

HOUSE BILL REPORT

HB 2761

As Reported by House Committee On:
Education

Title: An act relating to transforming state and local educational systems to meet adequate yearly progress.

Brief Description: Reestablishing the Washington commission on student learning.

Sponsors: Representatives McCoy, Santos, Quall, Pettigrew, McDermott, Simpson, D., O'Brien, Lovick, Kenney, Haigh, Chase and Veloria.

Brief History:

Committee Activity:

Education: 1/26/04, 2/5/04 [DPS].

Brief Summary of Substitute Bill

- Directs the Superintendent of Public Instruction to convene a work group to study and make recommendations on a variety of issues related to students from demographic groups that have much lower educational achievement than students as a whole.
- Requires the Superintendent of Public Instruction to consult people concerned with the educational achievement of students in groups that have historically underachieved educationally when the state's learning requirements and assessments are reviewed.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Quall, Chair; McDermott, Vice Chair; Haigh, Hunter, Rockefeller and Santos.

Minority Report: Do not pass. Signed by 5 members: Representatives Talcott, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Anderson, Cox and McMahan.

Staff: Susan Morrissey (786-7111).

Background:

Under the federal "No Child Left Behind Act of 2001", the students in each school and school district that receive federal funding under Title I must reach state standards in reading

and mathematics within twelve years. The schools and districts must keep track of student progress toward those goals through the results students achieve on the fourth, seventh, and tenth grade Washington Assessment of Student Learning (WASL) in reading and mathematics. By the 2005-06 school year, those assessments will be expanded to include students in the third, fifth, sixth, and eighth grades as well. In 2007-08, science is added to the list for students in three grades.

Schools and school districts must keep track of adequate yearly progress (AYP) toward the goal. In addition to measuring the progress of students as a whole, the schools and districts must measure and report on the progress of students in various demographic subgroups. The subgroups include students who fall into categories labeled black, white, Asian, American Indian, Hispanic, low-income, special education, and limited English proficient. The federal law includes a graduated series of school improvement and corrective action steps that districts and the state may take in Title I schools and districts if students in any subgroup are not making enough progress toward the goals over a number of years.

During the 2002-03 school year, the state's students as a whole made AYP toward the goal of getting all students to state standards in reading and mathematics. That progress can be attributed primarily to the progress of students in the demographic subgroups labeled white and Asian under the federal law.

At the fourth grade level, American Indian, black, and low-income students made AYP in mathematics but not in reading. At the fourth grade level, students in the low-income, limited English proficient, and special education categories did not make AYP in either subject.

At the seventh and tenth grade levels, students in the following subgroups did not make AYP in either reading or mathematics: American Indian, black, Hispanic, special education, limited English proficient, and low-income. Students in the Asian and white subgroups did make AYP. However, the gap between the scores of students in these subgroups and students in other subgroups is growing.

Summary of Substitute Bill:

The Superintendent of Public Instruction (SPI) will convene a work group to:

- (1) Review, evaluate and recommend refinements to the Essential Academic Learning Requirements (EALRs) and grade level expectations for the four statutory student learning goals;
- (2) Recommend whether a new learning goal should be adopted on understanding the value of different cultures and heritages;
- (3) Advise the SPI on assessments that are valid and reliable for people with diverse learning styles based on gender, disability, race, and ethnicity;
- (4) Recommend the minimum number of students that should be included in a subgroup for state reporting purposes;
- (5) Recommend a set of effective strategies and best practices that districts may use to eliminate the achievement gap and make the information available through SPI's website;

- (6) Recommend ways teacher preparation programs and professional development opportunities can help new and experienced teachers work with children with different learning styles based on the children's heritage, gender, or disability; and
- (7) Recommend ways to recruit and retain teachers from racial and ethnic minorities.

The work group will report on its work to the Governor, the Legislative Education Committees, the Multi-Ethnic Think Tank and various state agencies by October 5, 2006.

The work group will include teachers and parents of children in the No Child Left Behind (NCLB) subgroups. The composition of the work group will proportionately reflect the makeup of the groups that comprise the achievement gap. During its deliberations, the work group will consult with organizations concerned with the educational achievement of children in the subgroups and other organizations that are listed.

The SPI will report the assessment results for percentages of all children and percentages of children in each of the NCLB subgroups.

The SPI will consult persons including those concerned with the educational achievement of children in the NCLB subgroups when the learning requirements and assessments are revised.

Substitute Bill Compared to Original Bill:

The intent section remains unchanged, but all other sections are changed. The Commission will not be reconstituted, the learning goals are not changed, and the Professional Educator Standards Board is not required to change all teacher preparation programs and new teacher assessments. The SPI will convene a work group to study and recommend ways to eliminate the achievement gap and a list of other issues related to the education of students in NCLB subgroups and the recruitment and retention of teachers of color. The SPI will consult with people concerned with the education of students in the subgroups when the learning requirements and assessments are reviewed. Data for students in the subgroups will be reported separately, as required by the NCLB.

Appropriation: None.

Fiscal Note: Requested on January 26, 2004.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (Original bill) Teaching about various cultures is important so people can better understand one another. Student responses on assessments may be deemed "incorrect" when those grading the assessments don't have an understanding of the student's culture. This proposal is an element of the missing pieces of what is available for minority children in Washington. We know who these students are. They are the ones who have been left behind. We need to be sure that when the Certificate of Mastery is necessary for graduation in 2008, these same students are not left behind.

If minority children are not properly educated they will be left behind. If education is to be the great equalizer, then instruction and testing must be responsive to various cultures. Statistics show that Adequate Yearly Progress (AYP) failure is most notable among minority groups. This is not just about AYP; it's about children.

Students transmit knowledge in different ways. Those who are limited to demonstrating their knowledge only in writing may fail, but would perform better if allowed to demonstrate skills and knowledge by oral means or through actions. For these reasons, the SPI should be continuously revising the EALRs and the assessments should not be biased against different groups. Alternative assessments should allow for cultural sensitivity to different learning styles.

(Concerns) There are concerns that the Unity Project is included in the bill, because the Unity Project is an attempt by the SPI to implement religion in our public schools.

Testimony Against: None.

Persons Testifying: (In support) Representative McCoy, prime sponsor; Thelma Jackson, African-American Think Tank; Alton McDonald, National Action Network; Martina Whelshula, Multi-Ethnic Think Tank; Ann Randall, Washington Education Association; and Larry Davis, State Board of Education.

(Concerns) Andrew Griffin, Office of the Superintendent of Public Instruction; and Nancy Vernon, citizen.

Persons Signed In To Testify But Not Testifying: None.