

**WAC 392-~~501-707-503-100~~—Authority.** The authority for these rules is RCW 28A.657.020, 28A.657.030, and 28A.657.100, which require the superintendent of public instruction to annually:

(1) Identify challenged schools in need of improvement and a subset of such schools that are the persistently lowest-achieving schools in the state;

(2) Recommend school districts for designation as required action districts to the state board of education; and

(3) Make recommendations to the state board of education regarding the release of school districts from being designated as a required action district.

[Statutory Authority: RCW 28A.657.020. WSR 14-06-011, § 392-501-707, filed 2/20/14, effective 3/23/14. Statutory Authority: RCW 28A.657.020, 28A.657.030, and 28A.657.100. WSR 10-24-057, § 392-501-707, filed 11/29/10, effective 12/1/10.]

**WAC 392-~~501-710-503-110~~ Purpose.** The purpose of this chapter is to:

(1) Adopt criteria, aligned with Washington's federally authorized accountability system, for identifying challenged

schools in need of improvement and a subset of such schools that are the persistently lowest-achieving schools in the state;

(2) Establish criteria for recommending to the state board of education school districts for required action; and

(3) Establish exit criteria for districts that receive a required action designation.

[Statutory Authority: RCW 28A.657.020. WSR 14-06-011, § 392-501-710, filed 2/20/14, effective 3/23/14. Statutory Authority: RCW 28A.657.020, 28A.657.030, and 28A.657.100. WSR 10-24-057, § 392-501-710, filed 11/29/10, effective 12/1/10.]

**WAC ~~392-501-715-503-120~~ Definitions.** For the purposes of this chapter, the following definitions apply:

(1) "Challenged schools in need of improvement" are ~~the lowest-achieving schools within the state. Challenged schools in need of improvement include priority schools and focus schools~~ schools which have been identified for comprehensive supports through Washington's federally authorized accountability system.

(2) "Federally approved accountability plan" refers to the state plan submitted to and approved by the federal Department of Education under the Elementary and Secondary Education Act of 1965, as amended.

(3) "Persistently lowest achieving schools" are a subset of "challenged schools in need of improvement" and are characterized, among other things, as schools showing a lack of progress for all students and subgroups of students over a number of years.

(4) "Required action district" is a district with one or more schools identified as a persistently lowest achieving school, which is recommended by the superintendent of public instruction as a required action district and subsequently designated by the state board of education as a required action district.

~~(2) "Schools" are the public schools of the state, including schools that are eligible to use Title I funds for school wide programs, schools that participate in Title I by using Title I funds for school wide programs, schools that are not eligible to use Title I funds, and charter schools.~~

~~(3) "Title I" is Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended.~~

~~(4) "Washington achievement index" is a system developed by the state board of education pursuant to RCW 28A.657.110 to~~

~~identify schools and school districts for recognition, continuous improvement, and for additional state support. The Washington achievement index includes an "all students group" category, a "targeted subgroups" category and student subgroup categories including American Indian, Asian, Black/African American, Hispanic, Pacific Islander, White, two or more races, low income, students with disabilities, English language learners.~~

(5) "Washington school improvement framework" or "WSIF" means the system of school differentiation described in the Washington accountability plan approved by the U.S. Department of Education as meeting federal requirements.

[Statutory Authority: RCW 28A.657.020. WSR 14-06-011, § 392-501-715, filed 2/20/14, effective 3/23/14.]

**PERSISTENTLY LOWEST-ACHIEVING SCHOOLS**

**WAC ~~392-501-720-503-130~~—Process and criteria for identifying ~~challenged schools in need of improvement~~persistently lowest achieving schools. ~~By In~~**  
February ~~1st~~ of every year, the superintendent of public

instruction will identify challenged schools in need of improvement ~~using the following criteria:~~.

(1) Challenged schools in need of improvement shall be the same schools identified for comprehensive supports through the WSIF.

(2) A subset of these schools shall be identified as persistently lowest achieving schools. Schools identified as persistently lowest achieving schools will meet the following criteria:

(a) the school is a challenged school in need of improvement;

(b) the school is in the lowest decile for combined student growth as defined in the WSIF;

(c) the school is in the lowest decile for combined student proficiency as defined in the WSIF; and

(d) the school is located in a district that serves a significantly higher proportion than the state average of students in the student groups targeted by the superintendent of public instruction for the highest rates of annual improvement

in English language arts and math proficiency, as described in the federally accepted Washington accountability plan.

(3) The superintendent of public instruction will prioritize persistently lowest achieving schools as follows:

(i) identifying the the percentage of schools identified for improvement through the WSIF within each persistently lowest achieving school's district;

(ii) ordering the list from the largest to the smallest percentage.

~~(1) Priority schools are the persistently lowest-achieving schools in the state. Priority schools are:~~

~~(a) Schools in the priority-lowest five percent tier of the Washington achievement index for the all students group in reading, writing, science, mathematics and beginning in the 2014-2015 school year, English language arts, combined for the past three consecutive years based on the composite index score;~~  
~~or~~

~~(b) High schools that grant diplomas with a five-year adjusted cohort graduation rate that is less than sixty percent based on the past three consecutive years.~~

~~(2) Focus schools are:~~

~~(a) Schools that are in the underperforming tier of the Washington achievement index in one or more student subgroup categories in reading, writing, science, mathematics and beginning in the 2014-2015 school year, English language arts, combined for the past three consecutive years based on the composite index score; or~~

~~(b) High schools that grant diplomas with a five year adjusted cohort graduation rate that is less than sixty percent among one or more of student subgroup categories for the past three consecutive years.~~

[Statutory Authority: RCW 28A.657.020. WSR 14-06-011, § 392-501-720, filed 2/20/14, effective 3/23/14. Statutory Authority: RCW 28A.657.020, 28A.657.030, and 28A.657.100. WSR 10-24-057, § 392-501-720, filed 11/29/10, effective 12/1/10.]

#### **REQUIRED ACTION SCHOOL DISTRICTS**

**WAC 392-~~501-730~~-503-140 Process and criteria for recommending to the state board of education school districts for required action. ~~By January 15, 2011, and annually thereafter, the~~**

(1) The superintendent of public instruction shall  
recommend to the state board of education school districts for  
designation as required action districts.

(2) The recommendations for designation of required action  
districts shall occur each year in March, or at a time mutually  
agreeable to the state board of education and the superintendent  
of public instruction.

(3) Only districts with one or more schools identified as a  
persistently lowest achieving school may be recommended as a  
required action district.

(4) The number of districts recommended for designation as  
a required action district will be based on:

(a) prioritization, as described in WAC 392-503-130; and

(b) availability of federal and state funds to meet the  
identified needs of the recommended districts.

~~(1) The criteria for recommending designation shall be as~~  
~~follows:~~

~~(a) The school district has one or more schools on the~~  
~~persistently lowest achieving list;~~



~~(b) For recommendations in January 2011 only, the school district did not apply for a school improvement grant in the 2009-10 school year application period;~~

~~(c) Student achievement in the school or schools on the persistently lowest achieving list within the school district has improved at a rate less than the state average in reading and mathematics in the most recent past three years for which data are available as measured by state assessment scores;~~

~~(d) Schools on the persistently lowest achieving school list within school districts that are identified in (a) through (c) of this subsection shall be ranked in priority order based on:~~

~~(i) The lowest levels of achievement in the all students group in reading and mathematics combined for the past three consecutive years; and~~

~~(ii) The schools with the lowest rate of improvement in reading and mathematics combined for the past three years.~~

~~(e) Using the priority ranking in (d) of this subsection, the superintendent shall recommend school districts that have a school or schools that have the lowest levels of achievement and~~

~~lowest rates of improvement. The number of school districts that shall be recommended shall be based on the availability of federal funds and the amount of funding needed for each identified school. For the 2011 recommendations, no more than half of the federal fund appropriation for school improvement grants shall be utilized for required action districts. All other federal funds will be allocated consistent with the federal school improvement guidelines competitive process.~~

~~(2) Notwithstanding subsection (1) of this section, school districts that applied for and received a school improvement grant in the 2009-10 school year application period shall not be eligible for being designated as a required action district until recommendations are made to the state board of education in January 2014, unless the school district does not implement a federal intervention model at each school that received a grant.~~

[Statutory Authority: RCW 28A.657.020, 28A.657.030, and 28A.657.100. WSR 10-24-057, § 392-501-730, filed 11/29/10, effective 12/1/10.]

**EXIT CRITERIA**

**WAC 392-501-740-503-150 Exit criteria for required action designation - district option to extend.**

(1) General. The superintendent of public instruction shall recommend to the state board of education that a school district be released from ~~being designated~~ designation as a required action district after the district implements a required action plan for a period of three years if -the district no longer has a school on the persistently lowest achieving list.

(2) Request for accelerated release. (a) A school district may request that the superintendent of public instruction recommend an accelerated release from required action status if the district has met the following criteria:

(i) the district must be designated as a required action district for two years;

(ii) the district must operate no school that has been prioritized as a persistently lowest achieving school under WAC 392-503-130.

(B) The request must be made in writing and provided to the superintendent of public instruction by February of the second

year after the district's designation as a required action district.

(3) Request to extend required action district designation.

(a) A school district meeting the requirements for release from required action designation may request that the superintendent of public instruction allow the district to continue under required action designation for another three year cycle.

(b) The request must be made in writing and provided to the superintendent of public instruction by February of the third year after designation as a required action district.

~~(1) The district no longer has a school on the persistently lowest-achieving list; and~~

~~(2) The school or schools that were on the persistently lowest-achieving list have a positive improvement trend in reading and mathematics on state assessments in the "all students" category based on the most recent three-year average.~~

[Statutory Authority: RCW 28A.657.020, 28A.657.030, and 28A.657.100. WSR 10-24-057, § 392-501-740, filed 11/29/10, effective 12/1/10.]