
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-2233.3/11 3rd draft

ATTY/TYPIST: SCG:crs

BRIEF DESCRIPTION:

1 consolidation of these entities into one department of education would
2 result in a governance system with a unifying student-centered vision,
3 common goals, shared priorities, and linked outcomes. The result would
4 be a pathway for students from early learning to K-12 and onto higher
5 education.

6 Therefore, the legislature intends to create a seamless, cohesive
7 state-level governance education system focused on students and
8 learning from birth through college and career. This system will
9 provide for integrated policies at the state level, the creation of a
10 streamlined accountability system with clear measures and expectations,
11 and consistent best practice guidance and technical assistance to local
12 delivery systems. The accountability system will be based upon a
13 strategic plan focusing on achievement, student growth, bridging
14 existing learning gaps, and preparing students for their next steps in
15 learning and career. By consolidating state-level planning, policies,
16 accountability, and assistance, the legislature intends that outcomes
17 for learners will improve, duplicative efforts will be reduced, and
18 management burdens for local delivery systems will be lessened. The
19 legislature further intends that the opportunity gap, preparing
20 students to enter kindergarten, and getting all students ready to
21 compete nationally and internationally in mathematics and science
22 achievement will be addressed systematically and that best practices
23 for teaching, leading, and learning be incorporated throughout the
24 education system. It is time for a single authority to lead
25 improvements across every level of education and be held accountable
26 for students' success. Washington cannot afford to wait for better
27 times to make changes we know are necessary for our children's and
28 state's future.

29 NEW SECTION. **Sec. 102.** The definitions in this section apply
30 throughout this title unless the context clearly requires otherwise.

31 (1) "Department" means the department of education.

32 (2) "Secretary" means the secretary of education.

33 NEW SECTION. **Sec. 103.** (1) The department of education is created
34 as an executive branch agency. The department is vested with all
35 powers and duties transferred to it under chapter . . . , Laws of 2011

1 (this act) and such other powers and duties as may be authorized by
2 law.

3 (2) The superintendent of public instruction shall be housed within
4 the department of education but the superintendent shall retain the
5 supervisory duties pertaining to public schools granted under the state
6 Constitution.

7 (3) The department of education includes the professional educator
8 standards board, the state school for the blind, and the Washington
9 state center for childhood deafness and hearing loss.

10 (4) In administering a seamless state-level system of education
11 from birth through postsecondary education, the primary duty of the
12 department is to focus education policy development on implementing
13 education programs and services that promote student achievement. The
14 department shall deliver innovative and flexible services, implement
15 best practices, increase efficiency in state-level administration, and
16 provide systemwide accountability.

17 NEW SECTION. **Sec. 104.** (1) The executive head and appointing
18 authority of the department is the secretary of education. The
19 secretary shall be appointed by the governor, subject to confirmation
20 by the senate. The secretary shall serve at the pleasure of the
21 governor. The secretary shall be paid a salary fixed by the governor
22 in accordance with RCW 43.03.040. If a vacancy occurs in the position
23 of secretary while the senate is not in session, the governor shall
24 make a temporary appointment until the next meeting of the senate at
25 which time he or she shall present to that body his or her nomination
26 for the position.

27 (2) The secretary may employ staff members, who shall be exempt
28 from chapter 41.06 RCW, and any additional staff members as are
29 necessary to administer this chapter, and such other duties as may be
30 authorized by law. The secretary may delegate any power or duty vested
31 in him or her by this chapter or other law, including the authority to
32 make final decisions and enter final orders in hearings conducted under
33 chapter 34.05 RCW.

34 (3) The secretary may create such administrative structures as the
35 secretary considers appropriate, except as otherwise specified by law.
36 The department shall be organized into divisions. When first
37 established, the department shall be organized into divisions for early

1 learning, K-12 education, and higher education financial assistance
2 program administration. Except as otherwise specified or as federal
3 requirements may differently require, the secretary may change these
4 divisions under plans prepared by the secretary and approved by the
5 governor.

6 (4) The secretary may employ such personnel as necessary for the
7 general administration of the department. This employment shall be in
8 accordance with the state civil service law, chapter 41.06 RCW, except
9 as otherwise provided.

10 NEW SECTION. **Sec. 105.** (1) The secretary shall administer the
11 activities of the department of education.

12 (2) The secretary shall exercise all the powers and perform all the
13 duties prescribed by law with respect to the state-level
14 administration, as provided in this chapter.

15 (3) The secretary shall:

16 (a) Administer state and federal higher education financial
17 assistance programs in a cost-efficient manner; and

18 (b) Coordinate and collaborate with the superintendent of public
19 instruction and provide the administrative support services for the
20 superintendent of public instruction.

21 (4) In addition to other powers and duties granted to the
22 secretary, the secretary may:

23 (a) Enter into contracts on behalf of the state to carry out the
24 purposes of this chapter;

25 (b) Accept and expend gifts and grants that are related to the
26 purposes of this chapter, whether such grants are of federal or other
27 funds;

28 (c) Appoint a deputy secretary and such assistant secretaries and
29 special assistants, exempt from chapter 41.06 RCW, as may be needed to
30 administer the department;

31 (d) Appoint the executive director of the professional educator
32 standards board, the superintendent of the school for the blind, and
33 the director of the Washington state center for childhood deafness and
34 hearing loss, each of which are exempt from chapter 41.06 RCW;

35 (e) Adopt rules in accordance with chapter 34.05 RCW and perform
36 all other functions necessary and proper to carry out the purposes of
37 this chapter;

1 (f) Delegate powers, duties, and functions as the secretary deems
2 necessary for efficient administration, but the secretary shall be
3 responsible for the official acts of the officers and employees of the
4 department;

5 (g) Create such administrative structures as the secretary
6 considers appropriate, except as otherwise specified by law; and

7 (h) Perform other duties as are necessary and consistent with the
8 law.

9 NEW SECTION. **Sec. 106.** In administering the department of
10 education, the secretary shall:

11 (1) Provide leadership for the education of the state's students
12 by:

13 (a) Promoting and measuring achievement;

14 (b) Respecting diverse cultures, abilities, and learning styles;

15 (c) Focusing on learning improvement strategies informed by
16 research and data; and

17 (d) Reviewing, changing, and implementing practices as necessary
18 across and within the education sectors to further learner success;

19 (2) Improve the connections that facilitate students' transitions
20 to and from different educational programs and the preparation for
21 those transitions;

22 (3) Develop and implement and continuously evaluate and adjust a
23 systemwide strategic plan that integrates the goals for early learning
24 and K-12 and higher education under section 107 of this act, as well as
25 policies, activities, and functions of the early learning and K-12
26 education sectors creating a powerful education system focused on
27 student learning that transcends traditional organizational boundaries;

28 (4) Implement performance measures focused on learner outcomes that
29 shall be used to continuously improve and evaluate student performance
30 and programs focusing on improving learning;

31 (5) Focus on maximizing integration and improving learning
32 throughout the entire education delivery system including early
33 learning, K-12 schools, community and technical colleges, and public
34 and private colleges and universities;

35 (6) Improve the coordination and relationships among the state and
36 parents, students, early learning educators and providers, local school

1 districts, community and technical colleges, and public and private
2 colleges and universities;

3 (7) Improve instructional quality and leadership practices in early
4 learning through secondary classrooms;

5 (8) Promote partnerships with private and nonprofit organizations,
6 institutions of higher education, and other governmental entities to
7 maximize the use of state and private resources and promote innovation;
8 and

9 (9) Submit budget requests for the entities and programs within the
10 department as required by law.

11 NEW SECTION. **Sec. 107.** (1) The strategic plan required by section
12 106(3) of this act shall be based on the following system goals to
13 provide an opportunity for:

14 (a) All students to enter kindergarten prepared for success in
15 school and life;

16 (b) All students to compete in mathematics and science nationally
17 and internationally, and for more students to be prepared to graduate
18 with higher education degrees in science, technology, engineering, and
19 mathematics;

20 (c) All students to attain high academic standards regardless of
21 race, ethnicity, income, or gender, and for more students from
22 underrepresented groups to earn high school diplomas and postsecondary
23 certificates and degrees; and

24 (d) All students to graduate from high school able to succeed in
25 college, training, and careers.

26 (2) In developing the initial plan, the secretary shall review:

27 (a) The plans created by the various education agencies and boards
28 transferred to the department and those agencies coordinating with the
29 department under chapter . . . , Laws of 2011 (this act); and (b) the
30 plans developed for the federal race to the top application and related
31 work, as well and the plans and recommendations of the Washington state
32 education council.

33 (3) The strategic plan shall also include performance measures that
34 address short and long-term progress in meeting the system goals.
35 These measures shall be designed to be used for accountability
36 purposes.

1 NEW SECTION. **Sec. 108.** (1) The Washington state education council
2 is created. The council shall advise the secretary on broad policy
3 issues affecting the state's education system focusing on improving
4 student learning to include, but not be limited to, system goals, the
5 state strategic plan, state accountability measures, and implementation
6 of evidence-based best practices.

7 (2) The council shall consist of thirteen members representing the
8 public and the public's interest in early learning, K-12 education, and
9 postsecondary education. The membership shall be as follows:

10 (a) The superintendent of public instruction, who shall be a
11 nonvoting member, except that the superintendent shall vote in the case
12 of a tie vote of the rest of the council;

13 (b) Three members representing K-12 education elected by school
14 directors, who shall vote on all matters. One must be a resident of
15 the Puget Sound area, one must be a resident of a non-Puget Sound area,
16 and one must be a resident of eastern Washington;

17 (c) Six members appointed by the governor, who shall vote on all
18 matters. In making appointments, the governor shall consider the
19 diversity of the population of the state and strive for a balanced
20 representation of the state's geographic regions. The governor shall
21 also consider appointing active practitioners and individuals who have
22 knowledge and experience in working with historically underrepresented
23 populations including, but not limited to, students with disabilities,
24 English language learners, and culturally diverse students and
25 communities. The governor shall appoint:

26 (i) Two members representing early learning;

27 (ii) Two members representing K-12 education;

28 (iii) One member representing four-year institutions of higher
29 education; and

30 (iv) One member representing community and technical colleges;

31 (d) One member representing the federally recognized Indian tribes
32 whose traditional lands and territories lie within the borders of
33 Washington state, who shall vote on all matters. The member shall be
34 designated by the federally recognized tribes;

35 (e) One member representing private schools designated by the
36 state-level organizations representing independent schools, who shall
37 vote only on matters affecting private schools. If there is a dispute

1 about whether an issue directly affects private schools then the
2 dispute shall be settled by a majority vote of the other members of the
3 board; and

4 (f) One member representing home-based instruction designated by
5 the state-level organizations representing home-based instruction, who
6 shall vote only on matters affecting home-based instruction. If there
7 is a dispute about whether an issue directly affects home-based
8 instruction then the dispute shall be settled by a majority vote of the
9 other members of the board.

10 (3) The members shall serve four-year terms. However, to stagger
11 the terms of the council, the initial appointments for three of the
12 members shall be for two years. Once the initial two-year terms
13 expire, all subsequent terms shall be for four years with the terms
14 expiring on June 30th of the applicable year.

15 (4) The chair shall be determined by the council members, except
16 that the superintendent of public instruction may not be the chair.

17 (5) The department shall provide staff support to the council.

18 NEW SECTION. **Sec. 109.** The secretary may appoint such advisory
19 committees or councils as may be required by any federal legislation as
20 a condition to the receipt of federal funds by the department. The
21 secretary may also appoint statewide committees, councils, or work
22 groups on such subject matters as are or come within the department's
23 responsibilities. The committees, councils, or work groups shall be
24 constituted as the secretary may determine or as required by federal
25 law. In making appointments, the secretary shall consider the
26 diversity of the population of the state and strive for a balanced
27 representation of the state's geographic regions. The secretary shall
28 also consider appointing active practitioners and individuals who have
29 knowledge and experience in working with historically underrepresented
30 populations including, but not limited to, students with disabilities,
31 English language learners, and culturally diverse students and
32 communities.

33 NEW SECTION. **Sec. 110.** (1)(a) The governor shall appoint:

34 (i) A transition team to develop a plan specifying the technical
35 and practical steps required to bring the current state-level education

1 agencies and structures into a new department as provided in this act;
2 and

3 (ii) A transition team subgroup to develop recommendations for the
4 design to include state-level higher education entities in the
5 department of education.

6 (b) The transition team and subgroup may include representatives
7 from affected agencies.

8 (c) The governor shall appoint the lead of the transition team.

9 (d) The transition team shall review the role of the:

10 (i) Washington state school directors' association to determine
11 whether the role is best served by a publicly funded or privately
12 funded association and report the findings to the legislature by July
13 1, 2012; and

14 (ii) Workforce training and education coordinating board with
15 regards to K-12 education dropout rates and career and technical
16 education and consider whether the role should be included in the new
17 department of education. If so, then the initial transition plan and
18 implementation schedule that is developed shall also address the
19 inclusion.

20 (e) The initial transition plan and implementation schedule shall
21 also designate who is responsible for implementing the plan.

22 (2) The transition team shall hold at least the following public
23 meetings:

24 (a) Initial meetings, one on the west side of the state and one on
25 the east side of the state, to share the work plan with the public and
26 to give the public notice on how the public will give input to the
27 transition process;

28 (b) A meeting to provide a status report on the transition process;
29 and

30 (c) A meeting to report the transition plan and implementation
31 schedule.

32 (3)(a)(i) The transition team shall complete the initial transition
33 plan and implementation schedule and report both to the legislature by
34 January 1, 2012. The plan shall be designed to phase-in the initial
35 operation and responsibilities for early learning, K-12 education, and
36 higher education financial assistance programs of the department of
37 education to begin by July 1, 2012, and be completed by January 16,
38 2013.

1 (ii) The plan shall be implemented in accordance with the
2 implementation schedule after the 2012 legislative session unless
3 otherwise directed by the legislature.

4 (b) The transition subgroup shall develop recommendations for a
5 design to include the duties of the state-level postsecondary entities
6 into the department of education by July 1, 2013. The recommendations
7 shall include a transition implementation plan and draft legislation
8 necessary to implement the plan. The recommendations shall be
9 submitted to the governor and the legislature by December 1, 2011, in
10 time for legislation necessary to implement the recommendations to be
11 enacted during the 2012 legislative session.

12 NEW SECTION. **Sec. 111.** A new section is added to chapter 41.06
13 RCW to read as follows:

14 In addition to the exemptions under RCW 41.06.070, the provisions
15 of this chapter shall not apply in the department of education to the
16 secretary, the secretary's confidential secretary, assistant
17 secretaries, and any other exempt staff members provided for in
18 sections 104 and 105 of this act.

19 **Sec. 112.** RCW 43.17.010 and 2009 c 565 s 25 are each amended to
20 read as follows:

21 There shall be departments of the state government which shall be
22 known as (1) the department of social and health services, (2) the
23 department of ecology, (3) the department of labor and industries, (4)
24 the department of agriculture, (5) the department of fish and wildlife,
25 (6) the department of transportation, (7) the department of licensing,
26 (8) the department of general administration, (9) the department of
27 commerce, (10) the department of veterans affairs, (11) the department
28 of revenue, (12) the department of retirement systems, (13) the
29 department of corrections, (14) the department of health, (15) the
30 department of financial institutions, (16) the department of
31 archaeology and historic preservation, (17) ~~((the department of early
32 learning, and (18)))~~ the Puget Sound partnership, and (18) the
33 department of education, which shall be charged with the execution,
34 enforcement, and administration of such laws, and invested with such
35 powers and required to perform such duties, as the legislature may
36 provide.

1 **Sec. 113.** RCW 43.17.020 and 2009 c 565 s 26 are each amended to
2 read as follows:

3 There shall be a chief executive officer of each department to be
4 known as: (1) The secretary of social and health services, (2) the
5 director of ecology, (3) the director of labor and industries, (4) the
6 director of agriculture, (5) the director of fish and wildlife, (6) the
7 secretary of transportation, (7) the director of licensing, (8) the
8 director of general administration, (9) the director of commerce, (10)
9 the director of veterans affairs, (11) the director of revenue, (12)
10 the director of retirement systems, (13) the secretary of corrections,
11 (14) the secretary of health, (15) the director of financial
12 institutions, (16) the director of the department of archaeology and
13 historic preservation, (17) ~~((the director of early learning, and~~
14 ~~(18))~~) the executive director of the Puget Sound partnership, and (18)
15 the secretary of education.

16 Such officers, except the director of fish and wildlife, shall be
17 appointed by the governor, with the consent of the senate, and hold
18 office at the pleasure of the governor. The director of fish and
19 wildlife shall be appointed by the fish and wildlife commission as
20 prescribed by RCW 77.04.055.

21 **Sec. 114.** RCW 42.17A.705 and 2010 c 204 s 902 are each amended to
22 read as follows:

23 For the purposes of RCW 42.17A.700, "executive state officer"
24 includes:

25 (1) The chief administrative law judge, the director of
26 agriculture, the director of the department of services for the blind,
27 the director of the state system of community and technical colleges,
28 the director of commerce, the secretary of corrections, ~~((the director~~
29 ~~of early learning,))~~ the director of ecology, the secretary of
30 education, the commissioner of employment security, the chair of the
31 energy facility site evaluation council, the secretary of the state
32 finance committee, the director of financial management, the director
33 of fish and wildlife, the executive secretary of the forest practices
34 appeals board, the director of the gambling commission, the director of
35 general administration, the secretary of health, the administrator of
36 the Washington state health care authority, the executive secretary of
37 the health care facilities authority, the executive secretary of the

1 higher education facilities authority, the executive secretary of the
2 horse racing commission, the executive secretary of the human rights
3 commission, the executive secretary of the indeterminate sentence
4 review board, the director of the department of information services,
5 the executive director of the state investment board, the director of
6 labor and industries, the director of licensing, the director of the
7 lottery commission, the director of the office of minority and women's
8 business enterprises, the director of parks and recreation, the
9 director of personnel, the executive director of the public disclosure
10 commission, the executive director of the Puget Sound partnership, the
11 director of the recreation and conservation office, the director of
12 retirement systems, the director of revenue, the secretary of social
13 and health services, the chief of the Washington state patrol, the
14 executive secretary of the board of tax appeals, the secretary of
15 transportation, the secretary of the utilities and transportation
16 commission, the director of veterans affairs, the president of each of
17 the regional and state universities and the president of The Evergreen
18 State College, and each district and each campus president of each
19 state community college;

20 (2) Each professional staff member of the office of the governor;

21 (3) Each professional staff member of the legislature; and

22 (4) Central Washington University board of trustees, the boards of
23 trustees of each community college and each technical college, each
24 member of the state board for community and technical colleges, state
25 convention and trade center board of directors, Eastern Washington
26 University board of trustees, Washington economic development finance
27 authority, Washington energy northwest executive board, The Evergreen
28 State College board of trustees, executive ethics board, fish and
29 wildlife commission, forest practices appeals board, forest practices
30 board, gambling commission, Washington health care facilities
31 authority, higher education coordinating board, higher education
32 facilities authority, horse racing commission, state housing finance
33 commission, human rights commission, indeterminate sentence review
34 board, board of industrial insurance appeals, information services
35 board, state investment board, commission on judicial conduct,
36 legislative ethics board, life sciences discovery fund authority board
37 of trustees, liquor control board, lottery commission, Pacific
38 Northwest electric power and conservation planning council, parks and

1 recreation commission, Washington personnel resources board, board of
2 pilotage commissioners, pollution control hearings board, public
3 disclosure commission, public employees' benefits board, recreation and
4 conservation funding board, salmon recovery funding board, shorelines
5 hearings board, board of tax appeals, transportation commission,
6 University of Washington board of regents, utilities and transportation
7 commission, Washington State University board of regents, and Western
8 Washington University board of trustees.

9 NEW SECTION. **Sec. 115.** (1)(a) The administration of the powers,
10 duties, and functions of the professional educator standards board, the
11 state school for the blind, the Washington state center for childhood
12 deafness and hearing loss, and higher education financial assistance
13 programs are hereby transferred to the department of education.

14 (b) The department of early learning, the state board of education,
15 the office of the education ombudsman, and the quality education
16 council are hereby abolished and their powers, duties, and functions
17 are hereby transferred to the department of education. All references
18 to the director or the department of early learning, the state board of
19 education, or the quality education council in the Revised Code of
20 Washington shall be construed to mean the secretary or the department
21 of education.

22 (c) The early learning advisory council and the achievement gap
23 oversight and accountability committee are abolished.

24 (2)(a) All reports, documents, surveys, books, records, files,
25 papers, or written material in the possession of the state school for
26 the blind, the Washington state center for childhood deafness and
27 hearing loss, the department of early learning, the state board of
28 education, the office of the education ombudsman, or the professional
29 educator standards board shall be delivered to the custody of the
30 department of education. All cabinets, furniture, office equipment,
31 motor vehicles, and other tangible property employed by the state
32 school for the blind, the Washington state center for childhood
33 deafness and hearing loss, the department of early learning, the state
34 board of education, the office of the education ombudsman, or the
35 professional educator standards board shall be made available to the
36 department of education. All funds, credits, or other assets held by
37 the state school for the blind, the Washington state center for

1 childhood deafness and hearing loss, the department of early learning,
2 the state board of education, the office of the education ombudsman, or
3 the professional educator standards board shall be assigned to the
4 department of education.

5 (b) Any appropriations made to the state school for the blind, the
6 Washington state center for childhood deafness and hearing loss, the
7 department of early learning, the state board of education, the office
8 of the education ombudsman, the higher education coordinating board for
9 financial assistance program administration, or the professional
10 educator standards board shall, on the effective date of this section,
11 be transferred and credited to the department of education.

12 (c) If any question arises as to the transfer of any personnel,
13 funds, books, documents, records, papers, files, equipment, or other
14 tangible property used or held in the exercise of the powers and the
15 performance of the duties and functions transferred, the director of
16 financial management shall make a determination as to the proper
17 allocation and certify the same to the state agencies concerned.

18 (3) All employees of the state school for the blind, the Washington
19 state center for childhood deafness and hearing loss, the department of
20 early learning, the state board of education, the higher education
21 coordinating board who administer financial assistance programs, or the
22 professional educator standards board are transferred to the
23 jurisdiction of the department of education. All employees classified
24 under chapter 41.06 RCW, the state civil service law, are assigned to
25 the department of education to perform their usual duties upon the same
26 terms as formerly, without any loss of rights, subject to any action
27 that may be appropriate thereafter in accordance with the laws and
28 rules governing state civil service.

29 (4)(a) The professional educator standards board, the state school
30 for the blind, and the Washington state center for childhood deafness
31 and hearing loss shall maintain rule-making authority.

32 (b) All rules and all pending business before the higher education
33 coordinating board regarding financial assistance programs, the
34 department of early learning, or the state board of education shall be
35 continued and acted upon by the department of education.

36 (c) All existing contracts and obligations shall remain in full
37 force and shall be performed by the department of education.

1 (5) The transfer of the powers, duties, functions, and personnel of
2 the state school for the blind, the Washington state center for
3 childhood deafness and hearing loss, the department of early learning,
4 the state board of education, the professional educator standards
5 board, and the higher education coordinating board shall not affect the
6 validity of any act performed before the effective date of this
7 section. The elimination of the office of the education ombudsman, the
8 early learning advisory council, the achievement gap oversight and
9 accountability committee, and the quality education council shall not
10 affect the validity of any act performed before the effective date of
11 this section.

12 (6) If apportionments of budgeted funds are required because of the
13 transfers directed by this section, the director of financial
14 management shall certify the apportionments to the agencies affected,
15 the state auditor, and the state treasurer. Each of these shall make
16 the appropriate transfer and adjustments in funds and appropriation
17 accounts and equipment records in accordance with the certification.

18 (7) The treatment of all classified employees of the state school
19 for the blind, the Washington center for childhood deafness and hearing
20 loss, the department of early learning, the state board of education,
21 the professional educator standards board, or the higher education
22 coordinating board financial assistance administration within existing
23 bargaining units assigned to the department of education under this
24 section is as provided in sections 116 and 117, chapter . . . , Laws of
25 2011 (sections 116 and 117 of this act).

26 NEW SECTION. **Sec. 116.** This section provides for the transfer of
27 employees in existing collective bargaining units to the department of
28 education as provided for in section 115 of this act.

29 (1) Employees of the State School for the Blind. The existing
30 bargaining units of the employees at the state school for the blind
31 shall be transferred in their entirety to the department of education
32 without the merging of other bargaining units or the inclusion of
33 employees from other bargaining units. Nothing contained in this
34 section or section 115 of this act may be construed to alter any of the
35 existing collective bargaining units unless and until the bargaining
36 unit has been modified by action of the public employment relations
37 commission as provided by law. Therefore, the certification of the

1 existing bargaining units shall remain. However, the public employment
2 relations commission may, upon request, amend the certification to
3 reflect the name of the new agency. Nothing in this section or section
4 115 of this act may be construed to alter the provisions of any
5 existing collective bargaining agreement until the agreement has
6 expired. The existing bargaining units of employees of the state
7 school for the blind transferred under this section and section 115 of
8 this act shall continue to be subject to the provisions of chapter
9 41.80 RCW.

10 (2) Employees of the Washington State Center for Childhood Deafness
11 and Hearing Loss. The existing bargaining units of the employees at
12 the Washington state center for childhood deafness and hearing loss
13 shall be transferred in their entirety to the department of education
14 without the merging of other bargaining units or the inclusion of
15 employees from other bargaining units. Nothing contained in this
16 section or section 115 of this act may be construed to alter any of the
17 existing collective bargaining units unless and until the bargaining
18 unit has been modified by action of the public employment relations
19 commission as provided by law. Therefore, the certification of the
20 existing bargaining units shall remain. However, the public employment
21 relations commission may, upon request, amend the certification to
22 reflect the name of the new agency. Nothing in this section or section
23 115 of this act may be construed to alter the provisions of any
24 existing collective bargaining agreement until the agreement has
25 expired. The existing bargaining units of employees of the Washington
26 state center for childhood deafness and hearing loss transferred under
27 this section and section 115 of this act shall continue to be subject
28 to the provisions of chapter 41.80 RCW.

29 (3) Employees of the Professional Educator Standards Board. All
30 employees of the professional educator standards board engaged in
31 performing the powers, functions, and duties transferred to the
32 department of education under section 115 of this act who are employees
33 classified under chapter 41.06 RCW, the state civil service law, are
34 assigned to the department of education to perform their usual duties
35 upon the same terms as formerly, without any loss of rights, subject to
36 any action that may be appropriate thereafter in accordance with the
37 laws and rules governing state civil service law.

1 (4) Employees of the Department of Early Learning. Employees of
2 the department of early learning engaged in performing the powers,
3 functions, and duties transferred to the department of education under
4 section 115 of this act who are employees classified under chapter
5 41.06 RCW, the state civil service law, are assigned to the department
6 of education to perform their usual duties upon the same terms as
7 formerly, without any loss of rights, subject to any action that may be
8 appropriate thereafter in accordance with the laws and rules governing
9 state civil service law.

10 (5) Employees of the State Board of Education. All employees of
11 the state board of education engaged in performing the powers,
12 functions, and duties transferred to the department of education under
13 section 115 of this act who are employees classified under chapter
14 41.06 RCW, the state civil service law, are assigned to the department
15 of education to perform their usual duties upon the same terms as
16 formerly, without any loss of rights, subject to any action that may be
17 appropriate thereafter in accordance with the laws and rules governing
18 state civil service law.

19 (6) Employees of the Higher Education Coordinating Board.
20 Employees of the higher education coordinating board engaged in
21 performing the financial assistance program administration powers,
22 functions, and duties transferred to the department of education under
23 section 115 of this act who are employees classified under chapter
24 41.06 RCW, the state civil service law, are assigned to the department
25 of education to perform their usual duties upon the same terms as
26 formerly, without any loss of rights, subject to any action that may be
27 appropriate thereafter in accordance with the laws and rules governing
28 state civil service law.

29 NEW SECTION. **Sec. 117.** A new section is added to chapter 41.80
30 RCW to read as follows:

31 (1) By July 1, 2012, the public employment relations commission
32 shall review the existing collective bargaining units within the
33 department of early learning to determine if these units would be
34 appropriate units within the department of education. In determining
35 appropriateness of bargaining units, the commission shall use and apply
36 the organizational restructure detail created by the department of
37 education transition team.

1 (2) If the commission determines that an existing collective
2 bargaining unit is appropriate pursuant to RCW 41.80.070, the exclusive
3 bargaining representative certified to represent the bargaining unit
4 before July 1, 2012, shall continue as the exclusive bargaining
5 representative without the necessity of an election and will be so
6 certified by the commission.

7 (3) If the commission determines that existing collective
8 bargaining units are not appropriate, the commission may modify those
9 units and order an election pursuant to RCW 41.80.080. Certified
10 exclusive bargaining representatives will not be required to
11 demonstrate a showing of interest to be included on the ballot.

12 (4) The commission may require an election pursuant to RCW
13 41.80.080 if similarly situated employees are represented by more than
14 one employee organization. Certified exclusive bargaining
15 representatives will not be required to demonstrate a showing of
16 interest to be included on the ballot.

17 (5) Certification under this section does not preclude any
18 subsequent actions allowable under this chapter.

19 **PART 2**
20 **EARLY YEARS**

21 **Sec. 201.** RCW 43.215.005 and 2010 c 232 s 1 are each amended to
22 read as follows:

23 (1) The legislature recognizes that:

24 (a) Parents are their children's first and most important teachers
25 and decision makers;

26 (b) Research across disciplines now demonstrates that what happens
27 in the earliest years makes a critical difference in children's
28 readiness to succeed in school and life;

29 (c) Washington's competitiveness in the global economy requires a
30 world-class education system that starts early and supports life-long
31 learning;

32 (d) Washington state currently makes substantial investments in
33 voluntary child care and early learning services and supports, but
34 because services are fragmented across multiple state agencies, and
35 early learning providers lack the supports and incentives needed to

1 improve the quality of services they provide, many parents have
2 difficulty accessing high quality early learning services;

3 (e) A more cohesive and integrated voluntary early learning system
4 would result in greater efficiencies for the state, increased
5 partnership between the state and the private sector, improved access
6 to high quality early learning services, and better employment and
7 early learning outcomes for families and all children.

8 (2) The legislature finds that:

9 (a) The early years of a child's life are critical to the child's
10 healthy brain development and that the quality of caregiving during the
11 early years can significantly impact the child's intellectual, social,
12 and emotional development;

13 (b) A successful outcome for every child obtaining a K-12 education
14 depends on children being prepared from birth for academic and social
15 success in school. For children at risk of school failure, the
16 achievement gap often emerges as early as eighteen months of age;

17 (c) There currently is a shortage of high quality services and
18 supports for children ages birth to three and their parents and
19 caregivers; and

20 (d) Increasing the availability of high quality services for
21 children ages birth to three and their parents and caregivers will
22 result in improved school and life outcomes.

23 (3) Therefore, the legislature intends to establish a robust birth-
24 to-three continuum of services for parents and caregivers of young
25 children in order to provide education and support regarding the
26 importance of early childhood development.

27 (4) The purpose of this chapter is:

28 (a) To establish the (~~department of~~) responsibilities for early
29 learning within the department of education created in section 103 of
30 this act, including maximizing the integration with K-12;

31 (b) To coordinate and consolidate state activities relating to
32 child care and early learning programs;

33 (c) To safeguard and promote the health, safety, and well-being of
34 children receiving child care and early learning assistance, which is
35 paramount over the right of any person to provide care;

36 (d) To provide tools to promote the hiring of suitable providers of
37 child care by:

1 (i) Providing parents with access to information regarding child
2 care providers;

3 (ii) Providing parents with child care licensing action histories
4 regarding child care providers; and

5 (iii) Requiring background checks of applicants for employment in
6 any child care facility licensed or regulated under current law;

7 (e) To promote linkages and alignment between early learning
8 programs and elementary schools and support the transition of children
9 and families from prekindergarten environments to kindergarten;

10 (f) To promote the development of a sufficient number and variety
11 of adequate child care and early learning facilities, both public and
12 private; and

13 (g) To license agencies and to assure the users of such agencies,
14 their parents, the community at large and the agencies themselves that
15 adequate minimum standards are maintained by all child care and early
16 learning facilities.

17 (5) This chapter does not expand the state's authority to license
18 or regulate activities or programs beyond those licensed or regulated
19 under existing law.

20 **Sec. 202.** RCW 43.215.010 and 2007 c 415 s 2 and 2007 c 394 s 2 are
21 each reenacted and amended to read as follows:

22 The definitions in this section apply throughout this chapter
23 unless the context clearly requires otherwise.

24 (1) "Agency" means any person, firm, partnership, association,
25 corporation, or facility that provides child care and early learning
26 services outside a child's own home and includes the following
27 irrespective of whether there is compensation to the agency:

28 (a) "Child day care center" means an agency that regularly provides
29 child day care and early learning services for a group of children for
30 periods of less than twenty-four hours;

31 (b) "Early learning" includes but is not limited to programs and
32 services for child care; state, federal, private, and nonprofit
33 preschool; child care subsidies; child care resource and referral;
34 parental education and support; and training and professional
35 development for early learning professionals;

36 (c) "Family day care provider" means a child day care provider who

1 regularly provides child day care and early learning services for not
2 more than twelve children in the provider's home in the family living
3 quarters;

4 (d) "Nongovernmental private-public partnership" means an entity
5 registered as a nonprofit corporation in Washington state with a
6 primary focus on early learning, school readiness, and parental
7 support, and an ability to raise a minimum of five million dollars in
8 contributions;

9 (e) "Service provider" means the entity that operates a community
10 facility.

11 (2) "Agency" does not include the following:

12 (a) Persons related to the child in the following ways:

13 (i) Any blood relative, including those of half-blood, and
14 including first cousins, nephews or nieces, and persons of preceding
15 generations as denoted by prefixes of grand, great, or great-great;

16 (ii) Stepfather, stepmother, stepbrother, and stepsister;

17 (iii) A person who legally adopts a child or the child's parent as
18 well as the natural and other legally adopted children of such persons,
19 and other relatives of the adoptive parents in accordance with state
20 law; or

21 (iv) Spouses of any persons named in (i), (ii), or (iii) of this
22 subsection (2)(a), even after the marriage is terminated;

23 (b) Persons who are legal guardians of the child;

24 (c) Persons who care for a neighbor's or friend's child or
25 children, with or without compensation, where the person providing care
26 for periods of less than twenty-four hours does not conduct such
27 activity on an ongoing, regularly scheduled basis for the purpose of
28 engaging in business, which includes, but is not limited to,
29 advertising such care;

30 (d) Parents on a mutually cooperative basis exchange care of one
31 another's children;

32 (e) Nursery schools or kindergartens that are engaged primarily in
33 educational work with preschool children and in which no child is
34 enrolled on a regular basis for more than four hours per day;

35 (f) Schools, including boarding schools, that are engaged primarily
36 in education, operate on a definite school year schedule, follow a
37 stated academic curriculum, accept only school-age children, and do not
38 accept custody of children;

- 1 (g) Seasonal camps of three months' or less duration engaged
2 primarily in recreational or educational activities;
- 3 (h) Facilities providing care to children for periods of less than
4 twenty-four hours whose parents remain on the premises to participate
5 in activities other than employment;
- 6 (i) Any agency having been in operation in this state ten years
7 before June 8, 1967, and not seeking or accepting moneys or assistance
8 from any state or federal agency, and is supported in part by an
9 endowment or trust fund;
- 10 (j) An agency operated by any unit of local, state, or federal
11 government or an agency, located within the boundaries of a federally
12 recognized Indian reservation, licensed by the Indian tribe;
- 13 (k) An agency located on a federal military reservation, except
14 where the military authorities request that such agency be subject to
15 the licensing requirements of this chapter;
- 16 (l) An agency that offers early learning and support services, such
17 as parent education, and does not provide child care services on a
18 regular basis.
- 19 (3) "Applicant" means a person who requests or seeks employment in
20 an agency.
- 21 (4) "Department" means the department of (~~early—learning~~)
22 education created in section 103 of this act.
- 23 (5) "Director" means the (~~director~~) secretary of (~~the~~
24 ~~department~~) education or the secretary's designee.
- 25 (6) "Employer" means a person or business that engages the services
26 of one or more people, especially for wages or salary to work in an
27 agency.
- 28 (7) "Enforcement action" means denial, suspension, revocation,
29 modification, or nonrenewal of a license pursuant to RCW 43.215.300(1)
30 or assessment of civil monetary penalties pursuant to RCW
31 43.215.300(3).
- 32 (8) "Probationary license" means a license issued as a disciplinary
33 measure to an agency that has previously been issued a full license but
34 is out of compliance with licensing standards.
- 35 (9) "Requirement" means any rule, regulation, or standard of care
36 to be maintained by an agency.
- 37 (10) "Secretary" means the secretary of education.

1 **Sec. 203.** RCW 43.215.020 and 2010 c 233 s 1, 2010 c 232 s 2, and
2 2010 c 231 s 6 are each reenacted and amended to read as follows:

3 (1) The department of (~~early learning is created as an executive~~
4 ~~branch agency. The department is vested with all~~) education is
5 responsible for the powers and duties transferred to it under this
6 chapter and such other powers and duties as may be authorized by law.

7 (2) The primary duties of the department under this chapter are to
8 implement state early learning policy maximizing the integration with
9 K-12 and to coordinate, consolidate, and integrate child care and early
10 learning programs in order to administer programs and funding as
11 efficiently as possible. The department's duties include, but are not
12 limited to, the following:

13 (a) To support both public and private sectors toward a
14 comprehensive and collaborative system of early learning that serves
15 parents, children, and providers and to encourage best practices in
16 child care and early learning programs;

17 (b) To make early learning resources available to parents and
18 caregivers;

19 (c) To carry out activities, including providing clear and easily
20 accessible information about quality and improving the quality of early
21 learning opportunities for young children, in cooperation with the
22 nongovernmental private-public partnership;

23 (d) To administer child care and early learning programs;

24 (e) To serve as the state lead agency for Part C of the federal
25 individuals with disabilities education act (IDEA);

26 (f) To standardize internal financial audits, oversight visits,
27 performance benchmarks, and licensing criteria, so that programs can
28 function in an integrated fashion;

29 (g) To support the implementation of the nongovernmental private-
30 public partnership and cooperate with that partnership in pursuing its
31 goals including providing data and support necessary for the successful
32 work of the partnership;

33 (h) (~~To work cooperatively and in coordination with the early~~
34 ~~learning council;~~

35 *(i)*) To collaborate with the K-12 school system at the state and
36 local levels to ensure appropriate connections and smooth transitions
37 between early learning and K-12 programs;

1 ~~((j))~~ (i) To develop and adopt rules for administration of the
2 program of early learning established in RCW 43.215.141; and

3 ~~((k) To develop a comprehensive birth to three plan to provide
4 education and support through a continuum of options including, but not
5 limited to, services such as: Home visiting; quality incentives for
6 infant and toddler child care subsidies; quality improvements for
7 family home and center based child care programs serving infants and
8 toddlers; professional development; early literacy programs; and
9 informal supports for family, friend, and neighbor caregivers; and~~

10 ~~(l))~~ (j) Upon the development of an early learning information
11 system, to make available to parents timely inspection and licensing
12 action information through the internet and other means.

13 (3) The department's programs shall be designed in a way that
14 respects and preserves the ability of parents and legal guardians to
15 direct the education, development, and upbringing of their children,
16 and that recognizes and honors cultural and linguistic diversity. The
17 department shall include parents and legal guardians in the development
18 of policies and program decisions affecting their children.

19 **Sec. 204.** RCW 43.215.147 and 2008 c 152 s 6 are each amended to
20 read as follows:

21 ~~((1))~~ Within available funds, the ~~((council for children and
22 families))~~ department shall fund evidence-based and research-based home
23 visitation programs for improving parenting skills and outcomes for
24 children. Home visitation programs must be voluntary and must address
25 the needs of families to alleviate the effect on child development of
26 factors such as poverty, single parenthood, parental unemployment or
27 underemployment, parental disability, or parental lack of high school
28 diploma, which research shows are risk factors for child abuse and
29 neglect and poor educational outcomes.

30 ~~((2) The council for children and families shall develop a plan
31 with the department of social and health services, the department of
32 health, the department of early learning, and the family policy council
33 to coordinate or consolidate home visitation services for children and
34 families and report to the appropriate committees of the legislature by
35 December 1, 2007, with their recommendations for implementation of the
36 plan.))~~

1 technical education programs including skill centers; the juvenile
2 courts or the office of juvenile justice, or both; the Washington
3 association of prosecuting attorneys; the Washington state office of
4 public defense; accredited institutions of higher education; the
5 educational service districts; the area workforce development councils;
6 parent and educator associations; (~~achievement gap oversight and~~
7 ~~accountability committee; office of the education ombudsman;~~) local
8 school districts; agencies or organizations that provide services to
9 special education students; community organizations serving youth;
10 federally recognized tribes and urban tribal centers; each of the major
11 political caucuses of the senate and house of representatives; and the
12 minority commissions.

13 (2) To assist and enhance the work of the building bridges programs
14 established in RCW 28A.175.025, the state-level work group shall:

15 (a) Identify and make recommendations to the legislature for the
16 reduction of fiscal, legal, and regulatory barriers that prevent
17 coordination of program resources across agencies at the state and
18 local level;

19 (b) Develop and track performance measures and benchmarks for each
20 partner agency or organization across the state including performance
21 measures and benchmarks based on student characteristics and outcomes
22 specified in RCW 28A.175.035(1)(e); and

23 (c) Identify research-based and emerging best practices regarding
24 prevention, intervention, and retrieval programs.

25 (3)(a) The work group shall report to the (~~quality education~~
26 ~~council;~~) department of education, appropriate committees of the
27 legislature, and the governor on an annual basis beginning December 1,
28 2007, with proposed strategies for building K-12 dropout prevention,
29 intervention, and reengagement systems in local communities throughout
30 the state including, but not limited to, recommendations for
31 implementing emerging best practices, needed additional resources, and
32 eliminating barriers.

33 (b) By September 15, 2010, the work group shall report on:

34 (i) A recommended state goal and annual state targets for the
35 percentage of students graduating from high school;

36 (ii) A recommended state goal and annual state targets for the
37 percentage of youth who have dropped out of school who should be
38 reengaged in education and be college and work ready;

1 (iii) Recommended funding for supporting career guidance and the
2 planning and implementation of K-12 dropout prevention, intervention,
3 and reengagement systems in school districts and a plan for phasing the
4 funding into the program of basic education, beginning in the 2011-2013
5 biennium; and

6 (iv) A plan for phasing in the expansion of the current school
7 improvement planning program to include state-funded, dropout-focused
8 school improvement technical assistance for school districts in
9 significant need of improvement regarding high school graduation rates.

10 (4) State agencies in the building bridges work group shall work
11 together, wherever feasible, on the following activities to support
12 school/family/community partnerships engaged in building K-12 dropout
13 prevention, intervention, and reengagement systems:

14 (a) Providing opportunities for coordination and flexibility of
15 program eligibility and funding criteria;

16 (b) Providing joint funding;

17 (c) Developing protocols and templates for model agreements on
18 sharing records and data;

19 (d) Providing joint professional development opportunities that
20 provide knowledge and training on:

21 (i) Research-based and promising practices;

22 (ii) The availability of programs and services for vulnerable
23 youth; and

24 (iii) Cultural competence.

25 (5) The building bridges work group shall make recommendations to
26 the governor and the legislature by December 1, 2010, on a state-level
27 and regional infrastructure for coordinating services for vulnerable
28 youth. Recommendations must address the following issues:

29 (a) Whether to adopt an official conceptual approach or framework
30 for all entities working with vulnerable youth that can support
31 coordinated planning and evaluation;

32 (b) The creation of a performance-based management system,
33 including outcomes, indicators, and performance measures relating to
34 vulnerable youth and programs serving them, including accountability
35 for the dropout issue;

36 (c) The development of regional and/or county-level multipartner
37 youth consortia with a specific charge to assist school districts and

1 local communities in building K-12 comprehensive dropout prevention,
2 intervention, and reengagement systems;

3 (d) The development of integrated or school-based one-stop shopping
4 for services that would:

5 (i) Provide individualized attention to the neediest youth and
6 prioritized access to services for students identified by a dropout
7 early warning and intervention data system;

8 (ii) Establish protocols for coordinating data and services,
9 including getting data release at time of intake and common assessment
10 and referral processes; and

11 (iii) Build a system of single case managers across agencies;

12 (e) Launching a statewide media campaign on increasing the high
13 school graduation rate; and

14 (f) Developing a statewide database of available services for
15 vulnerable youth.

16 **Sec. 302.** RCW 28A.230.090 and 2009 c 548 s 111 and 2009 c 223 s 2
17 are each reenacted and amended to read as follows:

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

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

29 (b) The certificate of academic achievement requirements under RCW
30 28A.655.061 or the certificate of individual achievement requirements
31 under RCW 28A.155.045 are required for graduation from a public high
32 school but are not the only requirements for graduation.

33 (c) Any decision on whether a student has met the (~~state board's~~)
34 department of education's high school graduation requirements for a
35 high school and beyond plan shall remain at the local level.

36 (2)(a) In recognition of the statutory authority of the (~~state
37 board~~) department of education to establish and enforce minimum high

1 school graduation requirements, the (~~state board~~) department shall
2 periodically reevaluate the graduation requirements and shall report
3 such findings to the legislature in a timely manner as determined by
4 the (~~state board~~) department.

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

14 (c) The (~~state board~~) department of education shall forward any
15 proposed changes to the high school graduation requirements to the
16 education committees of the legislature for review (~~and to the quality
17 education council established under RCW 28A.290.010~~). The legislature
18 shall have the opportunity to act during a regular legislative session
19 before the changes are adopted through administrative rule by the
20 (~~state board~~) department of education. Changes that have a fiscal
21 impact on school districts, as identified by a fiscal analysis prepared
22 by the office of the superintendent of public instruction, shall take
23 effect only if formally authorized and funded by the legislature
24 through the omnibus appropriations act or other enacted legislation.

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

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

36 (a) The course was taken with high school students, if the academic
37 level of the course exceeds the requirements for seventh and eighth

1 grade classes, and the student has successfully passed by completing
2 the same course requirements and examinations as the high school
3 students enrolled in the class; or

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

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

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

15 **Sec. 303.** RCW 28A.290.010 and 2010 c 236 s 15 and 2010 c 234 s 4
16 are each reenacted and amended to read as follows:

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

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

33 (b) ~~((Identify measurable goals and priorities for the educational~~
34 ~~system in Washington state for a ten-year time period, including the~~
35 ~~goals of basic education and ongoing strategies for coordinating~~
36 ~~statewide efforts to eliminate the achievement gap and reduce student~~
37 ~~dropout rates; and))~~ Provide a recommended schedule for the concurrent

1 phase-in of the changes to the instructional program of basic education
2 and the implementation of the funding allocations and enhancements to
3 support the new instructional program of basic education as established
4 under chapter 548, Laws of 2009;

5 (c) Provide a recommended schedule for phased-in implementation of
6 the new distribution formula for allocating state funds to school
7 districts for the transportation of students to and from school; and

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

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

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

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

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

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

27 ~~(d) One nonlegislative representative from the achievement gap~~
28 ~~oversight and accountability committee established under RCW~~
29 ~~28A.300.136, to be selected by the members of the committee.~~

30 ~~(4) In the 2009 fiscal year, the council shall meet as often as~~
31 ~~necessary as determined by the chair. In subsequent years, the council~~
32 ~~shall meet no more than four times a year.~~

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

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

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

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

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

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

16 ~~(6) The council shall submit a report to the legislature by January~~
17 ~~1, 2012, detailing its recommendations for a comprehensive plan for a~~
18 ~~voluntary program of early learning. Before submitting the report, the~~
19 ~~council shall seek input from the early learning advisory council~~
20 ~~created in RCW 43.215.090.~~

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

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

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

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

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

7 **Sec. 304.** RCW 28A.290.020 and 2010 c 236 s 5 are each amended to
8 read as follows:

9 (1) The legislature intends to continue to redefine the
10 instructional program of education under RCW 28A.150.220 that fulfills
11 the obligations and requirements of Article IX of the state
12 Constitution. The funding formulas under RCW 28A.150.260 to support
13 the instructional program shall be implemented to the extent the
14 technical details of the formula have been established and according to
15 an implementation schedule to be adopted by the legislature. The
16 object of the schedule is to assure that any increases in funding
17 allocations are timely, predictable, and occur concurrently with any
18 increases in program or instructional requirements. It is the intent
19 of the legislature that no increased programmatic or instructional
20 expectations be imposed upon schools or school districts without an
21 accompanying increase in resources as necessary to support those
22 increased expectations.

23 (2) The office of financial management, with assistance and support
24 from the office of the superintendent of public instruction, shall
25 convene a technical working group to:

26 (a) Develop the details of the funding formulas under RCW
27 28A.150.260;

28 (b) Recommend to the legislature an implementation schedule for
29 phasing-in any increased program or instructional requirements
30 concurrently with increases in funding for adoption by the legislature;
31 and

32 (c) Examine possible sources of revenue to support increases in
33 funding allocations and present options to the legislature (~~and the~~
34 ~~quality education council created in RCW 28A.290.010)) for
35 consideration.~~

36 (3) The working group shall include representatives of the
37 legislative evaluation and accountability program committee, school

1 district and educational service district financial managers, the
2 Washington association of school business officers, the Washington
3 education association, the Washington association of school
4 administrators, the association of Washington school principals, the
5 Washington state school directors' association, the public school
6 employees of Washington, and other interested stakeholders with
7 expertise in education finance. The working group may convene advisory
8 subgroups on specific topics as necessary to assure participation and
9 input from a broad array of diverse stakeholders.

10 (4) The working group shall be monitored and overseen by the
11 legislature and the ~~((quality education council established in RCW
12 28A.290.010))~~ secretary of education. The working group shall submit
13 its recommendations to the legislature by December 1, 2009.

14 (5) After the 2009 report to the legislature, the office of
15 financial management ~~((and))~~, the office of the superintendent of
16 public instruction, and the department of education shall periodically
17 reconvene the working group to monitor and provide advice to the
18 legislature on further development and implementation of the funding
19 formulas under RCW 28A.150.260 ~~((and provide technical assistance to
20 the ongoing work of the quality education council))~~.

21 **Sec. 305.** RCW 28A.300.020 and 2005 c 497 s 403 are each amended to
22 read as follows:

23 The superintendent of public instruction may appoint assistant
24 superintendents of public instruction, a deputy superintendent of
25 public instruction, and may employ such other assistants and clerical
26 help as are necessary to carry out the supervisory duties of the
27 superintendent ~~((and the state board of education. However, the
28 superintendent shall employ without undue delay the executive director
29 of the state board of education and other state board of education
30 office assistants and clerical help, appointed by the state board under
31 RCW 28A.305.130, whose positions are allotted and funded in accordance
32 with moneys appropriated exclusively for the operation of the state
33 board of education. The rate of compensation and termination of any
34 such executive director, state board office assistants, and clerical
35 help shall be subject to the prior consent of the state board of
36 education))~~. The assistant superintendents, deputy superintendent, and
37 such other officers and employees as are exempted from the provisions

1 of chapter 41.06 RCW, shall serve at the pleasure of the superintendent
2 (~~or at the pleasure of the superintendent and the state board of~~
3 ~~education as provided in this section. Expenditures by the~~
4 ~~superintendent of public instruction for direct and indirect support of~~
5 ~~the state board of education are valid operational expenditures by and~~
6 ~~in behalf of the office of the superintendent of public instruction~~)).

7 **Sec. 306.** RCW 28A.300.030 and 1975 1st ex.s. c 275 s 46 are each
8 amended to read as follows:

9 The department of education or the superintendent of public
10 instruction, by rule (~~or regulation~~), may require the assistance of
11 educational service district boards and/or superintendents in the
12 performance of any duty, authority, or power imposed upon or granted to
13 the department of education or the superintendent of public instruction
14 by law or by the Constitution of the state of Washington, upon such
15 terms and conditions as the department of education or the
16 superintendent of public instruction shall establish. Such authority
17 to assist the superintendent of public instruction shall be limited to
18 the service function of information collection and dissemination and
19 the attestation to the accuracy and completeness of submitted
20 information. Authority to assist the department of education shall
21 include provision of services to students, educators, and organizations
22 in settings from early learning through secondary education as directed
23 by the department of education.

24 **Sec. 307.** RCW 28A.300.035 and 1994 c 113 s 1 are each amended to
25 read as follows:

26 If the superintendent of public instruction or the (~~state board~~)
27 department of education, in carrying out their powers and duties under
28 Title 28A RCW, request the service of any certificated or classified
29 employee of a school district upon any committee formed for the purpose
30 of furthering education within the state, or within any school district
31 therein, and such service would result in a need for a school district
32 to employ a substitute for such certificated or classified employee
33 during such service, payment for such a substitute may be made by the
34 superintendent of public instruction or the department of education
35 from funds appropriated by the legislature for the current use of the
36 common schools and such payments shall be construed as amounts needed

1 for state support to the common schools under RCW 28A.150.380. If such
2 substitute is paid by the superintendent of public instruction or the
3 department of education, no deduction shall be made from the salary of
4 the certificated or classified employee. In no event shall a school
5 district deduct from the salary of a certificated or classified
6 employee serving on such committee more than the amount paid the
7 substitute employed by the district.

8 **Sec. 308.** RCW 28A.300.040 and 2009 c 556 s 10 are each amended to
9 read as follows:

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

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

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

17 (3) To maximize integration with early learning and K-12 and higher
18 education, and to coordinate and collaborate with the secretary of
19 education and other education officials in carrying out the duties of
20 the department of education;

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

27 ~~((4))~~ (5) To travel, without neglecting his or her other official
28 duties as superintendent of public instruction, for the purpose of
29 attending educational meetings or conventions, of visiting schools, and
30 of consulting educational service district superintendents or other
31 school officials;

32 ~~((5))~~ (6) To prepare and from time to time to revise a manual of
33 the Washington state common school code, copies of which shall be made
34 available online and which shall be sold at approximate actual cost of
35 publication and distribution per volume to public and nonpublic
36 agencies or individuals, said manual to contain Titles 28A and 28C RCW,
37 rules related to the common schools, and such other matter as the state

1 superintendent or the (~~state board~~) secretary of education shall
2 collaboratively determine. Proceeds of the sale of such code shall be
3 transmitted to the public printer who shall credit the state
4 superintendent's account within the state printing plant revolving fund
5 by a like amount;

6 ((+6)) (7) To file all papers, reports and public documents
7 transmitted to the superintendent by the school officials of the
8 several counties or districts of the state, each year separately.
9 Copies of all papers filed in the superintendent's office, and the
10 superintendent's official acts, may, or upon request, shall be
11 certified by the superintendent and attested by the superintendent's
12 official seal, and when so certified shall be evidence of the papers or
13 acts so certified to;

14 ((+7)) (8) To require annually, on or before the 15th day of
15 August, of the president, manager, or principal of every educational
16 institution in this state, a report as required by the superintendent
17 of public instruction; and it is the duty of every president, manager,
18 or principal, to complete and return such forms within such time as the
19 superintendent of public instruction shall direct;

20 ((+8)) (9) To keep in the superintendent's office a record of all
21 teachers receiving certificates to teach in the common schools of this
22 state;

23 ((+9)) (10) To issue certificates as provided by law and the rules
24 of the professional educator standards board;

25 ((+10)) (11) To keep in the superintendent's office at the capital
26 of the state, all books and papers pertaining to the business of the
27 superintendent's office, and to keep and preserve in the
28 superintendent's office a complete record of statistics(~~, as well as~~
29 ~~a record of the meetings of the state board of education~~));

30 ((+11)) (12) With the assistance of the office of the attorney
31 general, to decide all points of law which may be submitted to the
32 superintendent in writing by any educational service district
33 superintendent, or that may be submitted to the superintendent by any
34 other person, upon appeal from the decision of any educational service
35 district superintendent; and the superintendent shall publish his or
36 her rulings and decisions from time to time for the information of
37 school officials and teachers; and the superintendent's decision shall
38 be final unless set aside by a court of competent jurisdiction;

1 (~~(12)~~) (13) To administer oaths and affirmations in the discharge
2 of the superintendent's official duties;
3 (~~(13)~~) (14) To deliver to his or her successor, at the expiration
4 of the superintendent's term of office, all records, books, maps,
5 documents and papers of whatever kind belonging to the superintendent's
6 office or which may have been received by the superintendent's for the
7 use of the superintendent's office;
8 (~~(14)~~) (15) To administer family services and programs to promote
9 the state's policy as provided in RCW 74.14A.025;
10 (~~(15)~~) (16) To promote the adoption of school-based curricula and
11 policies that provide quality, daily physical education for all
12 students, and to encourage policies that provide all students with
13 opportunities for physical activity outside of formal physical
14 education classes;
15 (~~(16)~~) (17) To perform such other duties as may be required by
16 law.

17 **Sec. 309.** RCW 28A.300.041 and 2009 c 310 s 1 are each amended to
18 read as follows:

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

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

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

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

36 (2) The legislature further finds that one component of the

1 assessment system should be instructionally supportive formative
2 assessments. The key design elements or characteristics of an
3 instructionally supportive assessment must:

- 4 (a) Be aligned to state standards in areas that are being assessed;
- 5 (b) Measure student growth and competency at multiple points
6 throughout the year in a manner that allows instructors to monitor
7 student progress and have the necessary trend data with which to
8 improve instruction;
- 9 (c) Provide rapid feedback;
- 10 (d) Link student growth with instructional elements in order to
11 gauge the effectiveness of educators and curricula;
- 12 (e) Provide tests that are appropriate to the skill level of the
13 student;
- 14 (f) Support instruction for students of all abilities, including
15 highly capable students and students with learning disabilities;
- 16 (g) Be culturally, linguistically, and cognitively relevant,
17 appropriate, and understandable to each student taking the assessment;
- 18 (h) Inform parents and draw parents into greater participation of
19 the student's study plan;
- 20 (i) Provide a way to analyze the assessment results relative to
21 characteristics of the student such as, but not limited to, English
22 language learners, gender, ethnicity, poverty, age, and disabilities;
- 23 (j) Strive to be computer-based and adaptive; and
- 24 (k) Engage students in their learning.

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

- 32 (a) Be aligned to state standards in areas that are being assessed;
- 33 (b) Maintain and increase academic rigor;
- 34 (c) Measure student learning growth over years; and
- 35 (d) Strengthen curriculum.

36 (4) The legislature further finds that a third component of the
37 assessment system should include classroom-based assessments, which may
38 be formative, summative, or both. Depending on their use, classroom-

1 based assessments should have the same design elements and
2 characteristics described in this section for formative and summative
3 assessments.

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

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

12 (7) The superintendent of public instruction, in consultation with
13 the (~~state board~~) department of education, shall begin design and
14 development of an overall K-12 assessment system that meets the
15 principles and characteristics described in this section. In designing
16 formative and summative assessments, the superintendent shall solicit
17 bids for the use of computerized adaptive testing methodologies.

18 (~~Beginning December 1, 2009, and annually thereafter, the~~
19 ~~superintendent and state board shall jointly report to the legislature~~
20 ~~regarding the assessment system, including a cost analysis of any~~
21 ~~changes and costs to expand availability and use of instructionally~~
22 ~~supportive formative assessments.)) Beginning December 1, 2012, and
23 annually thereafter, the department of education and the superintendent
24 of public instruction shall jointly report to the legislature regarding
25 the K-12 assessment system, including a cost analysis of any changes
26 and costs to expand availability and use of instructionally supportive
27 formative assessments as well as efforts to align the K-12 assessment
28 system with assessment development and implementation in early learning
29 and higher education as appropriate.~~

30 **Sec. 310.** RCW 28A.300.042 and 2009 c 468 s 4 are each amended to
31 read as follows:

32 All student data-related reports required of the superintendent of
33 public instruction and the department of education in this title must
34 be disaggregated by at least the following subgroups of students:
35 White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific
36 Islander/Hawaiian Native, low income, transitional bilingual, migrant,

1 special education, and students covered by section 504 of the federal
2 rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794).

3 **Sec. 311.** RCW 28A.300.1361 and 2009 c 468 s 7 are each amended to
4 read as follows:

5 The (~~superintendent of public instruction~~) department of
6 education shall take all actions necessary to secure federal funds to
7 support enhancing data collection and data system capacity in order to
8 monitor progress in closing the achievement gap and to support other
9 innovations and model programs that align education reform and address
10 disproportionality in the public school system.

11 **Sec. 312.** RCW 28A.300.160 and 1995 c 399 s 21 are each amended to
12 read as follows:

13 (1) The (~~office of the superintendent of public instruction~~)
14 department of education shall be the lead agency and shall assist the
15 department of social and health services, (~~the department of~~
16 ~~community, trade, and economic development~~) early learning providers,
17 and school districts in establishing a coordinated primary prevention
18 program for child abuse and neglect.

19 (2) In developing the program, consideration shall be given to the
20 following:

21 (a) Parent, teacher, and children's workshops whose information and
22 training is:

23 (i) Provided in a clear, age-appropriate, nonthreatening manner,
24 delineating the problem and the range of possible solutions;

25 (ii) Culturally and linguistically appropriate to the population
26 served;

27 (iii) Appropriate to the geographic area served; and

28 (iv) Designed to help counteract common stereotypes about child
29 abuse victims and offenders;

30 (b) Training for school age children's parents and school staff,
31 which includes:

32 (i) Physical and behavioral indicators of abuse;

33 (ii) Crisis counseling techniques;

34 (iii) Community resources;

35 (iv) Rights and responsibilities regarding reporting;

1 (v) School district procedures to facilitate reporting and apprise
2 supervisors and administrators of reports; and

3 (vi) Caring for a child's needs after a report is made;

4 (c) Training for licensed day care providers and parents that
5 includes:

6 (i) Positive child guidance techniques;

7 (ii) Physical and behavioral indicators of abuse;

8 (iii) Recognizing and providing safe, quality day care;

9 (iv) Community resources;

10 (v) Rights and responsibilities regarding reporting; and

11 (vi) Caring for the abused or neglected child;

12 (d) Training for children that includes:

13 (i) The right of every child to live free of abuse;

14 (ii) How to disclose incidents of abuse and neglect;

15 (iii) The availability of support resources and how to obtain help;

16 (iv) Child safety training and age-appropriate self-defense
17 techniques; and

18 (v) A period for crisis counseling and reporting immediately
19 following the completion of each children's workshop in a school
20 setting which maximizes the child's privacy and sense of safety.

21 (3) The primary prevention program established under this section
22 shall be a voluntary program and shall not be part of the basic program
23 of education.

24 (4) Parents shall be given notice of the primary prevention program
25 and may refuse to have their children participate in the program.

26 **Sec. 313.** RCW 28A.300.250 and 1991 c 366 s 402 are each amended to
27 read as follows:

28 The department of education and the superintendent of public
29 instruction shall aggressively solicit eligible schools, child and
30 adult day care centers, and other organizations to participate in the
31 nutrition programs authorized by the United States department of
32 agriculture.

33 **Sec. 314.** RCW 28A.300.500 and 2007 c 401 s 2 are each amended to
34 read as follows:

35 (1) The office of the superintendent of public instruction is
36 authorized to establish a longitudinal student data system for and on

1 behalf of school districts in the state that is integrated with the
2 research and data work of the department of education. The primary
3 purpose of the data system is to better aid research into programs and
4 interventions that are most effective in improving student performance,
5 better understand the state's public educator workforce, and provide
6 information on areas within the educational system that need
7 improvement.

8 (2) The confidentiality of personally identifiable student data
9 shall be safeguarded consistent with the requirements of the federal
10 family educational rights privacy act and applicable state laws.
11 Consistent with the provisions of these federal and state laws, data
12 may be disclosed for educational purposes and studies, including but
13 not limited to:

14 (a) Educational studies authorized or mandated by the state
15 legislature;

16 (b) Studies initiated by other state educational authorities and
17 authorized by the office of the superintendent of public instruction or
18 the department of education, including analysis conducted by the
19 education data center established under RCW 43.41.400; and

20 (c) Studies initiated by other public or private agencies and
21 organizations and authorized by the office of the superintendent of
22 public instruction or the department of education.

23 (3) Any agency or organization that is authorized by the office of
24 the superintendent of public instruction or the department of education
25 to access student-level data shall adhere to all federal and state laws
26 protecting student data and safeguarding the confidentiality and
27 privacy of student records.

28 (4) Nothing in this section precludes the office of the
29 superintendent of public instruction or the department of education
30 from collecting and distributing aggregate data about students or
31 student-level data without personally identifiable information.

32 **Sec. 315.** RCW 28A.300.505 and 2007 c 401 s 5 are each amended to
33 read as follows:

34 (1) The office of the superintendent of public instruction in
35 collaboration with the department of education shall develop standards
36 for school data systems that focus on validation and verification of

1 data entered into the systems to ensure accuracy and compatibility of
2 data. The standards shall address but are not limited to the following
3 topics:

4 (a) Date validation;

5 (b) Code validation, which includes gender, race or ethnicity, and
6 other code elements;

7 (c) Decimal and integer validation; and

8 (d) Required field validation as defined by state and federal
9 requirements.

10 (2) The superintendent of public instruction in collaboration with
11 the department of education shall develop a reporting format and
12 instructions for school districts to collect and submit data on student
13 demographics that is disaggregated by distinct ethnic categories within
14 racial subgroups so that analyses may be conducted on student
15 achievement using the disaggregated data.

16 **Sec. 316.** RCW 28A.305.130 and 2009 c 548 s 502 are each amended to
17 read as follows:

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

27 ~~(1) Hold regularly scheduled meetings at such time and place within~~
28 ~~the state as the board shall determine and may hold such special~~
29 ~~meetings as may be deemed necessary for the transaction of public~~
30 ~~business;~~

31 ~~(2) Form committees as necessary to effectively and efficiently~~
32 ~~conduct the work of the board;~~

33 ~~(3) Seek advice from the public and interested parties regarding~~
34 ~~the work of the board;~~

35 ~~(4))~~ (1) For purposes of statewide kindergarten through grade
36 twelve accountability, the secretary of education shall:

1 (a) Adopt and revise performance improvement goals in reading,
2 writing, science, and mathematics, by subject and grade level, once
3 assessments in these subjects are required statewide; academic and
4 technical skills, as appropriate, in secondary career and technical
5 education programs; and student attendance, (~~as the board deems~~)
6 appropriate to improve student learning. The goals shall be consistent
7 with student privacy protection provisions of RCW 28A.655.090(7) and
8 shall not conflict with requirements contained in Title I of the
9 federal elementary and secondary education act of 1965, or the
10 requirements of the Carl D. Perkins vocational education act of 1998,
11 each as amended. The goals may be established for all students,
12 economically disadvantaged students, limited English proficient
13 students, students with disabilities, and students from
14 disproportionately academically underachieving racial and ethnic
15 backgrounds. The (~~board~~) secretary may establish school and school
16 district goals addressing high school graduation rates and dropout
17 reduction goals for students in grades seven through twelve. The
18 (~~board~~) secretary shall adopt the goals by rule. However, before
19 each goal is implemented, the (~~board~~) secretary shall present the
20 goal to the education committees of the house of representatives and
21 the senate for the committees' review and comment in a time frame that
22 will permit the legislature to take statutory action on the goal if
23 such action is deemed warranted by the legislature;

24 (b) Identify the scores students must achieve in order to meet the
25 standard on the Washington assessment of student learning and, for high
26 school students, to obtain a certificate of academic achievement. The
27 (~~board~~) secretary shall also determine student scores that identify
28 levels of student performance below and beyond the standard. The
29 (~~board~~) secretary shall consider the incorporation of the standard
30 error of measurement into the decision regarding the award of the
31 certificates. The (~~board~~) secretary shall set such performance
32 standards and levels in consultation with the (~~superintendent of~~
33 ~~public instruction~~) Washington state education council created in
34 section 108 of this act and after consideration of any recommendations
35 that may be developed by any advisory committees that may be
36 established for this purpose. The initial performance standards and
37 any changes recommended by the (~~board~~) secretary in the performance
38 standards for the tenth grade assessment shall be presented to the

1 education committees of the house of representatives and the senate by
2 November 30th of the school year in which the changes will take place
3 to permit the legislature to take statutory action before the changes
4 are implemented if such action is deemed warranted by the legislature.
5 The legislature shall be advised of the initial performance standards
6 and any changes made to the elementary level performance standards and
7 the middle school level performance standards;

8 (c) Annually review the assessment reporting system to ensure
9 fairness, accuracy, timeliness, and equity of opportunity, especially
10 with regard to schools with special circumstances and unique
11 populations of students, and ~~((a recommendation to the superintendent
12 of public instruction of))~~ recommend any improvements needed to the
13 system; ~~((and))~~

14 (d) ~~((Include in the biennial report required under RCW
15 28A.305.035,))~~ Annually report to the legislature information on the
16 progress that has been made in achieving adopted goals ~~((adopted by the
17 board))~~;

18 ~~((+5))~~ (e) Accredit, subject to such accreditation standards and
19 procedures as may be established by the ~~((state board))~~ department of
20 education, all private schools that apply for accreditation, and
21 approve, subject to the provisions of RCW 28A.195.010, private schools
22 carrying out a program for any or all of the grades kindergarten
23 through twelve: PROVIDED, That no private school may be approved that
24 operates a kindergarten program only: PROVIDED FURTHER, That no
25 private schools shall be placed upon the list of accredited schools so
26 long as secret societies are knowingly allowed to exist among its
27 students by school officials; and

28 ~~((+6))~~ (f) Articulate with the institutions of higher education,
29 workforce representatives, and early learning policymakers and
30 providers to coordinate and unify the work of the public school
31 system(~~(+~~

32 ~~(7) Hire an executive director and an administrative assistant to
33 reside in the office of the superintendent of public instruction for
34 administrative purposes. Any other personnel of the board shall be
35 appointed as provided by RCW 28A.300.020. The board may delegate to
36 the executive director by resolution such duties as deemed necessary to
37 efficiently carry on the business of the board including, but not
38 limited to, the authority to employ necessary personnel and the~~

1 ~~authority to enter into, amend, and terminate contracts on behalf of~~
2 ~~the board. The executive director, administrative assistant, and all~~
3 ~~but one of the other personnel of the board are exempt from civil~~
4 ~~service, together with other staff as now or hereafter designated as~~
5 ~~exempt in accordance with chapter 41.06 RCW; and~~

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

8 **Sec. 317.** RCW 28A.310.010 and 2009 c 381 s 25 are each amended to
9 read as follows:

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

13 (1) Provide cooperative and informational services to local school
14 districts and to other education providers as appropriate;

15 (2) Assist the department of education and the superintendent of
16 public instruction (~~and the state board of education~~) in the
17 performance of their respective statutory or constitutional duties; and

18 (3) Provide services to school districts and to the Washington
19 state center for childhood deafness and hearing loss and the school for
20 the blind to assure equal educational opportunities and other education
21 providers as appropriate.

22 **Sec. 318.** RCW 28A.310.200 and 2009 c 381 s 27 are each amended to
23 read as follows:

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

26 (1) Approve the budgets of the educational service district in
27 accordance with the procedures provided for in this chapter;

28 (2) Meet regularly according to the schedule adopted at the
29 organization meeting and in special session upon the call of the chair
30 or a majority of the board;

31 (3) Approve the selection of educational service district personnel
32 and clerical staff as provided in RCW 28A.310.230;

33 (4) Fix the amount of and approve the bonds for those educational
34 service district employees designated by the board as being in need of
35 bonding;

1 (5) Keep in the educational service district office a full and
2 correct transcript of the boundaries of each school district within the
3 educational service district;

4 (6) Acquire by borrowing funds or by purchase, lease, devise,
5 bequest, and gift and otherwise contract for real and personal property
6 necessary for the operation of the educational service district and to
7 the execution of the duties of the board and superintendent thereof and
8 sell, lease, or otherwise dispose of that property not necessary for
9 district purposes. No real property shall be acquired or alienated
10 without the prior approval of the superintendent of public instruction
11 and the acquisition or alienation of all such property shall be subject
12 to such provisions as the superintendent may establish. When borrowing
13 funds for the purpose of acquiring property, the educational service
14 district board shall pledge as collateral the property to be acquired.
15 Borrowing shall be evidenced by a note or other instrument between the
16 district and the lender;

17 (7) Under RCW 28A.310.010, upon the written request of the board of
18 directors of a local school district or districts served by the
19 educational service district, the educational service district board of
20 directors may provide cooperative and informational services not in
21 conflict with other law that provide for the development and
22 implementation of programs, activities, services, or practices that
23 support the education of preschool through twelfth grade students in
24 the public schools or that support the effective, efficient, or safe
25 management and operation of the school district or districts served by
26 the educational service district, or assist the department of education
27 in providing services to students, educators, and organizations in
28 settings from early learning through high school graduation;

29 (8) Adopt such bylaws and rules for its own operation as it deems
30 necessary or appropriate; and

31 (9) Enter into contracts, including contracts with common and
32 educational service districts and the Washington state center for
33 childhood deafness and hearing loss and the school for the blind for
34 the joint financing of cooperative service programs conducted pursuant
35 to RCW 28A.310.180(3), and employ consultants and legal counsel
36 relating to any of the duties, functions, and powers of the educational
37 service districts.

1 **Sec. 319.** RCW 28A.310.210 and 1975 1st ex.s. c 275 s 19 are each
2 amended to read as follows:

3 In addition to other powers and duties prescribed by law every
4 educational service district board shall be authorized to(~~(+~~
5 ~~(1))~~) pay the expenses of its members in accordance with law for
6 attendance at statewide meetings of educational service district board
7 members.

8 ~~((2) Pay dues from educational service district funds in an amount
9 not to exceed one hundred dollars per board member per year for
10 membership in a statewide association of educational service district
11 board members: PROVIDED, That dues to such an association shall not be
12 paid unless the formation of such an association, including its
13 constitution and bylaws, is approved by a resolution passed by at least
14 two-thirds of the educational service district boards within the state:
15 PROVIDED FURTHER, That such association if formed shall not employ any
16 staff but shall contract either with the Washington state school
17 directors' association or with the superintendent of public instruction
18 for staff and informational services.))~~

19 **Sec. 320.** RCW 28A.310.270 and 1975 1st ex.s. c 275 s 24 are each
20 amended to read as follows:

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

23 (1) Serve as chief executive officer of the educational service
24 district and secretary of the educational service district board.

25 (2) Visit the schools in the educational service district, counsel
26 with directors and staff, and assist in every possible way to advance
27 the educational ~~((interest in))~~ interests of the department of
28 education and the educational service district.

29 **Sec. 321.** RCW 28A.310.280 and 1975 1st ex.s. c 275 s 25 are each
30 amended to read as follows:

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

33 (1) Perform such record keeping, including such annual reports as
34 may be required, and liaison and informational services to local school
35 districts, the department of education, and the superintendent of
36 public instruction as required by rule ~~((or regulation))~~ of the

1 department of education or the superintendent of public instruction
2 (~~(or state board of education)~~): PROVIDED, That the department of
3 education and the superintendent of public instruction (~~(and the state~~
4 ~~board of education)~~) may require some or all of the school districts to
5 report information directly when such reporting procedures are deemed
6 desirable or feasible.

7 (2) Keep records of official acts of the educational service
8 district board and superintendents in accordance with RCW (~~(28A.21.120,~~
9 ~~as now or hereafter amended)~~) 28A.310.310.

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

16 **Sec. 322.** RCW 28A.310.340 and 1990 c 33 s 286 are each amended to
17 read as follows:

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

24 (1) Provide cooperative and informational services to local
25 districts and to perform functions for those districts when such
26 functions are more effectively or economically administered from the
27 regional level;

28 (2) Assist the state educational agencies, the department of
29 education, and the office of the superintendent of public instruction
30 (~~(and the state board of education)~~) in the legal performance of their
31 duties; and

32 (3) Assist in providing pupils with equal educational
33 opportunities.

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

1 **Sec. 323.** RCW 28A.310.400 and 1975 1st ex.s. c 275 s 35 are each
2 amended to read as follows:

3 The (~~superintendent of public instruction~~) department of
4 education shall be responsible for the provision of legal services to
5 all educational service districts: PROVIDED, That any educational
6 service district board may contract with any county for the legal
7 services of its prosecuting attorney.

8 **Sec. 324.** RCW 28A.315.005 and 1999 c 315 s 1 are each amended to
9 read as follows:

10 (1) Under the constitutional framework and the laws of the state of
11 Washington, the governance structure for the state's public common
12 school system is comprised of the following bodies: The legislature,
13 the governor, the superintendent of public instruction, the (~~state~~
14 ~~board~~) department of education, the educational service district
15 boards of directors, and local school district boards of directors.
16 The respective policy and administrative roles of each body are
17 determined by the state Constitution and statutes.

18 (2) Local school districts are political subdivisions of the state
19 and the organization of such districts, including the powers, duties,
20 and boundaries thereof, may be altered or abolished by laws of the
21 state of Washington.

22 **Sec. 325.** RCW 28A.315.115 and 1985 c 385 s 3 are each amended to
23 read as follows:

24 Persons possessing the status of any of the following positions
25 shall not be eligible to be a member of a regional committee: The
26 secretary of education, the superintendent of public instruction, (~~a~~
27 ~~member of the state board of education,~~) an educational service
28 district superintendent, a member of a board of directors of a school
29 district, a member of an educational service district board, a member
30 of a governing board of either a private school or a private school
31 district which conducts any grades kindergarten through twelve,
32 officers appointed by any such governing board, and employees of a
33 school district, an educational service district, the (~~office of the~~
34 ~~superintendent of public instruction~~) department of education, a
35 private school, or a private school district.

1 **Sec. 326.** RCW 28A.315.185 and 2006 c 263 s 509 are each amended to
2 read as follows:

3 To the extent funds are appropriated, the superintendent of public
4 instruction, in cooperation with the educational service districts and
5 the ((~~Washington state school directors' association~~)) state
6 association representing the school district boards of directors, shall
7 conduct an annual training meeting for the regional committees,
8 educational service district superintendents, and local school district
9 superintendents and boards of directors. Training may also be provided
10 upon request.

11 **Sec. 327.** RCW 28A.400.201 and 2010 c 236 s 7 are each amended to
12 read as follows:

13 (1) The legislature recognizes that providing students with the
14 opportunity to access a world-class educational system depends on our
15 continuing ability to provide students with access to world-class
16 educators. The legislature also understands that continuing to attract
17 and retain the highest quality educators will require increased
18 investments. The legislature intends to enhance the current salary
19 allocation model and recognizes that changes to the current model
20 cannot be imposed without great deliberation and input from teachers,
21 administrators, and classified employees. Therefore, it is the intent
22 of the legislature to begin the process of developing an enhanced
23 salary allocation model that is collaboratively designed to ensure the
24 rationality of any conclusions regarding what constitutes adequate
25 compensation.

26 (2) Beginning July 1, 2011, the office of the superintendent of
27 public instruction, in collaboration with the office of financial
28 management, shall convene a technical working group to recommend the
29 details of an enhanced salary allocation model that aligns state
30 expectations for educator development and certification with the
31 compensation system and establishes recommendations for a concurrent
32 implementation schedule. In addition to any other details the
33 technical working group deems necessary, the technical working group
34 shall make recommendations on the following:

35 (a) How to reduce the number of tiers within the existing salary
36 allocation model;

37 (b) How to account for labor market adjustments;

1 (c) How to account for different geographic regions of the state
2 where districts may encounter difficulty recruiting and retaining
3 teachers;

4 (d) The role of and types of bonuses available;

5 (e) Ways to accomplish salary equalization over a set number of
6 years; and

7 (f) Initial fiscal estimates for implementing the recommendations
8 including a recognition that staff on the existing salary allocation
9 model would have the option to grandfather in permanently to the
10 existing schedule.

11 (3) As part of its work, the technical working group shall conduct
12 or contract for a preliminary comparative labor market analysis of
13 salaries and other compensation for school district employees to be
14 conducted and shall include the results in any reports to the
15 legislature. For the purposes of this subsection, "salaries and other
16 compensation" includes average base salaries, average total salaries,
17 average employee basic benefits, and retirement benefits.

18 (4) The analysis required under subsection (1) of this section
19 must:

20 (a) Examine salaries and other compensation for teachers, other
21 certificated instructional staff, principals, and other building-level
22 certificated administrators, and the types of classified employees for
23 whom salaries are allocated;

24 (b) Be calculated at a statewide level that identifies labor
25 markets in Washington through the use of data from the United States
26 bureau of the census and the bureau of labor statistics; and

27 (c) Include a comparison of salaries and other compensation to the
28 appropriate labor market for at least the following subgroups of
29 educators: Beginning teachers and types of educational staff
30 associates.

31 (5) The working group shall include representatives of the
32 department of personnel, (~~the professional educator standards board,~~)
33 the office of the superintendent of public instruction, the Washington
34 education association, the Washington association of school
35 administrators, the association of Washington school principals, the
36 Washington state school directors' association, the public school
37 employees of Washington, and other interested stakeholders with
38 appropriate expertise in compensation related matters. The working

1 group may convene advisory subgroups on specific topics as necessary to
2 assure participation and input from a broad array of diverse
3 stakeholders.

4 (6) The working group shall be monitored and overseen by the
5 legislature and the ~~((quality education council created in RCW
6 28A.290.010))~~ secretary of education. The working group shall make an
7 initial report to the legislature by June 30, 2012, and shall include
8 in its report recommendations for whether additional further work of
9 the group is necessary.

10 **Sec. 328.** RCW 28A.410.010 and 2005 c 497 s 203 are each amended to
11 read as follows:

12 The Washington professional educator standards board shall
13 establish, publish, and enforce rules determining eligibility for and
14 certification of personnel employed in the common schools of this
15 state, including certification for emergency or temporary, substitute
16 or provisional duty and under such certificates or permits as the board
17 shall deem proper or as otherwise prescribed by law. The rules shall
18 require that the initial application for certification shall require a
19 record check of the applicant through the Washington state patrol
20 criminal identification system and through the federal bureau of
21 investigation at the applicant's expense. The record check shall
22 include a fingerprint check using a complete Washington state criminal
23 identification fingerprint card. ~~((The superintendent of public
24 instruction may waive))~~ The professional educator standards board rules
25 may provide a waiver of the record check for any applicant who has had
26 a record check within the two years before application. The rules
27 shall permit a holder of a lapsed certificate but not a revoked or
28 suspended certificate to be employed on a conditional basis by a school
29 district with the requirement that the holder must complete any
30 certificate renewal requirements established by the ~~((state board of
31 education))~~ professional educator standards board within two years of
32 initial reemployment.

33 In establishing rules pertaining to the qualifications of
34 instructors of American sign language the board shall consult with the
35 national association of the deaf, "sign instructors guidance network"
36 (s.i.g.n.), and the Washington state association of the deaf for
37 evaluation and certification of sign language instructors.

1 The superintendent of public instruction shall act as the
2 administrator of any such rules and have the power to issue any
3 certificates or permits and revoke the same in accordance with
4 professional educator standards board rules.

5 **Sec. 329.** RCW 28A.410.090 and 2009 c 396 s 5 are each amended to
6 read as follows:

7 (1)(a) Any certificate or permit authorized under the provisions of
8 this chapter, chapter 28A.405 RCW, or rules (~~promulgated~~) adopted
9 thereunder by the professional educator standards board may be revoked
10 or suspended by the authority authorized to grant the same based upon
11 a criminal records report authorized by law, or upon the complaint of
12 any school district superintendent, educational service district
13 superintendent, or private school administrator for immorality,
14 violation of written contract, unprofessional conduct, intemperance, or
15 crime against the law of the state. School district superintendents,
16 educational service district superintendents, or private school
17 administrators may file a complaint concerning any certificated
18 employee of a school district, educational service district, or private
19 school and this filing authority is not limited to employees of the
20 complaining superintendent or administrator. Such written complaint
21 shall state the grounds and summarize the factual basis upon which a
22 determination has been made that an investigation by the superintendent
23 of public instruction is warranted.

24 (b) If the superintendent of public instruction has reasonable
25 cause to believe that an alleged violation of this chapter or rules
26 adopted under it has occurred based on a written complaint alleging
27 physical abuse or sexual misconduct by a certificated school employee
28 filed by a parent or another person, but no complaint has been
29 forwarded to the superintendent by a school district superintendent,
30 educational service district superintendent, or private school
31 administrator, and that a school district superintendent, educational
32 service district superintendent, or private school administrator has
33 sufficient notice of the alleged violation and opportunity to file a
34 complaint, the superintendent of public instruction may cause an
35 investigation to be made of the alleged violation, together with such
36 other matters that may be disclosed in the course of the investigation
37 related to certificated personnel.

1 (2) A parent or another person may file a written complaint with
2 the superintendent of public instruction alleging physical abuse or
3 sexual misconduct by a certificated school employee if:

4 (a) The parent or other person has already filed a written
5 complaint with the educational service district superintendent
6 concerning that employee;

7 (b) The educational service district superintendent has not caused
8 an investigation of the allegations and has not forwarded the complaint
9 to the superintendent of public instruction for investigation; and

10 (c) The written complaint states the grounds and factual basis upon
11 which the parent or other person believes an investigation should be
12 conducted.

13 (3)(a) Any such certificate or permit authorized under this chapter
14 or chapter 28A.405 RCW shall be revoked by the authority authorized to
15 grant the certificate upon a guilty plea or the conviction of any
16 felony crime specified under RCW 28A.400.322, in accordance with this
17 section. The person whose certificate is in question shall be given an
18 opportunity to be heard.

19 (b) Mandatory permanent revocation upon a guilty plea or the
20 conviction of felony crimes specified under RCW 28A.400.322(1) shall
21 apply to such convictions or guilty pleas which occur after July 23,
22 1989, and before July 26, 2009.

23 (c) Mandatory permanent revocation upon a guilty plea or conviction
24 of felony crimes specified under RCW 28A.400.322(2) shall apply to such
25 convictions or guilty pleas that occur on or after July 26, 2009.

26 (d) Revocation of any certificate or permit authorized under this
27 chapter or chapter 28A.405 RCW for a guilty plea or criminal conviction
28 of a crime specified under RCW 28A.400.322 occurring prior to July 23,
29 1989, shall be subject to the provisions of subsection (1) of this
30 section.

31 (4)(a) Any such certificate or permit authorized under this chapter
32 or chapter 28A.405 RCW shall be suspended or revoked, according to the
33 provisions of this subsection, by the authority authorized to grant the
34 certificate upon a finding that an employee has engaged in an
35 unauthorized use of school equipment to intentionally access material
36 depicting sexually explicit conduct or has intentionally possessed on
37 school grounds any material depicting sexually explicit conduct; except
38 for material used in conjunction with established curriculum. A first

1 time violation of this subsection shall result in either suspension or
2 revocation of the employee's certificate or permit as determined by the
3 office of the superintendent of public instruction. A second violation
4 shall result in a mandatory revocation of the certificate or permit.

5 (b) In all cases under this subsection (4), the person whose
6 certificate is in question shall be given an opportunity to be heard
7 (~~and has the right to appeal as established in RCW 28A.410.100~~).
8 Certificates or permits shall be suspended or revoked under this
9 subsection only if findings are made on or after July 24, 2005. For
10 the purposes of this subsection, "sexually explicit conduct" has the
11 same definition as provided in RCW 9.68A.011.

12 (5) Any such certificate or permit authorized under this chapter or
13 chapter 28A.405 RCW shall be revoked by the authority authorized to
14 grant the certificate upon a finding that the certificate holder
15 obtained the certificate through fraudulent means, including fraudulent
16 misrepresentation of required academic credentials or prior criminal
17 record. In all cases under this subsection, the person whose
18 certificate is in question shall be given an opportunity to be heard
19 (~~and has the right to appeal as established in RCW 28A.410.100~~).
20 Certificates or permits shall be revoked under this subsection only if
21 findings are made on or after July 26, 2009.

22 **Sec. 330.** RCW 28A.410.200 and 2009 c 531 s 2 are each amended to
23 read as follows:

24 (1)(a) The Washington professional educator standards board is
25 created, consisting of (~~twelve~~) thirteen members to be appointed by
26 the governor to four-year terms (~~and the superintendent of public~~
27 ~~instruction. On August 1, 2009, the board shall be reduced to twelve~~
28 ~~members~~)).

29 (b) Vacancies on the board shall be filled by appointment or
30 reappointment by the governor to terms of four years.

31 (c) No person may serve as a member of the board for more than two
32 consecutive full four-year terms.

33 (d) The governor shall biennially appoint the chair of the board.
34 No board member may serve as chair for more than four consecutive
35 years.

36 (2) A majority of the members of the board shall be active

1 practitioners with the majority being classroom based. Membership on
2 the board shall include individuals having one or more of the
3 following:

4 (a) Experience in one or more of the education roles for which
5 state preparation program approval is required and certificates issued;

6 (b) Experience providing or leading a state-approved teacher or
7 educator preparation program;

8 (c) Experience providing mentoring and coaching to education
9 professionals or others; and

10 (d) Education-related community experience.

11 (3) In appointing board members, the governor shall consider the
12 individual's commitment to quality education and the ongoing
13 improvement of instruction, experiences in the public schools or
14 private schools, involvement in developing quality teaching preparation
15 and support programs, and vision for the most effective yet practical
16 system of assuring teaching quality. The governor shall also consider
17 the diversity of the population of the state.

18 (4) All appointments to the board made by the governor are subject
19 to confirmation by the senate.

20 (5) Each member of the board shall be compensated in accordance
21 with RCW 43.03.240 and shall be reimbursed for travel expenses incurred
22 in carrying out the duties of the board in accordance with RCW
23 43.03.050 and 43.03.060.

24 (6) The governor may remove a member of the board for neglect of
25 duty, misconduct, malfeasance or misfeasance in office, or for
26 incompetency or unprofessional conduct as defined in chapter 18.130
27 RCW. In such a case, the governor shall file with the secretary of
28 state a statement of the causes for and the order of removal from
29 office, and the secretary of state shall send a certified copy of the
30 statement of causes and order of removal to the last known post office
31 address of the member.

32 ~~(7) ((Members of the board shall hire an executive director and an
33 administrative assistant to reside in the office of the superintendent
34 of public instruction for administrative purposes only))~~ The board
35 shall perform the following activities related to the executive
36 director of the board: (a) Develop a process for recommending
37 candidates for the position of executive director and, upon a vacancy

1 occurring, submit a list of three qualified candidates for executive
2 director to the secretary; and (b) submit an annual evaluation of the
3 executive director to the secretary of education.

4 (8) Members of the board may create informal advisory groups as
5 needed to inform the board's work.

6 **Sec. 331.** RCW 28A.410.210 and 2009 c 531 s 4 are each amended to
7 read as follows:

8 The purpose of the professional educator standards board is to
9 establish policies and requirements for the preparation and
10 certification of educators that provide standards for competency in
11 professional knowledge and practice in the areas of certification; a
12 foundation of skills, knowledge, and attitudes necessary to help
13 students with diverse needs, abilities, cultural experiences, and
14 learning styles meet or exceed the learning goals outlined in RCW
15 28A.150.210; knowledge of research-based practice; and professional
16 development throughout a career. The Washington professional educator
17 standards board shall:

18 (1) Establish policies and practices for the approval of programs
19 of courses, requirements, and other activities leading to educator
20 certification including teacher, school administrator, and educational
21 staff associate certification;

22 (2) Establish policies and practices for the approval of the
23 character of work required to be performed as a condition of entrance
24 to and graduation from any educator preparation program including
25 teacher, school administrator, and educational staff associate
26 preparation program as provided in subsection (1) of this section;

27 (3) Establish a list of accredited institutions of higher education
28 of this and other states whose graduates may be awarded educator
29 certificates as teacher, school administrator, and educational staff
30 associate and establish criteria and enter into agreements with other
31 states to acquire reciprocal approval of educator preparation programs
32 and certification, including teacher certification from the national
33 board for professional teaching standards;

34 (4) Establish policies for approval of nontraditional educator
35 preparation programs;

36 (5) Conduct a review of educator program approval standards at

1 least every five years, beginning in 2006, to reflect research findings
2 and assure continued improvement of preparation programs for teachers,
3 administrators, and school specialized personnel;

4 (6) Specify the types and kinds of educator certificates to be
5 issued and conditions, including certificate suspension and revocation,
6 for certification in accordance with subsection (1) of this section
7 ~~((and))~~, RCW 28A.410.010, and as authorized by law;

8 (7) Apply for and receive federal or other funds on behalf of the
9 state for purposes related to the duties of the board;

10 (8) Adopt rules under chapter 34.05 RCW that are necessary for the
11 effective and efficient implementation of this chapter;

12 (9) Maintain data concerning educator preparation programs and
13 their quality, educator certification, educator employment trends and
14 needs, and other data deemed relevant by the board;

15 (10) Serve as an advisory body to the governor, the superintendent
16 of public instruction, the department of education, and the legislature
17 on issues related to educator recruitment, hiring, mentoring and
18 support, professional growth, retention, educator evaluation including
19 but not limited to peer evaluation, and revocation and suspension of
20 licensure;

21 (11) Submit, by October 15th of each even-numbered year, a
22 ~~((joint))~~ report ~~((with the state board of education))~~ to the
23 legislative education committees~~((7))~~ and the governor~~((, and the~~
24 ~~superintendent of public instruction. The report shall address the~~
25 ~~progress the boards have made and the obstacles they have encountered,~~
26 ~~individually and collectively, in the work of achieving the goals set~~
27 ~~out in RCW 28A.150.210))~~ regarding the work accomplished by the board
28 as directed by this chapter and any recommendations for improvements
29 related to the effective and efficient discharge of these duties and
30 the programs administered;

31 (12) Establish the prospective teacher assessment system for basic
32 skills and subject knowledge that shall be required to obtain residency
33 certification pursuant to RCW 28A.410.220 through 28A.410.240;

34 (13) By January 2010, set performance standards and develop, pilot,
35 and implement a uniform and externally administered professional-level
36 certification assessment based on demonstrated teaching skill. In the
37 development of this assessment, consideration shall be given to changes

1 in professional certification program components such as the
2 culminating seminar; and

3 (14) Conduct meetings under the provisions of chapter 42.30 RCW.

4 **Sec. 332.** RCW 28A.410.220 and 2008 c 176 s 2 are each amended to
5 read as follows:

6 (1)(a) Beginning not later than September 1, 2001, the Washington
7 professional educator standards board shall make available and pilot a
8 means of assessing an applicant's knowledge in the basic skills. For
9 the purposes of this section, "basic skills" means the subjects of at
10 least reading, writing, and mathematics. Beginning September 1, 2002,
11 except as provided in (c) of this subsection and subsection (4) of this
12 section, passing this assessment shall be required for admission to
13 approved teacher preparation programs and for persons from out-of-state
14 applying for a Washington state residency teaching certificate.

15 (b) On an individual student basis, approved teacher preparation
16 programs may admit into their programs a candidate who has not achieved
17 the minimum basic skills assessment score established by the Washington
18 professional educator standards board. Individuals so admitted may not
19 receive residency certification without passing the basic skills
20 assessment under this section.

21 (c) The Washington professional educator standards board may
22 establish criteria to ensure that persons from out-of-state who are
23 applying for residency certification and persons applying to master's
24 degree level teacher preparation programs can demonstrate to the
25 board's satisfaction that they have the requisite basic skills based
26 upon having completed another basic skills assessment acceptable to the
27 Washington professional educator standards board or by some other
28 alternative approved by the Washington professional educator standards
29 board.

30 (2) The professional educator standards board shall set performance
31 standards and develop, pilot, and implement a uniform and externally
32 administered professional-level certification assessment based on
33 demonstrated teaching skill. In the development of this assessment,
34 consideration shall be given to changes in professional certification
35 program components such as the culminating seminar.

36 (3) Beginning not later than September 1, 2002, the Washington
37 professional educator standards board shall provide for the initial

1 piloting and implementation of a means of assessing an applicant's
2 knowledge in the subjects for which the applicant has applied for an
3 endorsement to his or her residency or professional teaching
4 certificate. The assessment of subject knowledge shall not include
5 instructional methodology. Beginning September 1, 2005, passing this
6 assessment shall be required to receive an endorsement for
7 certification purposes.

8 (4) The Washington professional educator standards board may permit
9 exceptions from the assessment requirements under subsections (1), (2),
10 and (3) of this section on a case-by-case basis.

11 (5) The Washington professional educator standards board shall
12 provide for reasonable accommodations for individuals who are required
13 to take the assessments in subsection (1), (2), or (3) of this section
14 if the individuals have learning or other disabilities.

15 (6) With the exception of applicants exempt from the requirements
16 of subsections (1), (2), and (3) of this section, an applicant must
17 achieve a minimum assessment score or scores established by the
18 Washington professional educator standards board on each of the
19 assessments under subsections (1), (2), and (3) of this section.

20 (7) The Washington professional educator standards board and
21 (~~superintendent of public instruction~~) the department of education,
22 as determined by the Washington professional educator standards board,
23 may contract with one or more third parties for:

24 (a) The development, purchase, administration, scoring, and
25 reporting of scores of the assessments established by the Washington
26 professional educator standards board under subsections (1), (2), and
27 (3) of this section;

28 (b) Related clerical and administrative activities; or

29 (c) Any combination of the purposes in this subsection.

30 (8) Applicants for admission to a Washington teacher preparation
31 program and applicants for residency and professional certificates who
32 are required to successfully complete one or more of the assessments
33 under subsections (1), (2), and (3) of this section, and who are
34 charged a fee for the assessment by a third party contracted with under
35 subsection (7) of this section, shall pay the fee charged by the
36 contractor directly to the contractor. Such fees shall be reasonably
37 related to the actual costs of the contractor in providing the
38 assessment.

1 (9) (~~The superintendent of public instruction is responsible for~~
2 ~~supervision and providing support services to administer this section.~~

3 ~~(10))~~ The Washington professional educator standards board shall
4 (~~collaboratively~~) select or develop and implement the assessments and
5 minimum assessment scores required under this section (~~with the~~
6 ~~superintendent of public instruction~~) and shall provide opportunities
7 for representatives of other interested educational organizations to
8 participate in the selection or development and implementation of such
9 assessments in a manner deemed appropriate by the Washington
10 professional educator standards board.

11 ~~((11))~~ (10) The Washington professional educator standards board
12 shall adopt rules under chapter 34.05 RCW that are reasonably necessary
13 for the effective and efficient implementation of this section.

14 **Sec. 333.** RCW 28A.655.115 and 2010 c 235 s 702 are each amended to
15 read as follows:

16 (1) Beginning with the 2010-11 school year, each school shall
17 conduct outreach and seek feedback from a broad and diverse range of
18 parents, other individuals, and organizations in the community
19 regarding their experiences with the school. The school shall
20 summarize the responses in its annual report under RCW 28A.655.110.

21 (2) The office of the superintendent of public instruction shall
22 create a working group with representatives of organizations
23 representing parents, teachers, and principals as well as diverse
24 communities. (~~The working group shall also include a representative~~
25 ~~from the achievement gap oversight and accountability committee.~~) By
26 September 1, 2010, the working group shall develop model feedback tools
27 and strategies that school districts may use to facilitate the feedback
28 process required in subsection (1) of this section. The model tools
29 and strategies are intended to provide assistance to school districts.
30 School districts are encouraged to adapt the models or develop unique
31 tools and strategies that best fit the circumstances in their
32 communities.

33 **Sec. 334.** RCW 28A.657.005 and 2010 c 235 s 101 are each amended to
34 read as follows:

35 The legislature finds that it is the state's responsibility to
36 create a coherent and effective accountability framework for the

1 continuous improvement for all schools and districts. This system must
2 provide an excellent and equitable education for all students; an
3 aligned federal/state accountability system; and the tools necessary
4 for schools and districts to be accountable. These tools include the
5 necessary accounting and data reporting systems, assessment systems to
6 monitor student achievement, and a system of general support, targeted
7 assistance, and, if necessary, intervention.

8 The office of the superintendent of public instruction is
9 responsible for developing and implementing the accountability tools to
10 build district capacity and working within federal and state
11 guidelines. The legislature assigned the state board of education or
12 the department of education responsibility and oversight for creating
13 an accountability framework. This framework provides a unified system
14 of support for challenged schools that aligns with basic education,
15 increases the level of support based upon the magnitude of need, and
16 uses data for decisions. Such a system will identify schools and their
17 districts for recognition as well as for additional state support. For
18 a specific group of challenged schools, defined as persistently lowest-
19 achieving schools, and their districts, it is necessary to provide a
20 required action process that creates a partnership between the state
21 and local district to target funds and assistance to turn around the
22 identified lowest-achieving schools.

23 Phase I of this accountability system will recognize schools that
24 have done an exemplary job of raising student achievement and closing
25 the achievement gaps using the state board of education's or the
26 department of education's accountability index. (~~(The state board of~~
27 ~~education shall have ongoing collaboration with the achievement gap~~
28 ~~oversight and accountability committee regarding the measures used to~~
29 ~~measure the closing of the achievement gaps and the recognition~~
30 ~~provided to the school districts for closing the achievement gaps.))~~
31 Phase I will also target the lowest five percent of persistently
32 lowest-achieving schools defined under federal guidelines to provide
33 federal funds and federal intervention models through a voluntary
34 option in 2010, and for those who do not volunteer and have not
35 improved student achievement, a required action process beginning in
36 2011.

37 Phase II of this accountability system will work toward
38 implementing the state board of education's or the department of

1 education's accountability index for identification of schools in need
2 of improvement, including those that are not Title I schools, and the
3 use of state and local intervention models and state funds through a
4 required action process beginning in 2013, in addition to the federal
5 program. Federal approval of the state board of education's or the
6 department of education's accountability index must be obtained or else
7 the federal guidelines for persistently lowest-achieving schools will
8 continue to be used.

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

13 **Sec. 335.** RCW 28A.657.070 and 2010 c 235 s 107 are each amended to
14 read as follows:

15 (1) A required action plan review panel shall be established to
16 offer an objective, external review of a request from a school district
17 for reconsideration of the state board of education's or the department
18 of education's rejection of the district's required action plan. The
19 review and reconsideration by the panel shall be based on whether the
20 state board of education or the department of education gave
21 appropriate consideration to the unique circumstances and
22 characteristics identified in the academic performance audit of the
23 local school district whose required action plan was rejected.

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

30 (b) The speaker of the house of representatives, president of the
31 senate, and governor shall solicit recommendations for possible panel
32 members from the Washington association of school administrators, the
33 Washington state school directors' association, the association of
34 Washington school principals, (~~the achievement gap oversight and~~
35 ~~accountability committee,~~) and associations representing certificated
36 teachers, classified school employees, and parents.

1 (c) Members of the panel shall be appointed no later than December
2 1, 2010, but the superintendent of public instruction shall convene the
3 panel only as needed to consider a school district's request for
4 reconsideration. Appointments shall be for a four-year term, with
5 opportunity for reappointment. Reappointments in the case of a vacancy
6 shall be made expeditiously so that all requests are considered in a
7 timely manner.

8 (3) The required action plan review panel may reaffirm the decision
9 of the state board of education or the department of education,
10 recommend that the state board or the department of education
11 reconsider the rejection, or recommend changes to the required action
12 plan that should be considered by the district and the state board of
13 education or the department of education to secure approval of the
14 plan. The state board of education or the department of education
15 shall consider the recommendations of the panel and issue a decision in
16 writing to the local school district and the panel. If the school
17 district must submit a new required action plan to the state board of
18 education or the department of education, the district must submit the
19 plan within forty days of the board's decision.

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

25 **Sec. 336.** RCW 28A.657.110 and 2010 c 235 s 111 are each amended to
26 read as follows:

27 (1) The state board of education or the department of education
28 shall continue to refine the development of an accountability framework
29 that creates a unified system of support for challenged schools, that
30 aligns with basic education, increases the level of support based upon
31 the magnitude of need, and uses data for decisions.

32 (2) The state board of education or the department of education
33 shall develop an accountability index to identify schools and districts
34 for recognition, for continuous improvement, and for additional state
35 support. The index shall be based on criteria that are fair,
36 consistent, and transparent. Performance shall be measured using
37 multiple outcomes and indicators including, but not limited to,

1 graduation rates and results from statewide assessments. The index
2 shall be developed in such a way as to be easily understood by both
3 employees within the schools and districts, as well as parents and
4 community members. It is the legislature's intent that the index
5 provide feedback to schools and districts to self-assess their
6 progress, and enable the identification of schools with exemplary
7 student performance and those that need assistance to overcome
8 challenges in order to achieve exemplary student performance.

9 (3) The state board of education or the department of education, in
10 cooperation with the office of the superintendent of public
11 instruction, shall annually recognize schools for exemplary performance
12 as measured on the state board of education or the department of
13 education accountability index. (~~The state board of education shall~~
14 ~~have ongoing collaboration with the achievement gap oversight and~~
15 ~~accountability committee regarding the measures used to measure the~~
16 ~~closing of the achievement gaps and the recognition provided to the~~
17 ~~school districts for closing the achievement gaps.~~)

18 (4) In coordination with the superintendent of public instruction,
19 the state board of education or the department of education shall seek
20 approval from the United States department of education for use of the
21 accountability index and the state system of support, assistance, and
22 intervention, to replace the federal accountability system under P.L.
23 107-110, the no child left behind act of 2001.

24 (5) The state board of education or the department of education
25 shall work with the education data center established within the office
26 of financial management and the technical working group established in
27 section 112, chapter 548, Laws of 2009 to determine the feasibility of
28 using the prototypical funding allocation model as not only a tool for
29 allocating resources to schools and districts but also as a tool for
30 schools and districts to report to the state legislature, and the state
31 board of education or the department of education on how the state
32 resources received are being used.

33 **Sec. 337.** RCW 72.40.010 and 2009 c 381 s 3 are each amended to
34 read as follows:

35 There are established at Vancouver, Clark county, a school which
36 shall be known as the state school for the blind, and a separate school

1 which shall be known as the state school for the deaf. The primary
2 purpose of the state school for the blind and the state school for the
3 deaf is to educate and train hearing and visually impaired children.

4 The school for the blind shall be under the direction of the
5 superintendent with the advice of the board of trustees. The
6 superintendent shall report to the secretary of education. The school
7 for the deaf shall be under the direction of the director of the center
8 for childhood deafness and hearing loss or the director's designee
9 ~~((and))~~ with the advice of the board of trustees. The director shall
10 report to the secretary of education.

11 **Sec. 338.** RCW 72.40.015 and 2009 c 381 s 2 are each amended to
12 read as follows:

13 (1) The Washington state center for childhood deafness and hearing
14 loss is established within the department of education to provide
15 statewide leadership for the coordination and delivery of educational
16 services to children who are deaf or hard of hearing. The activities
17 of the center shall be under the authority of the director and the
18 board of trustees, subject to review and revision by the secretary of
19 education. ~~((The superintendent and board of trustees of the state~~
20 ~~school for the deaf as of July 26, 2009, shall be the director and~~
21 ~~board of trustees of the center.))~~

22 (2) The center's primary functions are:

23 (a) Managing and directing the supervision of the state school for
24 the deaf;

25 (b) Providing statewide leadership and support for the coordination
26 of regionally delivered educational services in the full range of
27 communication modalities, for children who are deaf or hard of hearing;
28 and

29 (c) Collaborating with appropriate public and private partners for
30 the training and professional development of educators serving children
31 who are deaf or hard of hearing.

32 **Sec. 339.** RCW 72.40.019 and 2009 c 381 s 4 are each amended to
33 read as follows:

34 The ~~((governor))~~ secretary of education shall appoint a director
35 for the Washington state center for childhood deafness and hearing
36 loss. The director shall have a master's or higher degree from an

1 accredited college or university in school administration or deaf
2 education, five or more years of experience teaching or providing
3 habilitative services to deaf or hard of hearing students, and three or
4 more years administrative or supervisory experience in programs for
5 deaf or hard of hearing students.

6 **Sec. 340.** RCW 72.40.0191 and 2009 c 381 s 5 are each amended to
7 read as follows:

8 In addition to any other powers and duties prescribed by law, the
9 director of the Washington state center for childhood deafness and
10 hearing loss:

11 (1) Shall be responsible for the supervision and management of the
12 center, including the state school for the deaf, and the property of
13 various kinds. The director may designate an individual to oversee the
14 day-to-day operation and supervision of students at the school;

15 (2) Shall employ members of the faculty, administrative officers,
16 and other employees, who shall all be subject to chapter 41.06 RCW, the
17 state civil service law, unless specifically exempted by other
18 provisions of law;

19 (3) Shall provide technical assistance and support as appropriate
20 to local and regional efforts to build critical mass and
21 communication-rich networking opportunities for children who are deaf
22 or hard of hearing and their families;

23 (4) Shall establish the course of study including vocational
24 training, with the assistance of the faculty and the approval of the
25 board of trustees;

26 (5) Shall(~~(, as approved by the board of trustees,)~~) control and
27 authorize the use of the facilities for night school, summer school,
28 public meetings, applied research and training for the instruction of
29 students who are deaf or hard of hearing, outreach and support to
30 families of children who are deaf or hard of hearing, or other purposes
31 consistent with the purposes of the center;

32 (6) Shall purchase all supplies and lease or purchase equipment and
33 other personal property needed for the operation or maintenance of the
34 center;

35 (7) Shall prepare(~~(, submit to the board of trustees for~~
36 ~~approval,)~~) and administer the budget consistent with RCW 43.88.160 and

1 the budget and accounting act, chapter 43.88 RCW generally, as
2 applicable;

3 (8) Shall provide technical assistance and support to educational
4 service districts for the regional delivery of a full range of
5 educational services to students who are deaf or hard of hearing,
6 including but not limited to services relying on American Sign
7 Language, auditory oral education, total communication, and signed
8 exact English;

9 (9) As requested by educational service districts, shall recruit,
10 employ, and deploy itinerant teachers to provide in-district services
11 to children who are deaf or hard of hearing;

12 (10) May establish criteria, in addition to state certification,
13 for the teachers at the school and employees of the center;

14 (11) May establish(~~(, with the approval of the board of trustees,)~~)
15 new facilities as needs demand;

16 (12) May adopt rules, under chapter 34.05 RCW, (~~(as approved by the~~
17 ~~board of trustees and)~~) as deemed necessary for the governance,
18 management, and operation of the center;

19 (13) May adopt rules(~~(, as approved by the board of trustees,)~~) for
20 pedestrian and vehicular traffic on property owned, operated, and
21 maintained by the center;

22 (14) Except as otherwise provided by law, may enter into contracts
23 as the director deems essential to the purpose of the center;

24 (15) May receive gifts, grants, conveyances, devises, and bequests
25 of real or personal property from whatever source, as may be made from
26 time to time, in trust or otherwise, whenever the terms and conditions
27 will aid in carrying out the programs of the center; sell, lease, or
28 exchange, invest, or expend the same or the proceeds, rents, profits,
29 and income thereof except as limited by the terms and conditions
30 thereof; and adopt rules to govern the receipt and expenditure of the
31 proceeds, rents, profits, and income thereof;

32 (16) May adopt rules(~~(, as approved by the board of trustees,)~~)
33 providing for the transferability of employees between the center and
34 the school for the blind consistent with collective bargaining
35 agreements in effect; and

36 (17) May adopt rules under chapter 34.05 RCW(~~(, as approved by the~~
37 ~~board of trustees,)~~) and perform all other acts not forbidden by law as

1 the director deems necessary or appropriate to the administration of
2 the center.

3 **Sec. 341.** RCW 72.40.020 and 1985 c 378 s 13 are each amended to
4 read as follows:

5 The (~~governor~~) secretary of education shall appoint a
6 superintendent for the state school for the blind. The superintendent
7 shall have a master's degree from an accredited college or university
8 in school administration or blind education, five years of experience
9 teaching blind students in the classroom, and three years
10 administrative or supervisory experience in programs for blind
11 students.

12 **Sec. 342.** RCW 72.40.024 and 2009 c 381 s 6 are each amended to
13 read as follows:

14 In addition to the powers and duties under RCW 72.40.022 and
15 72.40.0191, the superintendent of the school for the blind and the
16 director of the Washington state center for childhood deafness and
17 hearing loss, or the director's designee, shall:

18 (1) Monitor the location and educational placement of each student
19 reported to the superintendent and the director, or the director's
20 designee, by the educational service district superintendents;

21 (2) Provide information about educational programs, instructional
22 techniques, materials, equipment, and resources available to students
23 with visual or auditory impairments to the parent or guardian,
24 educational service district superintendent, and the superintendent of
25 the school district where the student resides; and

26 (3) Serve as a consultant to the department of education and the
27 office of the superintendent of public instruction, provide
28 instructional leadership, and assist school districts in improving
29 their instructional programs for students with visual or hearing
30 impairments.

31 **Sec. 343.** RCW 72.41.010 and 1985 c 378 s 28 are each amended to
32 read as follows:

33 It is the intention of the legislature in creating a board of
34 trustees for the state school for the blind to perform the duties set
35 forth in this chapter, that the board of trustees perform needed

1 advisory services to the legislature, to the secretary of education,
2 and to the superintendent of the Washington state school for the blind,
3 in the development of programs for the visually impaired, and in the
4 operation of the Washington state school for the blind.

5 **Sec. 344.** RCW 72.41.020 and 1993 c 147 s 7 are each amended to
6 read as follows:

7 There is hereby created a board of trustees for the state school
8 for the blind to be composed of a resident from each of the state's
9 congressional districts now or hereafter existing. Trustees with
10 voting privileges shall be appointed by the (~~governor with the consent~~
11 ~~of the senate~~) secretary of education. A representative of the
12 parent-teachers association of the Washington state school for the
13 blind, a representative of the Washington council of the blind, a
14 representative of the national federation of the blind of Washington,
15 one representative designated by the teacher association of the
16 Washington state school for the blind, and a representative of the
17 classified staff designated by his or her exclusive bargaining
18 representative shall each be ex officio and nonvoting members of the
19 board of trustees and shall serve during their respective tenures in
20 such positions.

21 Trustees shall be appointed by the (~~governor~~) secretary of
22 education to serve for a term of five years except that any person
23 appointed to fill a vacancy occurring prior to the expiration of any
24 term shall be appointed within sixty days of the vacancy and appointed
25 only for the remainder of the term.

26 One trustee shall be a resident and qualified elector from each of
27 the state's congressional districts. The board shall not be deemed to
28 be unlawfully constituted and a trustee shall not be deemed ineligible
29 to serve the remainder of the trustee's unexpired term on the board
30 solely by reason of the establishment of new or revised boundaries for
31 congressional districts. No voting trustee may be an employee of the
32 state school for the blind, a member of the board of directors of any
33 school district, a member of the governing board of any public or
34 private educational institution, a school district or educational
35 service district administrator, appointed after July 1, 1986, or an
36 elected officer or member of the legislative authority or any municipal
37 corporation.

1 The board of trustees shall organize itself by electing a chairman
2 from its members. The board shall adopt a seal and may adopt such
3 bylaws, rules, and regulations as it deems necessary for its own
4 government. A majority of the voting members of the board in office
5 shall constitute a quorum, but a lesser number may convene from time to
6 time and may compel the attendance of absent members in such manner as
7 prescribed in its bylaws, rules, or regulations. The superintendent of
8 the state school for the blind shall serve as, or may designate another
9 person to serve as, the secretary of the board, who shall not be deemed
10 to be a member of the board.

11 **Sec. 345.** RCW 72.41.040 and 1985 c 378 s 30 are each amended to
12 read as follows:

13 The board of trustees of the state school for the blind:

14 (1) Shall monitor and inspect all existing facilities of the state
15 school for the blind, and report its findings to the superintendent;

16 (2) Shall study and recommend comprehensive programs of education
17 and training and review the admission policy as set forth in RCW
18 72.40.040 and 72.40.050, and make appropriate recommendations to the
19 superintendent;

20 (3) Shall submit a list of three qualified candidates for
21 superintendent to the ((governor)) secretary of education and shall
22 advise the superintendent about the criteria and policy to be used in
23 the selection of members of the faculty and such other administrative
24 officers and other employees, who shall with the exception of the
25 superintendent all be subject to chapter 41.06 RCW, the state civil
26 service law, unless specifically exempted by other provisions of law.
27 All employees and personnel classified under chapter 41.06 RCW shall
28 continue, after July 1, 1986, to perform their usual duties upon the
29 same terms as formerly, without any loss of rights, subject to any
30 action that may be appropriate thereafter in accordance with the laws
31 and rules governing the state civil service law;

32 (4) Shall submit an evaluation of the superintendent to the
33 ((governor)) secretary of education by July 1st of each odd-numbered
34 year and may recommend to the ((governor)) secretary of education that
35 the superintendent be removed for misfeasance, malfeasance, or
36 ((wilful)) willful neglect of duty;

1 (5) May recommend to the superintendent the establishment of new
2 facilities as needs demand;

3 (6) May recommend to the superintendent rules and regulations for
4 the government, management, and operation of such housing facilities
5 deemed necessary or advisable;

6 (7) May make recommendations to the superintendent concerning
7 classrooms and other facilities to be used for summer or night schools,
8 or for public meetings and for any other uses consistent with the use
9 of such classrooms or facilities for the school for the blind;

10 (8) May make recommendations to the superintendent for adoption of
11 rules and regulations for pedestrian and vehicular traffic on property
12 owned, operated, or maintained by the school for the blind;

13 (9) Shall recommend to the superintendent, with the assistance of
14 the faculty, the course of study including vocational training in the
15 school for the blind, in accordance with other applicable provisions of
16 law and rules and regulations;

17 (10) May grant to every student, upon graduation or completion of
18 a program or course of study, a suitable diploma, nonbaccalaureate
19 degree, or certificate;

20 (11) Shall participate in the development of, and monitor the
21 enforcement of the rules and regulations pertaining to the school for
22 the blind;

23 (12) Shall perform any other duties and responsibilities prescribed
24 by the superintendent.

25 **Sec. 346.** RCW 72.42.010 and 2009 c 381 s 13 are each amended to
26 read as follows:

27 It is the intention of the legislature, in creating a board of
28 trustees for the Washington state center for childhood deafness and
29 hearing loss to perform the duties set forth in this chapter, that the
30 board of trustees perform needed (~~(oversight)~~) advisory services to the
31 (~~(governor and)~~) the legislature, the secretary of education, and the
32 director of the center in the development of programs for the hard of
33 hearing, and in the operation of the center, including the school for
34 the deaf.

35 **Sec. 347.** RCW 72.42.021 and 2009 c 381 s 16 are each amended to
36 read as follows:

1 (1) The governance of the center and the school shall be vested in
2 a board of trustees. The board shall consist of nine members appointed
3 by the ((~~governor, with the consent of the senate~~)) secretary of
4 education. The board shall be composed of a resident from each of the
5 state's congressional districts and may include:

6 (a) One member who is deaf or hard of hearing;

7 (b) Two members who are experienced educational professionals;

8 (c) One member who is experienced in providing residential services
9 to youth; and

10 (d) One member who is the parent of a child who is deaf or hard of
11 hearing and who is receiving or has received educational services
12 related to deafness or hearing impairment from a public educational
13 institution.

14 (2) No voting trustee may be an employee of the school or the
15 center, a member of the board of directors of any school district, a
16 member of the governing board of any public or private educational
17 institution or an elected officer or member of the legislative
18 authority of any municipal corporation. No more than two voting
19 trustees may be school district or educational service district
20 administrators appointed after July 1, 1986.

21 (3) Trustees shall be appointed by the ((~~governor~~)) secretary of
22 education to serve a term of five years, except that any person
23 appointed to fill a vacancy occurring prior to the expiration of a term
24 shall be appointed within sixty days of the vacancy and appointed only
25 for the remainder of the term. Of the initial members, three must be
26 appointed for two-year terms, three must be appointed for three-year
27 terms, and the remainder must be appointed for five-year terms.

28 (4) The board shall not be deemed unlawfully constituted and a
29 trustee shall not be deemed ineligible to serve the remainder of the
30 trustee's unexpired term on the board solely by reason of the
31 establishment of new or revised boundaries for congressional districts.
32 In such an event, each trustee may continue to serve in office for the
33 balance of the term for which he or she was appointed so long as the
34 trustee continues to reside within the boundaries of the congressional
35 district as they existed at the time of his or her appointment.
36 Vacancies which occur in a trustee position during the balance of any
37 term shall be filled pursuant to subsection (3) of this section by a
38 successor who resides within the boundaries of the congressional

1 district from which the member whose office was vacated was appointed
2 as they existed at the time of his or her appointment. At the
3 completion of such term, and thereafter, a successor shall be appointed
4 from the congressional district which corresponds in number with the
5 congressional district from which the incumbent was appointed.

6 **Sec. 348.** RCW 72.42.041 and 2009 c 381 s 17 are each amended to
7 read as follows:

8 The board of trustees of the center:

9 (1) Shall adopt (~~rules and regulations~~) procedures for its own
10 governance;

11 (2) Shall (~~direct~~) advise the director regarding the development
12 of, (~~approve~~) and monitor the enforcement of, policies(~~and~~) and
13 rules(~~and regulations~~) pertaining to the school and the center,
14 including but not limited to:

15 (a) The use of classrooms and other facilities for summer or night
16 schools or for public meetings and any other uses consistent with the
17 mission of the center;

18 (b) Pedestrian and vehicular traffic on property owned, operated,
19 or maintained by the center;

20 (c) Governance, management, and operation of the residential
21 facilities;

22 (d) Transferability of employees between the center and the school
23 for the blind consistent with collective bargaining agreements in
24 effect; and

25 (e) Compliance with state and federal education civil rights laws
26 at the school;

27 (3) Shall develop a process for recommending candidates for the
28 position of director and upon a vacancy shall submit a list of three
29 qualified candidates for director to the (~~governor~~) secretary of
30 education;

31 (4) Shall submit an evaluation of the director to the (~~governor~~)
32 secretary of education by July 1st of each odd-numbered year that
33 includes a recommendation regarding the retention of the director;

34 (5) May recommend to the (~~governor~~) secretary of education at any
35 time that the director be removed for conduct deemed by the board to be
36 detrimental to the interests of the center;

1 (6) Shall prepare and submit by July 1st of each even-numbered year
2 a report to the (~~governor~~) secretary of education and the appropriate
3 committees of the legislature which contains a detailed summary of the
4 center's progress on performance objectives and the center's work,
5 facility conditions, and revenues and costs of the center for the
6 previous year and which contains those recommendations it deems
7 necessary and advisable for the (~~governor~~) secretary of education and
8 the legislature to act on;

9 (7) (~~Shall approve~~) May make recommendations to the director
10 regarding the center's budget and all funding requests, both operating
11 and capital, submitted to the (~~governor~~) secretary of education;

12 (8) (~~Shall direct and approve~~) May make recommendations to the
13 director regarding the development and implementation of comprehensive
14 programs of education, training, and as needed residential living, such
15 that students served by the school receive a challenging and quality
16 education in a safe school environment;

17 (9) Shall (~~direct,~~) monitor(~~, and approve~~) the implementation
18 of a comprehensive continuous quality improvement system for the
19 center;

20 (10) Shall monitor and inspect all existing facilities of the
21 center and report its findings in its biennial report to the
22 (~~governor~~) secretary of education and appropriate committees of the
23 legislature; and

24 (11) May grant to every student of the school, upon graduation or
25 completion of a program or course of study, a suitable diploma,
26 nonbaccalaureate degree, or certificate.

27 NEW SECTION. Sec. 349. The following acts or parts of acts, as
28 now existing or hereafter amended, are each repealed:

29 (1) RCW 28A.300.050 (Assistance to professional educator standards
30 board for activities involving professional educator excellence) and
31 2006 c 263 s 819, 1990 c 33 s 252, & 1987 c 525 s 227;

32 (2) RCW 28A.300.136 (Achievement gap oversight and accountability
33 committee--Policy and strategy recommendations) and 2010 c 235 s 901 &
34 2009 c 468 s 2;

35 (3) RCW 28A.300.137 (Strategies to address the achievement gap--
36 Improvement of education performance measures--Annual report) and 2009
37 c 468 s 3 & 2008 c 298 s 3;

- 1 (4) RCW 28A.305.011 (Board membership--Terms--Compensation) and
2 2006 c 263 s 105 & 2005 c 497 s 101;
- 3 (5) RCW 28A.305.021 (Election of board members--Restrictions) and
4 2005 c 497 s 102;
- 5 (6) RCW 28A.305.035 (Joint report to the legislature) and 2006 c
6 263 s 103 & 2005 c 497 s 103;
- 7 (7) RCW 28A.305.902 (Transfer of duties--Review and
8 recommendation--2006 c 263) and 2006 c 263 s 101;
- 9 (8) RCW 28A.310.480 (Delegation to ESD of state board of education
10 program, project or service--Contract) and 1977 ex.s. c 283 s 6;
- 11 (9) RCW 28A.410.260 (Washington professional educator standards
12 board--Model standards for cultural competency--Recommendations) and
13 2009 c 468 s 5;
- 14 (10) RCW 43.06B.010 (Office created--Purposes--Appointment--
15 Regional education ombudsmen) and 2006 c 116 s 3;
- 16 (11) RCW 43.06B.020 (Powers and duties) and 2008 c 165 s 2 & 2006
17 c 116 s 4;
- 18 (12) RCW 43.06B.030 (Liability for good faith performance--
19 Privileged communications) and 2006 c 116 s 5;
- 20 (13) RCW 43.06B.040 (Confidentiality) and 2006 c 116 s 6;
- 21 (14) RCW 43.06B.050 (Annual reports) and 2006 c 116 s 7; and
- 22 (15) RCW 43.06B.060 (Public school antiharassment policies and
23 strategies--Lead agency) and 2010 c 239 s 3.

24 NEW SECTION. **Sec. 350.** The following acts or parts of acts, as
25 now existing or hereafter amended, are each repealed, effective
26 December 31, 2012:

- 27 (1) RCW 28A.345.010 (Association created) and 1969 ex.s. c 223 s
28 28A.61.010;
- 29 (2) RCW 28A.345.020 (Membership) and 1969 ex.s. c 223 s 28A.61.020;
- 30 (3) RCW 28A.345.030 (Powers of association) and 1991 c 66 s 1, 1990
31 c 33 s 372, 1989 c 325 s 1, 1983 c 187 s 1, 1979 c 151 s 13, 1974 ex.s.
32 c 101 s 1, 1969 ex.s. c 184 s 4, & 1969 ex.s. c 223 s 28A.61.030;
- 33 (4) RCW 28A.345.040 (Coordination of policies--Report) and 1969
34 ex.s. c 223 s 28A.61.040;
- 35 (5) RCW 28A.345.050 (Association dues--Payment) and 1983 c 187 s 2,
36 1969 c 125 s 2, & 1969 ex.s. c 223 s 28A.61.050;

1 (6) RCW 28A.345.060 (Audit of staff classifications and employees'
2 salaries--Contract with department of personnel--Copies) and 1986 c 158
3 s 3 & 1983 c 187 s 4;

4 (7) RCW 28A.345.070 (Tribal relationships--Achievement gap--
5 Curriculum--Reports to the legislature) and 2005 c 205 s 2; and

6 (8) RCW 28A.345.902 (Effective date--1983 c 187) and 1983 c 187 s
7 8.

8 NEW SECTION. **Sec. 351.** RCW 28A.230.090, 28A.290.020,
9 28A.300.1361, and 28A.300.160 are each recodified as sections in
10 chapter 28A.--- RCW (the new chapter created in section 602 of this
11 act).

12 **PART 4**

13 **HIGHER EDUCATION FINANCIAL ASSISTANCE**

14 **Sec. 401.** RCW 28B.76.300 and 2004 c 275 s 14 are each amended to
15 read as follows:

16 (1) The (~~board~~) department shall annually develop information on
17 the approximate amount of state support that students receive. For
18 students at state-supported colleges and universities, the information
19 shall include the approximate level of support received by students in
20 each tuition category. That information may include consideration of
21 the following: Expenditures included in the educational cost formula,
22 revenue forgiven from waived tuition and fees, state-funded financial
23 aid awarded to students at public institutions, and all or a portion of
24 appropriated amounts not reflected in the educational cost formula for
25 institutional programs and services that may affect or enhance the
26 educational experience of students at a particular institution. For
27 students attending a private college, university, or proprietary
28 school, the information shall include the amount of state-funded
29 financial aid awarded to students attending the institution.

30 (2) (~~Beginning July 30, 1993, the board~~) The department shall
31 annually provide information appropriate to each institution's student
32 body to each state-supported four-year institution of higher education
33 and to the state board for community and technical colleges for
34 distribution to community colleges and technical colleges.

1 (3) (~~Beginning July 30, 1993, the board~~) The department shall
2 annually provide information on the level of financial aid received by
3 students at that institution to each private university, college, or
4 proprietary school, that enrolls students receiving state-funded
5 financial aid.

6 (4) Beginning with the 1997 fall academic term, each institution of
7 higher education described in subsection (2) or (3) of this section
8 shall provide to students at the institution information on the
9 approximate amount that the state is contributing to the support of
10 their education. Information provided to students at each state-
11 supported college and university shall include the approximate amount
12 of state support received by students in each tuition category at that
13 institution. The amount of state support shall be based on the
14 information provided by the (~~board~~) department under subsections (1)
15 through (3) of this section. The information shall be provided to
16 students at the beginning of each academic term through one or more of
17 the following: Registration materials, class schedules, tuition and
18 fee billing packets, student newspapers, or via e-mail or kiosk.

19 **Sec. 402.** RCW 28B.76.320 and 2004 c 275 s 16 are each amended to
20 read as follows:

21 The (~~board~~) department shall determine and transmit amounts
22 constituting approved undergraduate and graduate educational costs to
23 the several boards of regents and trustees of the state institutions of
24 higher education by November 10 of each even-numbered year.

25 **Sec. 403.** RCW 28B.76.500 and 2009 c 215 s 7 are each amended to
26 read as follows:

27 (1) The (~~board~~) department shall administer any state program or
28 state-administered federal program of student financial aid now or
29 hereafter established.

30 (2) Each of the student financial aid programs administered by the
31 (~~board~~) department shall be labeled an "opportunity pathway." Loans
32 provided by the federal government and aid granted to students outside
33 of the financial aid package provided through institutions of higher
34 education are not subject to the labeling provisions in this
35 subsection. All communication materials, including, but not limited

1 to, printed materials, presentations, and web content, shall include
2 the "opportunity pathway" label.

3 (3) If the ((~~board~~)) department develops a one-stop college
4 information web-based portal that includes financial, academic, and
5 career planning information, the portal shall display all available
6 student financial aid programs, except federal student loans and aid
7 granted to students outside of the financial aid package provided
8 through institutions of higher education, under the "opportunity
9 pathway" label. The portal shall also display information regarding
10 federal tax credits related to higher education available for students
11 or their families.

12 (4) The labeling requirements in this section do not change the
13 source, eligibility requirements, or student obligations associated
14 with each program. The ((~~board~~)) department shall customize its
15 communications to differentiate between programs, eligibility
16 requirements, and student obligations, so long as the reporting
17 provisions of this chapter are also fulfilled.

18 **Sec. 404.** RCW 28B.76.505 and 2007 c 73 s 1 are each amended to
19 read as follows:

20 (1) The investment of funds from all scholarship endowment programs
21 administered by the ((~~higher education coordinating board~~)) department
22 shall be managed by the state investment board.

23 (2) The state investment board has the full power to invest,
24 reinvest, manage, contract, sell, or exchange investment money in
25 scholarship endowment funds. All investment and operating costs
26 associated with the investment of a scholarship endowment fund shall be
27 paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of
28 these expenses, the earnings from the investments of the fund belong to
29 the fund.

30 (3) Funds from all scholarship endowment programs administered by
31 the ((~~board~~)) department shall be in the custody of the state
32 treasurer.

33 (4) All investments made by the state investment board shall be
34 made with the exercise of that degree of judgment and care pursuant to
35 RCW 43.33A.140 and the investment policies established by the state
36 investment board.

1 (5) As deemed appropriate by the state investment board, money in
2 a scholarship endowment fund may be commingled for investment with
3 other funds subject to investment by the state investment board.

4 (6) The authority to establish all policies relating to scholarship
5 endowment funds, other than the investment policies in subsections (2)
6 through (5) of this section, resides with the (~~higher education~~
7 ~~coordinating board~~) department.

8 (7) The (~~higher education coordinating board~~) department may
9 request and accept moneys from the state investment board. With the
10 exception of expenses of the state investment board in subsection (2)
11 of this section, disbursements from the fund shall be made only on the
12 authorization of the (~~higher education coordinating board~~)
13 department, and money in the fund may be spent only for the purposes of
14 the endowment programs as specified in the authorizing chapter of each
15 program.

16 (8) The state investment board shall routinely consult and
17 communicate with the (~~higher education coordinating board~~) department
18 on the investment policy, earnings of the scholarship endowment funds,
19 and related needs of the programs.

20 **Sec. 405.** RCW 28B.76.525 and 2005 c 139 s 1 are each amended to
21 read as follows:

22 (1) The state financial aid account is created in the custody of
23 the state treasurer. The primary purpose of the account is to ensure
24 that all appropriations designated for financial aid through statewide
25 student financial aid programs are made available to eligible students.
26 The account shall be a nontreasury account.

27 (2) The (~~higher education coordinating board~~) department shall
28 deposit in the account all money received for the state need grant
29 program established under RCW 28B.92.010, the state work-study program
30 established under chapter 28B.12 RCW, the Washington scholars program
31 established under RCW 28A.600.110, the Washington award for vocational
32 excellence program established under RCW 28C.04.525, and the
33 educational opportunity grant program established under chapter 28B.101
34 RCW. The account shall consist of funds appropriated by the
35 legislature for the programs listed in this subsection and private
36 contributions to the programs. Moneys deposited in the account do not
37 lapse at the close of the fiscal period for which they were

1 appropriated. Both during and after the fiscal period in which moneys
2 were deposited in the account, the (~~board~~) department may expend
3 moneys in the account only for the purposes for which they were
4 appropriated, and the expenditures are subject to any other conditions
5 or limitations placed on the appropriations.

6 (3) Expenditures from the account shall be used for scholarships to
7 students eligible for the programs according to program rules and
8 policies.

9 (4) Disbursements from the account are exempt from appropriations
10 and the allotment provisions of chapter 43.88 RCW.

11 (5) Only the (~~executive director of the higher education~~
12 ~~coordinating board~~) secretary or the (~~executive director's~~)
13 secretary's designee may authorize expenditures from the account.

14 **Sec. 406.** RCW 28B.76.560 and 1987 c 8 s 2 are each amended to read
15 as follows:

16 The Washington distinguished professorship trust fund program is
17 established.

18 The program shall be administered by the (~~higher education~~
19 ~~coordinating board~~) department.

20 The trust fund shall be administered by the state treasurer.

21 **Sec. 407.** RCW 28B.76.565 and 2010 1st sp.s. c 37 s 915 are each
22 amended to read as follows:

23 Funds appropriated by the legislature for the distinguished
24 professorship program shall be deposited in the distinguished
25 professorship trust fund. At the request of the (~~higher education~~
26 ~~coordinating board~~) department under RCW 28B.76.575 (as recodified by
27 this act), the treasurer shall release the state matching funds to the
28 designated institution's local endowment fund. No appropriation is
29 required for expenditures from the fund. During the 2009-2011 fiscal
30 biennium, the legislature may transfer from the distinguished
31 professorship trust fund to the state general fund such amounts as
32 reflect the excess fund balance in the account.

33 **Sec. 408.** RCW 28B.76.570 and 1987 c 8 s 4 are each amended to read
34 as follows:

35 In consultation with the eligible institutions of higher education,

1 the (~~higher education coordinating board~~) department shall set
2 guidelines for the program. These guidelines may include an allocation
3 system based on factors which include but are not limited to: The
4 amount of money available in the trust fund; characteristics of the
5 institutions including the size of the faculty and student body; and
6 the number of professorships previously received.

7 Any allocation system shall be superseded by conditions in any act
8 of the legislature appropriating funds for this program.

9 **Sec. 409.** RCW 28B.76.575 and 1988 c 125 s 3 are each amended to
10 read as follows:

11 All state four-year institutions of higher education shall be
12 eligible for matching trust funds. An institution may apply to the
13 (~~higher education coordinating board~~) department for two hundred
14 fifty thousand dollars from the fund when the institution can match the
15 state funds with an equal amount of pledged or contributed private
16 donations or with funds received through legislative appropriation
17 specifically for the G. Robert Ross distinguished faculty award and
18 designated as being qualified to be matched from trust fund moneys.
19 These donations shall be made specifically to the professorship
20 program, and shall be donated after July 1, 1985.

21 Upon an application by an institution, the (~~board~~) department may
22 designate two hundred fifty thousand dollars from the trust fund for
23 that institution's pledged professorship. If the pledged two hundred
24 fifty thousand dollars is not received within three years, the
25 (~~board~~) department shall make the designated funds available for
26 another pledged professorship.

27 Once the private donation is received by the institution, the
28 (~~higher education coordinating board~~) department shall ask the state
29 treasurer to release the state matching funds to a local endowment fund
30 established by the institution for the professorship.

31 **Sec. 410.** RCW 28B.76.610 and 2010 1st sp.s. c 37 s 916 are each
32 amended to read as follows:

33 Funds appropriated by the legislature for the graduate fellowship
34 program shall be deposited in the graduate fellowship trust fund. At
35 the request of the (~~higher education coordinating board~~) department
36 under RCW 28B.76.620 (as recodified by this act), the treasurer shall

1 release the state matching funds to the designated institution's local
2 endowment fund. No appropriation is required for expenditures from the
3 fund. During the 2009-2011 fiscal biennium, the legislature may
4 transfer from the graduate fellowship trust fund to the state general
5 fund such amounts as reflect the excess fund balance in the account.

6 **Sec. 411.** RCW 28B.76.615 and 1987 c 147 s 4 are each amended to
7 read as follows:

8 In consultation with eligible institutions of higher education, the
9 (~~higher education coordinating board~~) department shall set guidelines
10 for the program. These guidelines may include an allocation system
11 based on factors which include but are not limited to: The amount of
12 money available in the trust fund; characteristics of the institutions
13 including the size of the faculty and student body; and the number of
14 fellowships previously received.

15 Any allocation system shall be superseded by conditions in any
16 legislative act appropriating funds for the program.

17 **Sec. 412.** RCW 28B.76.620 and 1987 c 147 s 5 are each amended to
18 read as follows:

19 (1) All state four-year institutions of higher education shall be
20 eligible for matching trust funds. Institutions may apply to the
21 (~~higher education coordinating board~~) department for twenty-five
22 thousand dollars from the fund when they can match the state funds with
23 equal pledged or contributed private donations. These donations shall
24 be made specifically to the graduate fellowship program, and shall be
25 donated after July 1, 1987.

26 (2) Upon an application by an institution, the (~~board~~) department
27 may designate twenty-five thousand dollars from the trust fund for that
28 institution's pledged graduate fellowship fund. If the pledged twenty-
29 five thousand dollars is not received within two years, the (~~board~~)
30 department shall make the designated funds available for another
31 pledged graduate fellowship fund.

32 (3) Once the private donation is received by the institution, the
33 (~~higher education coordinating board~~) department shall ask the state
34 treasurer to release the state matching funds to a local endowment fund
35 established by the institution for the graduate fellowships.

1 **Sec. 413.** RCW 28B.76.660 and 2005 c 518 s 917 are each amended to
2 read as follows:

3 (1) Recipients of the Washington scholars award or the Washington
4 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who
5 choose to attend an independent college or university in this state, as
6 defined in subsection (4) of this section, and recipients of the award
7 named after June 30, 1994, who choose to attend a public college or
8 university in the state may receive grants under this section if moneys
9 are available. The (~~higher education coordinating board~~) department
10 shall distribute grants to eligible students under this section from
11 moneys appropriated for this purpose. The individual grants shall not
12 exceed, on a yearly basis, the yearly, full-time, resident,
13 undergraduate tuition and service and activities fees in effect at the
14 state-funded research universities. Grants to recipients attending an
15 independent institution shall be contingent upon the institution
16 matching on at least a dollar-for-dollar basis, either with actual
17 money or by a waiver of fees, the amount of the grant received by the
18 student from the state. The (~~higher education coordinating board~~)
19 department shall establish procedures, by rule, to disburse the awards
20 as direct grants to the students.

21 (2) The (~~higher education coordinating board~~) department shall
22 establish rules that provide for the annual awarding of grants, if
23 moneys are available, to three Washington scholars per legislative
24 district except for fiscal year 2007 when no more than two scholars per
25 district shall be selected; and, if not used by an original recipient,
26 to the Washington scholars-alternate from the same legislative
27 district.

28 Beginning with scholars selected in the year 2000, if the
29 recipients of grants fail to demonstrate in a timely manner that they
30 will enroll in a Washington institution of higher education in the fall
31 term of the academic year following the award of the grant or are
32 deemed by the (~~higher education coordinating board~~) department to
33 have withdrawn from college during the first academic year following
34 the award, then the grant shall be considered relinquished. The
35 (~~higher education coordinating board~~) department may then award any
36 remaining grant amounts to the Washington scholars-alternate from the
37 same legislative district if the grants are awarded within one calendar
38 year of the recipient being named a Washington scholars-alternate.

1 Washington scholars-alternates named as recipients of the grant must
2 also demonstrate in a timely manner that they will enroll in a
3 Washington institution of higher education during the next available
4 term, as determined by the (~~higher education coordinating board~~)
5 department. The (~~board~~) department may accept appeals and grant
6 waivers to the enrollment requirements of this section based on
7 exceptional mitigating circumstances of individual grant recipients.

8 To maintain eligibility for the grants, recipients must maintain a
9 minimum grade point average at the college or university equivalent to
10 3.30. Students shall be eligible to receive a maximum of twelve
11 quarters or eight semesters of grants for undergraduate study and may
12 transfer among in-state public and independent colleges and
13 universities during that period and continue to receive the grant as
14 provided under RCW 28B.76.665 (as recodified by this act). If the
15 student's cumulative grade point average falls below 3.30 during the
16 first three quarters or two semesters, that student may petition the
17 (~~higher education coordinating board~~) department, which shall have
18 the authority to establish a probationary period until such time as the
19 student's grade point average meets required standards.

20 (3) No grant shall be awarded to any student who is pursuing a
21 degree in theology.

22 (4) As used in this section, "independent college or university"
23 means a private, nonprofit educational institution, the main campus of
24 which is permanently situated in the state, open to residents of the
25 state, providing programs of education beyond the high school level
26 leading at least to the baccalaureate degree, and accredited by the
27 northwest association of schools and colleges as of June 9, 1988, and
28 other institutions as may be developed that are approved by the higher
29 education coordinating board as meeting equivalent standards as those
30 institutions accredited under this section.

31 (5) As used in this section, "public college or university" means
32 an institution of higher education as defined in RCW 28B.10.016.

33 **Sec. 414.** RCW 28B.76.670 and 1995 1st sp.s. c 7 s 8 are each
34 amended to read as follows:

35 (1) Recipients of the Washington award for vocational excellence
36 under RCW 28C.04.520 through 28C.04.550, who receive the award after
37 June 30, 1994, may receive a grant, if funds are available. The grant

1 shall be used to attend a postsecondary institution located in the
2 state of Washington. Recipients may attend an institution of higher
3 education as defined in RCW 28B.10.016, or an independent college or
4 university, or a licensed private vocational school. The (~~higher
5 education coordinating board~~) department shall distribute grants to
6 eligible students under this section from moneys appropriated for this
7 purpose. The individual grants shall not exceed, on a yearly basis,
8 the yearly, full-time, resident, undergraduate tuition and service and
9 activities fees in effect at the state-funded research universities.
10 In consultation with the workforce training and education coordinating
11 board, the (~~higher education coordinating board~~) department shall
12 establish procedures, by rule, to disburse the awards as direct grants
13 to the students.

14 (2) To qualify for the grant, recipients shall enter the
15 postsecondary institution within three years of high school graduation
16 and maintain a minimum grade point average at the institution
17 equivalent to 3.00, or, at a technical college, an above average
18 rating. Students shall be eligible to receive a maximum of two years
19 of grants for undergraduate study and may transfer among in-state
20 eligible postsecondary institutions during that period and continue to
21 receive the grant.

22 (3) No grant may be awarded to any student who is pursuing a degree
23 in theology.

24 (4) As used in this section, "independent college or university"
25 means a private, nonprofit educational institution, the main campus of
26 which is permanently situated in the state, open to residents of the
27 state, providing programs of education beyond the high school level
28 leading at least to the baccalaureate degree, and accredited by the
29 Northwest association of schools and colleges as of June 9, 1988, and
30 other institutions as may be developed that are approved by the higher
31 education coordinating board as meeting equivalent standards as those
32 institutions accredited under this section.

33 (5) As used in this section, "licensed private vocational school"
34 means a private postsecondary institution, located in the state,
35 licensed by the workforce training and education coordinating board
36 under chapter 28C.10 RCW, and offering postsecondary education in order
37 to prepare persons for a vocation or profession, as defined in RCW
38 28C.10.020(7).

1 **Sec. 415.** RCW 28B.97.010 and 2009 c 215 s 13 are each amended to
2 read as follows:

3 (1) The Washington higher education loan program is created. The
4 program is created to assist students in need of additional low-cost
5 student loans and related loan benefits.

6 (2) The program shall be administered by the ((board)) department.
7 In administering the program, the ((board)) department must:

8 (a) Periodically assess the needs and target the benefits to
9 selected students;

10 (b) Devise a program to address the following issues related to
11 loans:

12 (i) Issuance of low-interest educational loans;

13 (ii) Determining loan repayment obligations and options;

14 (iii) Borrowing educational loans at low interest rates;

15 (iv) Developing conditional loans that can be forgiven in exchange
16 for service; and

17 (v) Creating an emergency loan fund to help students until other
18 state and federal long-term financing can be secured;

19 (c) Accept public and private contributions;

20 (d) Publicize the program; and

21 (e) Work with public and private colleges and universities, the
22 state board for community and technical colleges, the workforce
23 training and education coordinating board, and with students, to
24 conduct periodic assessment of program needs. The ((board)) department
25 may also consult with other groups and individuals as needed.

26 **Sec. 416.** RCW 28B.97.020 and 2009 c 215 s 14 are each amended to
27 read as follows:

28 The definitions in this section apply throughout this ((chapter))
29 section and RCW 28B.97.010 (as recodified by this act) unless the
30 context clearly requires otherwise.

31 (1) (~~"Board" means the higher education coordinating board.~~

32 ~~(2))~~ "Institution of higher education" means a college or
33 university in the state of Washington that is accredited by an
34 accrediting association recognized as such by rule of the higher
35 education coordinating board.

36 ~~((3))~~ (2) "Program" means the Washington higher education loan
37 program.

1 ((+4)) (3) "Resident student" has the definition in RCW
2 28B.15.012(2) (a) through (d).

3 **Sec. 417.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to
4 read as follows:

5 (1) Participants in the conditional scholarship program incur an
6 obligation to repay the conditional scholarship, with interest, unless
7 they serve in the Washington national guard for one additional year for
8 each year of conditional scholarship received, under rules adopted by
9 the office.

10 (2) The entire principal and interest of each yearly repayment
11 shall be forgiven for each additional year in which a participant
12 serves in the Washington national guard, under rules adopted by the
13 office.

14 (3) If a participant elects to repay the conditional scholarship,
15 the period of repayment shall be four years, with payments accruing
16 quarterly commencing nine months from the date that the participant
17 leaves the Washington national guard or withdraws from the institution
18 of higher education, whichever comes first. The interest rate on the
19 repayments shall be eight percent per year. Provisions for deferral
20 and forgiveness shall be determined by the office.

21 (4) The office is responsible for collection of repayments made
22 under this section. The office shall exercise due diligence in such
23 collection, maintaining all necessary records to ensure that maximum
24 repayments are made. Collection and servicing of repayments under this
25 section shall be pursued using the full extent of law, including wage
26 garnishment if necessary. The office is responsible to forgive all or
27 parts of such repayments under the criteria established in this
28 section, and shall maintain all necessary records of forgiven payments.
29 The office may contract with the (~~higher education coordinating~~
30 ~~board~~) department for collection of repayments under this section.

31 (5) Receipts from the payment of principal or interest paid by or
32 on behalf of participants shall be deposited with the office and shall
33 be used to cover the costs of granting the conditional scholarships,
34 maintaining necessary records, and making collections under subsection
35 (4) of this section. The office shall maintain accurate records of
36 these costs, and all receipts beyond those necessary to pay such costs
37 shall be used to grant conditional scholarships to eligible students.

1 **Sec. 418.** RCW 28A.600.120 and 1985 c 370 s 32 are each amended to
2 read as follows:

3 The (~~higher education coordinating board~~) department of education
4 shall have the responsibility for administration of the Washington
5 scholars program. The program will be developed cooperatively with the
6 Washington association of secondary school principals, a voluntary
7 professional association of secondary school principals. The
8 cooperation of other state agencies and private organizations having
9 interest and responsibility in public and private education shall be
10 sought for planning assistance.

11 **Sec. 419.** RCW 28A.600.130 and 2006 c 263 s 916 are each amended to
12 read as follows:

13 The (~~higher education coordinating board~~) department of education
14 shall establish a planning committee to develop criteria for screening
15 and selection of the Washington scholars each year in accordance with
16 RCW 28A.600.110(1). It is the intent that these criteria shall
17 emphasize scholastic achievement but not exclude such criteria as
18 leadership ability and community contribution in final selection
19 procedures. The Washington scholars planning committee shall have
20 members from selected state agencies and private organizations having
21 an interest and responsibility in education, including but not limited
22 to, the office of superintendent of public instruction, the council of
23 presidents, the state board for community and technical colleges, and
24 the Washington friends of higher education.

25 **Sec. 420.** RCW 28A.600.140 and 1990 c 33 s 501 are each amended to
26 read as follows:

27 Each year on or before March 1st, the Washington association of
28 secondary school principals shall submit to the (~~higher education~~
29 ~~coordinating board~~) department of education the names of graduating
30 senior high school students who have been identified and recommended to
31 be outstanding in academic achievement by their school principals based
32 on criteria to be established under RCW 28A.600.130.

33 **Sec. 421.** RCW 28A.600.150 and 2005 c 518 s 916 are each amended to
34 read as follows:

35 Each year, three Washington scholars and one Washington scholars-

1 alternate shall be selected from the students nominated under RCW
2 28A.600.140, except that during fiscal year 2007, no more than two
3 scholars plus one alternate may be selected. The (~~higher education~~
4 ~~coordinating board~~) department of education shall notify the students
5 so designated, their high school principals, the legislators of their
6 respective districts, and the governor when final selections have been
7 made.

8 The (~~board~~) department of education, in conjunction with the
9 governor's office, shall prepare appropriate certificates to be
10 presented to the Washington scholars and the Washington scholars-
11 alternates. An awards ceremony at an appropriate time and place shall
12 be planned by the (~~board~~) department of education in cooperation with
13 the Washington association of secondary school principals, and with the
14 approval of the governor.

15 **Sec. 422.** RCW 28B.76.030 and 2004 c 275 s 1 are each amended to
16 read as follows:

17 The purpose of the board is to:

18 (1) Develop a statewide strategic master plan for higher education
19 and continually monitor state and institution progress in meeting the
20 vision, goals, priorities, and strategies articulated in the plan;

21 (2) Based on objective data analysis, develop and recommend
22 statewide policies to enhance the availability, quality, efficiency,
23 and accountability of public higher education in Washington state;

24 (3) Administer (~~state and federal financial aid and other~~)
25 education services programs other than state and federal financial aid
26 in a cost-effective manner;

27 (4) Serve as an advocate on behalf of students and the overall
28 system of higher education to the governor, the legislature, and the
29 public;

30 (5) Represent the broad public interest above the interests of the
31 individual colleges and universities; and

32 (6) Coordinate with the governing boards of the two and four-year
33 institutions of higher education, the state board for community and
34 technical colleges, the workforce training and education coordinating
35 board, and the superintendent of public instruction to create a
36 seamless system of public education for the citizens of Washington
37 state geared toward student success.

1 **Sec. 423.** RCW 28B.76.540 and 2004 c 275 s 18 are each amended to
2 read as follows:

3 In addition to administrative responsibilities assigned in this
4 chapter, the board shall administer the programs set forth in the
5 following statutes: RCW 28A.600.100 through 28A.600.150 (Washington
6 scholars); chapter 28B.85 RCW (degree-granting institutions); (~~chapter~~
7 ~~28B.92 RCW (state need grant); chapter 28B.12 RCW (work study);~~) RCW
8 28B.15.543 (tuition waivers for Washington scholars); (~~(RCW 28B.15.760~~
9 ~~through 28B.15.766 (math and science loans);~~) RCW 28B.15.100
10 (reciprocity agreement); RCW 28B.15.730 through 28B.15.736 (Oregon
11 reciprocity); RCW 28B.15.750 through 28B.15.754 (Idaho reciprocity);
12 RCW 28B.15.756 and 28B.15.758 (British Columbia reciprocity); (~~chapter~~
13 ~~28B.101 RCW (educational opportunity grant); chapter 28B.102 RCW~~
14 ~~(future teachers conditional scholarship); chapter 28B.108 RCW~~
15 ~~(American Indian endowed scholarship); chapter 28B.109 RCW (Washington~~
16 ~~international exchange scholarship); chapter 28B.115 RCW (health~~
17 ~~professional conditional scholarship); chapter 28B.119 RCW (Washington~~
18 ~~promise scholarship);~~) and chapter 28B.133 RCW (gaining independence
19 for students with dependents).

20 **Sec. 424.** RCW 28B.76.645 and 2004 c 275 s 23 are each amended to
21 read as follows:

22 In the development of any such plans as called for within RCW
23 28B.76.640, the (~~board~~) department of education shall use at least
24 the following criteria:

25 (1) Students who are eligible to attend compact-authorized programs
26 in other states shall meet the Washington residency requirements of
27 chapter 28B.15 RCW prior to being awarded tuition assistance.

28 (2) For recipients named after January 1, 1995, the tuition
29 assistance shall be in the form of loans that may be completely
30 forgiven in exchange for the student's service within the state of
31 Washington after graduation. The requirements for such service and
32 provisions for loan forgiveness shall be determined in rules adopted by
33 the (~~board~~) department of education.

34 (3) If appropriations are insufficient to fund all students
35 qualifying under subsection (1) of this section, then the plans shall
36 include criteria for student selection that would be in the best

1 interest in meeting the state's educational needs, as well as
2 recognizing the financial needs of students.

3 (4) Receipts from the payment of principal or interest or any other
4 subsidies to which the ((board)) department of education as
5 administrator is entitled, that are paid by or on behalf of
6 participants under this section, shall be deposited with the ((board))
7 department and placed in an account created in this section and shall
8 be used to cover the costs of granting the scholarships, maintaining
9 necessary records, and making collections. The ((board)) department
10 shall maintain accurate records of these costs, and all receipts beyond
11 those necessary to pay such costs shall be used to grant conditional
12 loans to eligible students.

13 (5) The Washington interstate commission on higher education
14 professional student exchange program trust fund is created in the
15 custody of the state treasurer. All receipts from loan repayment shall
16 be deposited into the fund. Only the ((higher education coordinating
17 board)) department of education, or its designee, may authorize
18 expenditures from the fund. No appropriation is required for
19 expenditures from this fund.

20 NEW SECTION. Sec. 425. A new section is added to chapter 28B.12
21 RCW to read as follows:

22 As used in this chapter, "higher education coordinating board" or
23 "board" means the department of education.

24 NEW SECTION. Sec. 426. A new section is added to chapter 28B.92
25 RCW to read as follows:

26 As used in this chapter, "higher education coordinating board" or
27 "board" means the department of education.

28 NEW SECTION. Sec. 427. A new section is added to chapter 28B.101
29 RCW to read as follows:

30 As used in this chapter, "higher education coordinating board" or
31 "board" means the department of education.

32 NEW SECTION. Sec. 428. A new section is added to chapter 28B.102
33 RCW to read as follows:

1 As used in this chapter, "higher education coordinating board" or
2 "board" means the department of education.

3 NEW SECTION. **Sec. 429.** A new section is added to chapter 28B.105
4 RCW to read as follows:

5 As used in this chapter, "higher education coordinating board" or
6 "board" means the department of education.

7 NEW SECTION. **Sec. 430.** A new section is added to chapter 28B.106
8 RCW to read as follows:

9 As used in this chapter, "higher education coordinating board" or
10 "board" means the department of education.

11 NEW SECTION. **Sec. 431.** A new section is added to chapter 28B.108
12 RCW to read as follows:

13 As used in this chapter, "higher education coordinating board" or
14 "board" means the department of education.

15 NEW SECTION. **Sec. 432.** A new section is added to chapter 28B.109
16 RCW to read as follows:

17 As used in this chapter, "higher education coordinating board" or
18 "board" means the department of education.

19 NEW SECTION. **Sec. 433.** A new section is added to chapter 28B.115
20 RCW to read as follows:

21 As used in this chapter, "higher education coordinating board" or
22 "board" means the department of education.

23 NEW SECTION. **Sec. 434.** A new section is added to chapter 28B.116
24 RCW to read as follows:

25 As used in this chapter, "higher education coordinating board" or
26 "board" means the department of education.

27 NEW SECTION. **Sec. 435.** A new section is added to chapter 28B.117
28 RCW to read as follows:

29 As used in this chapter, "higher education coordinating board" or
30 "board" means the department of education.

1 financial management. The education data center shall jointly, with
2 the legislative evaluation and accountability program committee,
3 conduct collaborative analyses of early learning, K-12, and higher
4 education programs and education issues across the P-20 system, which
5 includes the department of (~~early learning~~) education, the
6 superintendent of public instruction, the professional educator
7 standards board, (~~the state board of education,~~) the state board for
8 community and technical colleges, the workforce training and education
9 coordinating board, the higher education coordinating board, public and
10 private nonprofit four-year institutions of higher education, and for
11 the purposes of this section shall also include the employment security
12 department. The education data center shall conduct collaborative
13 analyses under this section with the legislative evaluation and
14 accountability program committee and provide data electronically to the
15 legislative evaluation and accountability program committee, to the
16 extent permitted by state and federal confidentiality requirements.
17 The education data center shall be considered an authorized
18 representative of the state educational agencies in this section under
19 applicable federal and state statutes for purposes of accessing and
20 compiling student record data for research purposes.

21 (2) The education data center shall:

22 (a) In consultation with the legislative evaluation and
23 accountability program committee and the agencies and organizations
24 participating in the education data center, identify the critical
25 research and policy questions that are intended to be addressed by the
26 education data center and the data needed to address the questions;

27 (b) Coordinate with other state education agencies to compile and
28 analyze education data, including data on student demographics that is
29 disaggregated by distinct ethnic categories within racial subgroups,
30 and complete P-20 research projects;

31 (c) Collaborate with the legislative evaluation and accountability
32 program committee and the education and fiscal committees of the
33 legislature in identifying the data to be compiled and analyzed to
34 ensure that legislative interests are served;

35 (d) Annually provide to the K-12 data governance group a list of
36 data elements and data quality improvements that are necessary to
37 answer the research and policy questions identified by the education
38 data center and have been identified by the legislative committees in

1 (c) of this subsection. Within three months of receiving the list, the
2 K-12 data governance group shall develop and transmit to the education
3 data center a feasibility analysis of obtaining or improving the data,
4 including the steps required, estimated time frame, and the financial
5 and other resources that would be required. Based on the analysis, the
6 education data center shall submit, if necessary, a recommendation to
7 the legislature regarding any statutory changes or resources that would
8 be needed to collect or improve the data;

9 (e) Monitor and evaluate the education data collection systems of
10 the organizations and agencies represented in the education data center
11 ensuring that data systems are flexible, able to adapt to evolving
12 needs for information, and to the extent feasible and necessary,
13 include data that are needed to conduct the analyses and provide
14 answers to the research and policy questions identified in (a) of this
15 subsection;

16 (f) Track enrollment and outcomes through the public centralized
17 higher education enrollment system;

18 (g) Assist other state educational agencies' collaborative efforts
19 to develop a long-range enrollment plan for higher education including
20 estimates to meet demographic and workforce needs;

21 (h) Provide research that focuses on student transitions within and
22 among the early learning, K-12, and higher education sectors in the P-
23 20 system; and

24 (i) Make recommendations to the legislature as necessary to help
25 ensure the goals and objectives of this section and RCW 28A.655.210 and
26 28A.300.507 are met.

27 (3) The department of (~~early learning,~~) education, superintendent
28 of public instruction, professional educator standards board, (~~state~~
29 ~~board of education,~~) state board for community and technical colleges,
30 workforce training and education coordinating board, higher education
31 coordinating board, public four-year institutions of higher education,
32 and employment security department shall work with the education data
33 center to develop data-sharing and research agreements, consistent with
34 applicable security and confidentiality requirements, to facilitate the
35 work of the center. Private, nonprofit institutions of higher
36 education that provide programs of education beyond the high school
37 level leading at least to the baccalaureate degree and are accredited
38 by the Northwest association of schools and colleges or their peer

1 accreditation bodies may also develop data-sharing and research
2 agreements with the education data center, consistent with applicable
3 security and confidentiality requirements. The education data center
4 shall make data from collaborative analyses available to the education
5 agencies and institutions that contribute data to the education data
6 center to the extent allowed by federal and state security and
7 confidentiality requirements applicable to the data of each
8 contributing agency or institution.

9 **PART 6**

10 **MISCELLANEOUS PROVISIONS**

11 NEW SECTION. **Sec. 601.** The code reviser shall prepare legislation
12 for the 2012 session to correct obsolete references resulting from the
13 enactment of this bill.

14 NEW SECTION. **Sec. 602.** Sections 101 through 110 and 115 of this
15 act constitute a new chapter in Title 28A RCW.

16 NEW SECTION. **Sec. 603.** Sections 101 through 109, 111 through 117,
17 201 through 205, 301 through 349, 351, 401 through 441, and 501 of this
18 act take effect July 1, 2012."

ESHB 1849 - S COMM AMD

By Committee on Early Learning & K-12 Education

19 On page 1, line 1 of the title, after "to" strike the remainder of
20 the title and insert "education governance by establishing transition
21 teams and the Washington state education council, and transferring
22 functions to the department of education; amending RCW 43.17.010,
23 43.17.020, 42.17A.705, 43.215.005, 43.215.147, 28A.175.075,
24 28A.290.020, 28A.300.020, 28A.300.030, 28A.300.035, 28A.300.040,
25 28A.300.041, 28A.300.042, 28A.300.1361, 28A.300.160, 28A.300.250,
26 28A.300.500, 28A.300.505, 28A.305.130, 28A.310.010, 28A.310.200,

1 28A.310.210, 28A.310.270, 28A.310.280, 28A.310.340, 28A.310.400,
2 28A.315.005, 28A.315.115, 28A.315.185, 28A.400.201, 28A.410.010,
3 28A.410.090, 28A.410.200, 28A.410.210, 28A.410.220, 28A.655.115,
4 28A.657.005, 28A.657.070, 28A.657.110, 72.40.010, 72.40.015, 72.40.019,
5 72.40.0191, 72.40.020, 72.40.024, 72.41.010, 72.41.020, 72.41.040,
6 72.42.010, 72.42.021, 72.42.041, 28B.76.300, 28B.76.320, 28B.76.500,
7 28B.76.505, 28B.76.525, 28B.76.560, 28B.76.565, 28B.76.570, 28B.76.575,
8 28B.76.610, 28B.76.615, 28B.76.620, 28B.76.660, 28B.76.670, 28B.97.010,
9 28B.97.020, 28B.103.030, 28A.600.120, 28A.600.130, 28A.600.140,
10 28A.600.150, 28B.76.030, 28B.76.540, 28B.76.645, and 43.41.400;
11 reenacting and amending RCW 43.215.010, 43.215.020, 28A.230.090, and
12 28A.290.010; adding a new section to chapter 41.06 RCW; adding a new
13 section to chapter 41.80 RCW; adding a new section to chapter 28B.12
14 RCW; adding a new section to chapter 28B.92 RCW; adding a new section
15 to chapter 28B.101 RCW; adding a new section to chapter 28B.102 RCW;
16 adding a new section to chapter 28B.105 RCW; adding a new section to
17 chapter 28B.106 RCW; adding a new section to chapter 28B.108 RCW;
18 adding a new section to chapter 28B.109 RCW; adding a new section to
19 chapter 28B.115 RCW; adding a new section to chapter 28B.116 RCW;
20 adding a new section to chapter 28B.117 RCW; adding a new section to
21 chapter 28B.118 RCW; adding a new section to chapter 28B.119 RCW;
22 adding a new section to chapter 28B.120 RCW; adding a new section to
23 chapter 28B.121 RCW; adding a new chapter to Title 28A RCW; creating
24 new sections; recodifying RCW 28A.230.090, 28A.290.020, 28A.300.1361,
25 28A.300.160, 28B.76.300, 28B.76.320, 28B.76.500, 28B.76.525,
26 28B.76.526, 28B.76.550, 28B.76.555, 28B.76.560, 28B.76.565, 28B.76.570,
27 28B.76.575, 28B.76.580, 28B.76.585, 28B.76.600, 28B.76.605, 28B.76.610,
28 28B.76.615, 28B.76.620, 28B.76.625, 28B.76.630, 28B.76.660, 28B.76.665,
29 28B.76.670, 28B.97.010, 28B.97.020, 28B.103.010, 28B.103.020, and
30 28B.103.030; repealing RCW 43.215.030, 43.215.040, 43.215.090,
31 43.215.125, 43.215.440, 43.215.445, 41.06.097, 28A.300.050,
32 28A.300.136, 28A.300.137, 28A.305.011, 28A.305.021, 28A.305.035,
33 28A.305.902, 28A.310.480, 28A.410.260, 43.06B.010, 43.06B.020,
34 43.06B.030, 43.06B.040, 43.06B.050, 43.06B.060, 28A.345.010,
35 28A.345.020, 28A.345.030, 28A.345.040, 28A.345.050, 28A.345.060,
36 28A.345.070, 28A.345.902, and 28B.76.590; and providing effective
37 dates."

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