RCW 28B.50.530 a program in adult education in behalf of a college district when such program will not conflict with existing programs of the same nature and in the same geographical area conducted by the college districts: PROVIDED, That federal programs for adult education shall be administered by the state board for community and technical colleges, which agency is hereby

declared to be the state educational agency primarily responsible for supervision of adult education in the public schools as defined by *RCW 28B.50.020.

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RCW 28B.50.092

Program for military personnel -- Restrictions as to high school completion program.

The state board for community and technical colleges may authorize any board of trustees to do all things necessary to conduct an education, training, and service program authorized by chapter 28B.50 RCW, as now or hereafter amended, for United States military personnel and their dependents, and department of defense civilians and their dependents, at any geographical location: PROVIDED, That such programs shall be limited to those colleges which conducted programs for United States military personnel prior to January 1, 1977: PROVIDED FURTHER, That any high school completion program conducted pursuant to this section shall comply with standards set forth in rules and regulations promulgated by the superintendent of public instruction and the state board of education: AND PROVIDED FURTHER, That the superintendent of public instruction shall issue the certificate or diploma in recognition of high school completion education provided pursuant to this section.

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RCW 28B.10.685

Precollege coursework -- Enrollment information -- Report.

Beginning in 1997, by September 30th of each year, each state university, regional university, state college, and, for community colleges and technical colleges, the state board for community and technical colleges shall provide a report to the office of the superintendent of public instruction, the state board of education, and the commission on student learning under *RCW 28A.630.885. The report shall contain the following information on students who, within three years of graduating from a Washington high school, enrolled the prior year in a state-supported precollege level class at the institution: (1) The number of such students enrolled in a precollege level class in mathematics, reading, grammar, spelling, writing, or English; (2) the types of precollege classes in which each student was enrolled; and (3) the name of the Washington high school from which each student graduated.

For students who enrolled in a precollege class within three years of graduating from a Washington high school, each institution of higher education shall also report to the Washington high school from which the student graduated. The annual report shall include information on the number of students from that high school enrolled in precollege classes, and the types of classes taken by the students.

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RCW 28A.657.120

Rules.

The superintendent of public instruction and the **state board of education** may each adopt rules in accordance with chapter **34.05** RCW as necessary to implement this chapter.

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RCW 28A.657.090

Required action plans -- Implementation -- Technical assistance and funds -- Progress report.

A school district must implement a required action plan upon approval by the **state board of education**. The office of the superintendent of public instruction must provide the required action district with technical assistance and federal or state funds for school improvement, if available, to implement an approved plan. The district must submit a report to the superintendent of public instruction that provides the progress the district is making in meeting the student achievement goals based on the state's assessments, identifying strategies and assets used to solve audit findings, and establishing evidence of meeting plan implementation benchmarks as set forth in the required action plan.

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ASSESSMENTS IN SCIENCE

SUMMARY: THIS STATUE ESTABLISHES THE ROLE OF THE SBE IN PROVIDING CONSULTATION TO THE SPI IN ADOPTING SCIENCE STANDARDS.

RCW 28A.655.068

Statewide high school assessment in science.

(1) Beginning in the 2011-12 school year, the statewide high school assessment in science shall be an end-of-course assessment for biology that measures the state standards for life sciences, in addition to systems, inquiry, and application as they pertain to life sciences.

(2)(a) The superintendent of public instruction may develop or adopt science end-of-course assessments or a comprehensive science assessment that includes subjects in addition to biology

for purposes of RCW 28A.655.061, when so directed by the legislature. The legislature intends to transition from a biology end-of-course assessment to a more comprehensive science assessment in a manner consistent with the way in which the state transitioned to an English language arts assessment and a comprehensive mathematics assessment. The legislature further intends that the transition will include at least two years of using the student assessment results from either the biology end-of-course assessment or the more comprehensive assessment in order to provide students with reasonable opportunities to demonstrate high school competencies while being mindful of the increasing rigor of the new assessment.

(b) The superintendent of public instruction shall develop or adopt a science assessment in accordance with RCW 28A.655.070(10) that is not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(c) Before the next subsequent school year after the legislature directs the superintendent to develop or adopt a new science assessment, the superintendent of public instruction shall review the objective alternative assessments for the science assessment and make recommendations to the legislature regarding additional objective alternatives, if any.

(3) The superintendent of public instruction may participate with consortia of multiple states as common student learning standards and assessments in science are developed. The superintendent of public instruction, in consultation with the state board of education, may modify the essential academic learning requirements and statewide student assessments in science, including the high school assessment, according to the multistate common student learning standards and assessments as long as the education committees of the legislature have opportunities for review before the modifications are adopted, as provided under RCW 28A.655.070.

(4) The statewide high school assessment under this section shall be used to demonstrate that a student meets the state standards in the science content area of the statewide student assessment for purposes of RCW 28A.655.061.

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RCW 28A.630.123

Expanded learning opportunities council. (*Expires August 31, 2019.*)

(1) The expanded learning opportunities council is established to advise the governor, the legislature, and the superintendent of public instruction regarding a comprehensive expanded learning opportunities system, with particular attention paid to solutions to summer learning loss.

(2) The council shall provide a vision, guidance, assistance, and advice related to potential improvement and expansion of summer learning opportunities, school year calendar modifications that will help reduce summer learning loss, increasing partnerships between schools and community-based organizations to deliver expanded learning opportunities, and

other current or proposed programs and initiatives across the spectrum of early elementary through secondary education that could contribute to a statewide system of expanded learning opportunities.

(3) The council shall identify fiscal, resource, and partnership opportunities; coordinate policy development; set quality standards; promote evidence-based strategies; and develop a comprehensive action plan designed to implement expanded learning opportunities, address summer learning loss, provide academic supports, build strong partnerships between schools and community-based organizations, and track performance of expanded learning opportunities in closing the opportunity gap.

(4) When making recommendations regarding evidence-based strategies, the council shall consider the best practices on the state menus developed in accordance with RCW 28A.165.035 and 28A.655.235.

(5) The superintendent of public instruction shall convene the expanded learning opportunities council. The members of the council must have experience with expanded learning opportunities and include groups and agencies representing diverse student interests and geographical locations across the state. Up to fifteen participants, agencies, organizations, or individuals may be invited to participate in the council, and the membership shall include the following:

- (a) Three representatives from nonprofit community-based organizations;
- (b) One representative from regional workforce development councils;
- (c) One representative from each of the following organizations or agencies:
 - (i) The Washington state school directors' association;
 - (ii) The state-level association of school administrators;
 - (iii) The state-level association of school principals;
 - (iv) The state board of education;
 - (v) The statewide association representing certificated classroom teachers and educational staff associates;
 - (vi) The office of the superintendent of public instruction;
 - (vii) The state-level parent–teacher association;
 - (viii) Higher education; and
 - (ix) A nonprofit organization with statewide experience in expanded learning opportunities

frameworks.

(6) Staff support for the expanded learning opportunity council shall be provided by the office of the superintendent of public instruction and other state agencies as necessary. Appointees of the council shall be selected by May 30, 2014. The council shall hold its first meeting before August 1, 2014. At the first meeting, the council shall determine regularly scheduled meeting times and locations.

RCW 28A.630.105

Needs assessments -- Innovation and success plans -- Notification of approval. (*Expires June 30, 2019.*)

(1) After receiving approval of an application of intent, each college of education and school district must conduct a comprehensive needs assessment of the students to be served by a collaborative school for innovation and success. The needs assessment must use disaggregated student data and include a thorough evaluation of student needs as identified by the parents of the students served by the school, as well as the levels of support within the school community and in the external community at-large for students' academic and social emotional needs. The needs assessment must also examine elements included in an academic performance audit under RCW 28A.657.040.

(2) The college of education and the school district must develop an innovation and success plan for the school in collaboration with school staff, parents, and community members.

(3) The innovation and success plan must include:

(a) The proposed program for instruction, wraparound support services, resource deployment, and professional development that has been developed based on the comprehensive needs assessment;

(b) A family and community engagement strategy that builds support among students and parents for high achievement for all students in culturally appropriate ways;

(c) Professional learning communities among school staff and higher education faculty that are focused on identifying and responding to emergent student learning needs;

(d) Intensive preparation of teacher and principal candidates using research-based practices and a particular focus on cultural competency and skill development to improve learning for English language learners, highly mobile and homeless students, students with disabilities, and other students with special learning needs;

(e) Identification of the metrics that will be used to assess student achievement and skill

development, both while the students are enrolled in elementary school and after they continue into middle school, and specific goals for improvement of these outcomes over the term of the pilot project, including but not limited to such metrics as attendance, grade-level retention, student growth, disciplinary incidents, course completion and grades, and performance on classroom-based assessments;

(f) Identification of the metrics that will be used to assess educator skill development, both for preservice and certificated educators, and specific goals for improvement of these outcomes over the term of the pilot project;

(g) Identification of private and community partners to provide wraparound services, technology, mentoring, or other enhancements for the students in the school;

(h) Identification of waivers to be requested from the **state board of education** under RCW 28A.305.140 or from the superintendent of public instruction under RCW 28A.655.180;

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RCW 28A.525.300

Proceeds from sale of bonds as compensation for sale of timber from trust lands.

The proceeds received from the sale of the bonds issued under RCW 28A.525.230 through 28A.525.300 which are deposited in the common school construction fund and available for common school construction purposes shall serve as total compensation to the common school construction fund for the proceeds from the sale of timber from trust lands sold prior to March 13, 1980, to the state parks and recreation commission pursuant to RCW *43.51.270 and **43.51.280 which are required to be deposited in the common school construction fund. The superintendent of public instruction and the **state board of education** shall expend by June 30, 1981, the proceeds received from the bonds issued under RCW 28A.525.230 through 28A.525.300.

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RCW 28A.410.210

Washington professional educator standards board -- Purpose -- Powers and duties.

The purpose of the professional educator standards board is to establish policies and requirements for the preparation and certification of educators that provide standards for competency in professional knowledge and practice in the areas of certification; a foundation of skills, knowledge, and attitudes necessary to help students with diverse needs, abilities, cultural experiences, and learning styles meet or exceed the learning goals outlined in RCW

28A.150.210; knowledge of research-based practice; and professional development throughout a career. The Washington professional educator standards board shall:

...(11) Submit, by October 15th of each even-numbered year, a joint report with the state board of education to the legislative education committees, the governor, and the superintendent of public instruction. The report shall address the progress the boards have made and the obstacles they have encountered, individually and collectively, in the work of achieving the goals set out in RCW 28A.150.210;

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RCW 28A.410.045

First peoples' language, culture, and oral tribal traditions teacher certification program -- Established -- Rules.

(1) The Washington state first peoples' language, culture, and oral tribal traditions teacher certification program is established. The professional educator standards board shall adopt rules to implement the program in collaboration with the sovereign tribal governments whose traditional lands and territories lie within the borders of the state of Washington, including the tribal leader congress on education and the first peoples' language and culture committee. The collaboration required under this section shall be defined by a protocol for cogovernance in first peoples' language, culture, and oral tribal traditions education developed by the professional educator standards board, the office of the superintendent of public instruction, and the sovereign tribal governments whose traditional lands and territories lie within the borders of the state of Washington.

(4) First peoples' language/culture teacher certificates issued before July 22, 2007, under rules approved by the state board of education or the professional educator standards board under a pilot program remain valid as certificates under this section, subject to the provisions of this chapter.

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RCW 28A.410.010

Certification -- Duty of professional educator standards board -- Rules -- Record check -- Lapsed certificates -- Superintendent of public instruction as administrator.

(1)(a) The Washington professional educator standards board shall establish, publish, and enforce rules determining eligibility for and certification of personnel employed in the common schools of this state, including certification for emergency or temporary, substitute or provisional duty and under such certificates or permits as the board shall deem proper or as otherwise prescribed by law. The rules shall require that the initial application for certification shall require a record check of the applicant through the Washington state patrol criminal identification system and through the federal bureau of investigation at the applicant's expense. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card. An individual who holds a valid portable background check clearance card issued by the department of early learning consistent with RCW 43.215.215 is exempt from the office of the superintendent of public instruction fingerprint background check if the individual provides a true and accurate copy of his or her Washington state patrol and federal bureau of investigation background report results to the office of the superintendent of public instruction. The superintendent of public instruction may waive the record check for any applicant who has had a record check within the two years before application. The rules shall permit a holder of a lapsed certificate but not a revoked or suspended certificate to be employed on a conditional basis by a school district with the requirement that the holder must complete any certificate renewal requirements established by the state board of education within two years of initial reemployment.

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RCW 28A.405.060

Course of study and regulations -- Enforcement -- Withholding salary warrant for failure.

Certificated employees shall faithfully enforce in the common schools the course of study and regulations prescribed, whether regulations of the district, the superintendent of public instruction, or the state board of education, and shall furnish promptly all information relating to the common schools which may be requested by the educational service district superintendent.

Any certificated employee who wilfully refuses or neglects to enforce the course of study or the rules and regulations as above in this section required, shall not be allowed by the directors any warrant for salary due until said person shall have complied with said requirements.

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RCW 28A.320.040

Bylaws for board and school government.

Every board of directors shall have power to make such bylaws for their own government, and the government of the common schools under their charge, as they deem expedient, not inconsistent with the provisions of this title, or rules and regulations of the superintendent of public instruction or the state board of education.

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RCW 28A.320.025

School district name change.

(1) The board of directors may change the name of the school district if:

(a) Either ten percent of the registered voters of the district file a petition requesting that the name of the school district be changed and submit the proposed new name with the request to the board or the board passes a motion to hold a hearing to change the school district name;

(b) After receiving the petition or adopting the motion, the board holds a hearing within one month after the petition was submitted to the board. The board shall publish notice of the hearing and the proposed new name once a week for three consecutive weeks in a newspaper of general circulation within the school district. At the hearing, other names may be proposed and considered by the board without additional notice requirements; and

(c) A majority of the board votes to adopt the new name.

(2) If the board adopts the new name, the new name shall be recorded in the school district office and with the educational service district superintendent, the superintendent of public instruction, the **state board of education**, and the secretary of state.

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RCW 28A.315.115

Regional committees -- Membership limitation.

Persons possessing the status of any of the following positions shall not be eligible to be a member of a regional committee: The superintendent of public instruction, a member of the **state board of education**, an educational service district superintendent, a member of a board of directors of a school district, a member of an educational service district board, a member of a governing board of either a private school or a private school district which conducts any grades kindergarten through twelve, officers appointed by any such governing board, and employees of a school district, an educational service district, the office of the superintendent of public instruction, a private school, or a private school district.

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RCW 28A.315.005

Governance structure.

(1) Under the constitutional framework and the laws of the state of Washington, the governance structure for the state's public common school system is comprised of the following bodies: The legislature, the governor, the superintendent of public instruction, the **state board of education**, the Washington charter school commission, the educational service district boards of directors, and local school district boards of directors. The respective policy and administrative roles of each body are determined by the state Constitution and statutes.

(2) Local school districts are political subdivisions of the state and the organization of such districts, including the powers, duties, and boundaries thereof, may be altered or abolished by laws of the state of Washington.

GRADUATE EQUIVALENCY EXAMS

SUMMARY: THIS STATUTE DESCRIBES A ROLE OF THE BOARD IN THE ELIGIBILITY OF STUDENTS FROM 16 TO 19 YEARS OF AGE TO TAKE A HIGH SCHOOL EQUIVALENCY EXAM.

RCW 28A.305.190

Eligibility to take test to earn a high school equivalency certificate.

The **state board of education** shall adopt rules governing the eligibility of a child sixteen years of age and under nineteen years of age to take a test to earn a high school equivalency certificate as provided in RCW 28B.50.536 if the child provides a substantial and warranted reason for leaving the regular high school education program, if the child was home-schooled, or if the child is an eligible student enrolled in a dropout reengagement program under RCW 28A.175.100 through 28A.175.110.

RCW 28A.305.142

Waiver from career and technical course equivalency requirement. (*Effective September 1, 2015.*)

The **state board of education** may grant a waiver from the provisions of RCW 28A.230.010(2) based on an application from a board of directors of a school district with fewer than two thousand students.

RCW 28A.300.507

K-12 data governance group -- Duties -- Reports.

THIS STATUTE REQUIRES THAT THE STATE BOARD PARTICIPATE IN THE K-12 DATA GOVERNANCE GROUP.

(1) A K-12 data governance group shall be established within the office of the superintendent of public instruction to assist in the design and implementation of a K-12 education data improvement system for financial, student, and educator data. It is the intent that the data system reporting specifically serve requirements for teachers, parents, superintendents, school boards, the office of the superintendent of public instruction, the legislature, and the public.

(2) The K-12 data governance group shall include representatives of the education data center, the office of the superintendent of public instruction, the legislative evaluation and accountability program committee, the professional educator standards board, the state board of education, and school district staff, including information technology staff. Additional entities with expertise in education data may be included in the K-12 data governance group.

RCW 28A.300.2851

School bullying and harassment -- Work group.

(1) The office of the superintendent of public instruction and the office of the education ombuds shall convene a work group on school bullying and harassment prevention to develop, recommend, and implement strategies to improve school climate and create respectful learning environments in all public schools in Washington. The superintendent of public instruction or a designee shall serve as the chair of the work group.

.... (3) The work group must include representatives from the state board of education, the Washington state parent teacher association, the Washington state association of school psychologists, school directors, school administrators, principals, teachers, school counselors, classified school staff, youth, community organizations, and parents.

RCW 28A.300.137

Strategies to address the achievement gap -- Improvement of education performance measures -- Annual report.

Beginning in January 2010, the *achievement gap oversight and accountability committee shall report annually to the superintendent of public instruction, the state board of education, the professional educator standards board, the governor, and the education committees of the

legislature on the strategies to address the achievement gap and on the progress in improvement of education performance measures for African-American, Hispanic, American Indian/Alaskan Native, Asian, and Pacific Islander/Hawaiian Native students.

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RCW 28A.300.035

Assistance of certificated or classified employee -- Reimbursement for substitute.

If the superintendent of public instruction or the **state board of education**, in carrying out their powers and duties under Title 28A RCW, request the service of any certificated or classified employee of a school district upon any committee formed for the purpose of furthering education within the state, or within any school district therein, and such service would result in a need for a school district to employ a substitute for such certificated or classified employee during such service, payment for such a substitute may be made by the superintendent of public instruction from funds appropriated by the legislature for the current use of the common schools and such payments shall be construed as amounts needed for state support to the common schools under RCW 28A.150.380. If such substitute is paid by the superintendent of public instruction, no deduction shall be made from the salary of the certificated or classified employee. In no event shall a school district deduct from the salary of a certificated or classified employee serving on such committee more than the amount paid the substitute employed by the district.

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RCW 28A.250.040

Duties of the superintendent of public instruction.

The superintendent of public instruction shall:

(1) Develop model policies and procedures, in consultation with the Washington state school directors' association, that may be used by school district boards of directors in the development of the school district policies and procedures required in RCW 28A.250.050. The model policies and procedures shall be disseminated to school districts by February 1, 2010;

(2) By December 1, 2009, modify the standards for school districts to report course information to the office of the superintendent of public instruction under RCW 28A.300.500 to designate if the course was an online course. The reporting standards shall be required beginning with the 2010-11 school year; and

(3) Beginning January 15, 2011, and annually thereafter, submit a report regarding online learning to the **state board of education**, the governor, and the legislature. The report shall cover the previous school year and include but not be limited to student demographics, course

enrollment data, aggregated student course completion and passing rates, and activities and outcomes of course and provider approval reviews.

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RCW 28A.300.020

Assistant superintendents, deputy superintendent, assistants -- Terms for exempt personnel.

The superintendent of public instruction may appoint assistant superintendents of public instruction, a deputy superintendent of public instruction, and may employ such other assistants and clerical help as are necessary to carry out the duties of the superintendent and the **state board of education**. However, the superintendent shall employ without undue delay the executive director of the **state board of education** and other **state board of education** office assistants and clerical help, appointed by the state board under RCW 28A.305.130, whose positions are allotted and funded in accordance with moneys appropriated exclusively for the operation of the **state board of education**. The rate of compensation and termination of any such executive director, state board office assistants, and clerical help shall be subject to the prior consent of the **state board of education**. The assistant superintendents, deputy superintendent, and such other officers and employees as are exempted from the provisions of chapter 41.06 RCW, shall serve at the pleasure of the superintendent or at the pleasure of the superintendent and the **state board of education** as provided in this section. Expenditures by the superintendent of public instruction for direct and indirect support of the **state board of education** are valid operational expenditures by and in behalf of the office of the superintendent of public instruction.

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RCW 28A.210.320

Children with life-threatening health conditions -- Medication or treatment orders -- Rules.

(1) The attendance of every child at every public school in the state shall be conditioned upon the presentation before or on each child's first day of attendance at a particular school of a medication or treatment order addressing any life-threatening health condition that the child has that may require medical services to be performed at the school. Once such an order has been presented, the child shall be allowed to attend school.

(2) The chief administrator of every public school shall prohibit the further presence at the school for any and all purposes of each child for whom a medication or treatment order has not been provided in accordance with this section if the child has a life-threatening health condition that may require medical services to be performed at the school and shall continue to prohibit the child's presence until such order has been provided. The exclusion of a child from a school shall

be accomplished in accordance with rules of the **state board of education**. Before excluding a child, each school shall provide written notice to the parents or legal guardians of each child or to the adults in loco parentis to each child, who is not in compliance with the requirements of this section. The notice shall include, but not be limited to, the following: (a) The requirements established by this section; (b) the fact that the child will be prohibited from further attendance at the school unless this section is complied with; and (c) such procedural due process rights as are established pursuant to this section.

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RCW 28A.210.160

Immunization program -- Rules.

The superintendent of public instruction with regard to public schools and the **state board of education** with regard to private schools, in consultation with the state board of health, shall each adopt rules pursuant to chapter 34.05 RCW that establish the procedural and substantive due process requirements governing the exclusion of children from schools pursuant to RCW 28A.210.120.

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RCW 28A.210.070

Immunization program -- Definitions.

As used in RCW 28A.210.060 through 28A.210.170:

(1) "Chief administrator" shall mean the person with the authority and responsibility for the immediate supervision of the operation of a school or day care center as defined in this section or, in the alternative, such other person as may hereafter be designated in writing for the purposes of RCW 28A.210.060 through 28A.210.170 by the statutory or corporate board of directors of the school district, school, or day care center or, if none, such other persons or person with the authority and responsibility for the general supervision of the operation of the school district, school or day care center.

(2) "Full immunization" shall mean immunization against certain vaccine-preventable diseases in accordance with schedules and with immunizing agents approved by the state board of health.

(3) "Local health department" shall mean the city, town, county, district or combined city-county health department, board of health, or health officer which provides public health services.

(4) "School" shall mean and include each building, facility, and location at or within which any or all portions of a preschool, kindergarten and grades one through twelve program of

education and related activities are conducted for two or more children by or in behalf of any public school district and by or in behalf of any private school or private institution subject to approval by the **state board of education** pursuant to RCW 28A.305.130, 28A.195.010 through 28A.195.050, and 28A.410.120.

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RCW 28A.205.020

Common school dropouts -- Reimbursement.

Only eligible common school dropouts shall be enrolled in a certified education center for reimbursement by the superintendent of public instruction as provided in RCW 28A.205.040. A person is not an eligible common school dropout if: (1) The person has completed high school, (2) the person has not reached his or her twelfth birthday or has passed his or her twentieth birthday, (3) the person shows proficiency beyond the high school level in a test approved by the **state board of education** to be given as part of the initial diagnostic procedure, or (4) less than one month has passed after the person has dropped out of any common school and the education center has not received written verification from a school official of the common school last attended in this state that the person is no longer in attendance at the school. A person is an eligible common school dropout even if one month has not passed since the person dropped out if the board of directors or its designee, of that common school, requests the center to admit the person because the person has dropped out or because the person is unable to attend a particular common school because of disciplinary reasons, including suspension and/or expulsion. The fact that any person may be subject to RCW 28A.225.010 through 28A.225.140, 28A.200.010, and 28A.200.020 shall not affect his or her qualifications as an eligible common school dropout under this chapter.

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RCW 28A.195.040

Private schools -- Board rules for enforcement -- Racial segregation or discrimination prohibited.

The **state board of education** shall promulgate rules and regulations for the enforcement of RCW 28A.195.010 through 28A.195.040, 28A.225.010, and 28A.305.130, including a provision which denies approval to any school engaging in a policy of racial segregation or discrimination.

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RCW 28A.195.030

Private schools -- Actions appealable under Administrative Procedure Act.

Any private school may appeal the actions of the state superintendent of public instruction or state board of education as provided in chapter 34.05 RCW.

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RCW 28A.188.040

STEM education report card -- Coordination of data collection and analysis -- Reports by education agencies and the employment security department.

(1) The STEM education innovation alliance shall develop a STEM education report card, based on the STEM framework for action and accountability, to monitor progress in increasing learning opportunities and aligning strategic plans and activities in order to prepare students for STEM-related jobs and careers, with the longer-term goal of improving educational, workforce, and economic outcomes in STEM.

(b) The state education agencies must annually report on how their policies, activities, and expenditures of public resources align with and support the STEM framework for action and accountability. The focus of the reporting under this subsection is on programs and initiatives specifically identified in law or budget proviso as related to STEM education. The agencies must use a common metric for the reporting, designed by the education data center in consultation with the STEM education innovation alliance. For the purposes of this section, "state education agencies" includes the office of the superintendent of public instruction, the student achievement council, the state board for community and technical colleges, the workforce training and education coordinating board, the professional educator standards board, the state board of education, and the department of early learning.

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RCW 28A.175.140

PASS program -- Duties of superintendent of public instruction.

(1) The office of the superintendent of public instruction, in consultation with the state board of education, must:

(a) Calculate the annual extended graduation rate for each high school, which is the rate at which a class of students enters high school as first-year students and graduates with a high school diploma, including students who receive a high school diploma after the year they were expected to graduate. The office may statistically adjust the rate for student demographics in the high school, including the number of students eligible for free and reduced-price meals, special education and English language learner students, students of various racial and ethnic backgrounds, and student mobility;

RCW 28A.150.240

Certificated teaching and administrative staff as accountable for classroom teaching -- Scope -- Responsibilities -- Penalty.

(1) It is the intended purpose of this section to guarantee that the certificated teaching and administrative staff in each common school district be held accountable for the proper and efficient conduct of classroom teaching in their school which will provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning.

(2) In conformance with the other provisions of Title 28A RCW, it shall be the responsibility of the certificated teaching and administrative staff in each common school to:

(a) Implement the district's prescribed curriculum and enforce, within their area of responsibility, the rules and regulations of the school district, the state superintendent of public instruction, and the state board of education, taking into due consideration individual differences among students, and maintain and render appropriate records and reports pertaining thereto.

RCW 7.68.020

Definitions.

The following words and phrases as used in this chapter have the meanings set forth in this section unless the context otherwise requires.

(1) "Accredited school" means a school or course of instruction which is:

(a) Approved by the state superintendent of public instruction, the state board of education, or the state board for community and technical colleges; or

(b) Regulated or licensed as to course content by any agency of the state or under any occupational licensing act of the state, or recognized by the apprenticeship council under an agreement registered with the apprenticeship council pursuant to chapter 49.04 RCW.