

Sec. 3. Section 35A.12.160, chapter 119, Laws of 1967 ex. sess. as amended by section 42, chapter 469, Laws of 1985 and RCW 35A.12.160 are each amended to read as follows:

Promptly after adoption, every ordinance shall be published, at least once in the city's official newspaper. However, as an alternative, a city with a population of three thousand or less may publish in its official newspaper a summary of the intent and content of any ordinance that it adopts and indicate the times and location where a copy of the ordinance is available for public inspection.

Passed the Senate April 25, 1987.

Passed the House April 17, 1987.

Approved by the Governor May 15, 1987.

Filed in Office of Secretary of State May 15, 1987.

## CHAPTER 401

[Substitute House Bill No. 786]

### SCHOOLS—EDUCATIONAL OUTCOMES

AN ACT Relating to encouragement and measurement of innovative programs by school districts; creating new sections; making an appropriation; and providing expiration dates.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature recognizes its obligation to the taxpayers of the state of Washington to ensure efficiency and accountability in the common school system established under Article IX, section 1 of the state Constitution. The legislature further recognizes the importance and value of continually seeking ways in which to shape provisions of state statutes and regulations to enhance the development of local educational delivery systems characterized by diversity and centered around students' individual educational needs and learning styles.

The legislature finds that an appropriate next step in exploring ways to grant districts greater flexibility and control over the development of the process and content of local educational programs, while honoring legal requirements and respecting citizens' demands for accountability, is to investigate the development and field testing of the use of educational outcomes and measures of educational outcomes.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 1 through 10 of this act.

(1) "Goals" or "state goals" means the goals adopted by the state board of education relating to those skills considered to be important for students to develop and acquire through the common school system, and in particular shall include goals addressing the following:

(a) Basic academic skills, including higher order thinking skills and subject matter knowledge;

(b) Vocational skills, including an understanding about the importance of personal economic responsibility;

(c) Communication and citizenship skills; and

(d) Personal growth and development skills.

(2) "Educational outcomes" means expected levels of student performance and achievement to meet identified state goals.

(3) "Indicators" means factors that may bear a relationship to student capabilities and that can be used to help assess students' progress toward achieving identified educational outcomes.

NEW SECTION. Sec. 3. (1) The superintendent of public instruction shall establish a temporary committee on the assessment and accountability of educational outcomes.

(2) The committee shall be composed of:

(a) The superintendent of public instruction who shall serve as the chair of the committee;

(b) A member of the state board of education other than the superintendent of public instruction;

(c) One member representing the office of the governor and appointed by the governor;

(d) Three teachers, one each representing elementary schools, middle or junior high schools, and senior high schools;

(e) Three principals, one each representing elementary schools, middle or junior high schools, and senior high schools;

(f) Two school directors, one each representing a first class school district and a second class school district;

(g) Two superintendents, one each representing a first class school district and a second class school district;

(h) One member representing educational service districts;

(i) One member representing business;

(j) One member representing labor;

(k) One member representing vocational education;

(l) One member representing citizens;

(m) One member representing parents;

(n) One member representing students; and

(o) Four legislators. The speaker of the house of representatives shall appoint one member from each caucus of the house of representatives. The president of the senate shall appoint one member from each caucus of the senate.

(3) All committee members shall be determined within sixty days of the effective date of this section.

(4) Legislative members of the temporary committee shall be reimbursed for travel expenses under RCW 44.04.120. Nonlegislative members

shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

**NEW SECTION.** Sec. 4. The temporary committee established under section 3 of this act shall have the following responsibilities:

(1) To develop by December 1, 1988, educational outcomes for the state goals defined under section 2 of this act. The committee may develop educational outcomes for each of the grade levels kindergarten through grade twelve or for groupings of grade levels, or both, or for particular age levels or age groups, or both.

(2) To develop by December 1, 1988, measures of educational outcomes.

In developing these measures the committee is encouraged both to study various means of assessing a school's or school district's progress in achieving the state goals defined under section 2 of this act and to prepare an analysis of the validity, reliability, and effectiveness of various indicators of the educational outcomes. Indicators may include but are not limited to: Student achievement; attendance and dropout rates; instructional effectiveness; perceptions of school; school environment; student characteristics including socioeconomic backgrounds; and the effective application of resources.

The measures shall assess the educational outcomes on a district-wide basis and should permit building-by-building comparisons. To the extent possible, the measures shall be developed to use at least the state-wide fourth, eighth, and tenth grade tests established under RCW 28A.03.360(2), (3), and (4), the state eleventh grade test established under RCW 28A.03.360(5), and, if appropriate, the Washington life skills test established under RCW 28A.03.370. The measures should also, to the extent possible, permit districts to incorporate them into any local second grade testing program encouraged pursuant to RCW 28A.03.360(1).

(3) The committee may, at its discretion, study the relationship between current provisions of state statutes and regulations and the educational outcomes developed under subsection (1) of this section, and the educational, fiscal and legal impacts upon achieving the educational outcomes by waiving for schools or school districts, on a voluntary or involuntary and temporary or permanent basis, existing provisions of state statutes and regulations, including but not limited to: Compulsory courses and graduation requirements under chapter 28A.05 RCW; program hour offerings under RCW 28A.58.754(2); teacher contact hours under RCW 28A.41.140; the ratio of students per classroom teacher under RCW 28A.41.130; student learning objectives under RCW 28A.58.090; and the length of the school year.

**NEW SECTION.** Sec. 5. The superintendent of public instruction shall report by January 1, 1989, to the education committees of the house of representatives and the senate on the educational outcomes and related

measures developed by the temporary committee pursuant to section 4 of this act.

**NEW SECTION.** Sec. 6. (1) The superintendent of public instruction may accept, receive, and administer such gifts, grants, and contributions as may be expressly provided from public or private sources for the purpose of supporting the work of the temporary committee on the assessment and accountability of educational outcomes as required under section 4 of this act.

(2) The educational outcomes assessment account is hereby established in the custody of the state treasurer. The superintendent of public instruction shall deposit in the account all moneys received under this section. Moneys in the account may be spent only for the purpose of supporting the work of the temporary committee on the assessment and accountability of educational outcomes.

**NEW SECTION.** Sec. 7. (1) The superintendent of public instruction may select up to ten school districts, from among districts interested and submitting written grant applications, to field test the educational outcomes and related measures developed pursuant to section 4 of this act.

(2) The superintendent shall select the school districts by June 30, 1989, and the field tests shall begin with the 1989-90 school year and conclude at the end of the 1992-93 school year.

(3) Each selected school district shall submit annually to the superintendent of public instruction a report on its field test project.

(4) The superintendent of public instruction shall report to the legislature by January 1, 1994, on the results of the field tests of the educational outcomes and related measures. The report shall include a recommendation on whether the outcomes and related measures should be implemented on a state-wide basis. The report shall also include, if the educational outcomes and related measures are judged to be beneficial, a recommendation on whether selected provisions of state statutes or regulations should be amended or repealed if such action would enhance the benefits of the educational outcomes and related measures.

**NEW SECTION.** Sec. 8. The superintendent of public instruction shall adopt rules as necessary to carry out the purposes of sections 2 through 7 of this act.

**NEW SECTION.** Sec. 9. No provision of this act may prohibit a school district from incorporating the educational outcomes and related measures as part of a schools for the twenty-first century pilot project.

**NEW SECTION.** Sec. 10. Teachers are encouraged to apply for funds under the state grant program for school improvement and research projects to develop innovative ways in which to achieve the educational outcomes and to meet both state goals and building-level goals identified under the state required school self-study process.

NEW SECTION. Sec. 11. (1) Section 3 of this act shall expire December 2, 1988.

(2) Sections 1, 2 and 4 through 6 of this act shall expire June 30, 1989.

(3) Sections 7 through 10 of this act shall expire January 2, 1994.

NEW SECTION. Sec. 12. The sum of forty-nine thousand five hundred dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1989, from the general fund to the superintendent of public instruction for the purposes of this act.

NEW SECTION. Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House April 23, 1987.

Passed the Senate April 15, 1987.

Approved by the Governor May 15, 1987.

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CHAPTER 402

[Senate Bill No. 5550]

SEXUAL OFFENDERS—SENTENCING AND TREATMENT REVISED

AN ACT Relating to sexual offenders; amending RCW 9.94A.123; reenacting and amending RCW 9.94A.120; providing an effective date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 12, chapter 137, Laws of 1981 as last amended by section 20, chapter 257, Laws of 1986 and by section 4, chapter 301, Laws of 1986 and RCW 9.94A.120 are each reenacted and amended to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2), (5), and (7) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the