

HOUSE BILL REPORT

HB 1067

As Reported by House Committee On: Education

Title: An act relating to the powers, duties, and membership of the state board of education and the Washington professional educator standards board and the elimination of the academic achievement and accountability commission.

Brief Description: Revising the powers, duties, and membership of the state board of education and the Washington professional educator standards board and eliminating the academic achievement and accountability commission.

Sponsors: Representatives McDermott, Quall and P. Sullivan; by request of Governor Locke.

Brief History:

Committee Activity:

Education: 2/2/05, 3/2/05 [DPS].

Brief Summary of Substitute Bill

- Reconstituting membership of the State Board of Education and permitting the Governor to appoint nine of the board members.
- Moving educator and administrator certification and preparation from the State Board of Education and the Office of the Superintendent of Public Instruction to the Professional Educator Standards Board.
- Abolishing the Academic Achievement and Accountability Commission on June 30, 2006.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Quall, Chair; P. Sullivan, Vice Chair; Talcott, Ranking Minority Member; Curtis, Haigh, McDermott, Santos, Shabro and Tom.

Minority Report: Do not pass. Signed by 2 members: Representatives Anderson, Assistant Ranking Minority Member; and Hunter.

Staff: Susan Morrissey (786-7111).

Background:

State Board of Education

The State Board of Education (SBE) is composed of one member of each Congressional district elected by local school boards of directors, the Superintendent of Public Instruction (SPI), and one at-large member elected by school boards of directors of all private schools in the state. Each member, except the SPI, serves for four years. The SPI is the Chief Executive Officer and is an ex officio, non-voting member, except in instances of a tie vote. The SBE is responsible for, among other policy areas, the preparation and certification of teachers, administrators, and educational staff associates; the funding distribution for state matching funds for school construction; the establishment of state minimum high school graduation requirements; school accreditation; private school approval; school district boundaries; and monitoring school district compliance with the Basic Education Act.

Professional Educator Standards Board

The Professional Educator Standards Board (PESB), which was created in 2000, is composed of the SPI and 20 members appointed by the Governor. It includes four public school teachers, one private school teacher, three individuals who represent higher education educator preparation programs, four school administrators, two educational staff associates, one public school instructional paraprofessional, one parent, and one citizen. The SPI is an ex officio, non-voting member. The PESB serves as the sole advisory body to the SBE on issues related but limited to the recruitment, hiring, preparation and certification of teachers, administrators, and educational staff associates. The PESB is responsible for overseeing alternative routes to certification and teacher basic skills and subject matter assessments.

Academic Achievement and Accountability Commission

The Academic Achievement and Accountability Commission (A+ Commission), which was created in 1999, is composed of the SPI and eight members appointed by the Governor. Four of the members are appointed from lists recommended by each major caucus of the Senate and the House of Representatives. The chair of the commission is appointed by the Governor from among the commission members. The A+ Commission oversees the state's K-12 accountability system and is responsible for adopting and revising performance improvement goals in reading, writing, mathematics, and science as well as setting school and school district improvement goals for high school graduation rates and dropout reduction; setting academic achievement standards students must achieve on the Washington Assessment of Student Learning (WASL) and, for high school students, to acquire a Certificate of Academic Achievement; adopting criteria to identify successful schools and school districts as well as to identify schools and school districts in need of assistance and those in which significant numbers of students persistently fail to meet state academic standards; and identifying performance incentives that have improved or have the potential to improve student achievement.

Summary of Substitute Bill:

State Board of Education

The membership and leadership of SBE is reconstituted. The SBE will be composed of the SPI and nine members appointed by the Governor. Four of the appointed members will be from lists submitted by each major legislative caucus, but the appointees will not be legislators. One of the appointed members will represent private schools and will vote only on private school matters. The appointed members are subject to senate confirmation and will serve four-year staggered terms. The SBE will elect its own chair.

Appointed members of the SBE are limited to two consecutive four-year terms and may be removed by the Governor for neglect, malfeasance, misfeasance, or misconduct, in accordance with state law.

The SBE will be composed of individuals who have demonstrated: interest in the public schools, support for educational improvement, a positive record of public service, and a willingness to devote time to the responsibilities of the SBE. In making appointments to the SBE, the Governor will consider the diversity in the state's population.

With the exception of duties for educator and administrator preparation and certification, the SBE will retain its present duties. In addition, it will work with work force representatives and early learning policymakers and providers.

The staff of SBE will be exempt from civil service laws. Documents, funding, books, and employees of the existing SBE are transferred to the newly reconstituted SBE.

The new SBE will be established on, and staff will be transferred by, October 1, 2005.

Professional Educator Standards Board (PESB)

The PESB, instead of the SBE, will adopt policies and practices for educator, administrator, and educational staff associate preparation and certification. The certification responsibilities include approval of traditional and nontraditional preparation programs, preparation of a list of approved college programs, supervision of the issuance of educator certificates, and a review at least every five years of program approval standards. The PESB will specify the types and kinds of educator certificates, hear certification appeals, adopt rules, apply for federal funds, and submit annual reports to agencies and legislative committees. The PESB will also maintain data on educator certification, the quality of preparation programs, and employer needs.

The PESB will no longer advise the SPI on the revocation or suspension of educator and administrator certificates. The SPI will be a voting member of the PESB.

The staff in the Office of the Superintendent of Public Instruction (OSPI) who administer the certification and program approval rules are transferred from the OSPI to the PESB.

The transfer of responsibilities and staff will take place on July 1, 2005.

Academic Achievement and Accountability Commission (A+ Commission)

The A+ Commission is abolished on June 30, 2006.

Governance Task Force

The Education Governance Task Force (Task Force) is established to review and evaluate the appropriate agency to adopt rules and administer the state education responsibilities of the SPI, the SBE, and the A+ Commission. The Task Force will include four legislators, two from each major caucus, a representative of the Governor, and other individuals invited to join the Task Force by other members of the group. By December 15, the Task Force will report to the Governor, the SPI, the SBE, the A+ Commission, the legislative education committees, and other interested parties. The report will include recommendations, including proposed legislation, on the appropriate state-level agencies to adopt rules for and implement statutory education responsibilities.

Substitute Bill Compared to Original Bill:

The membership of the SBE is revised and the timeline for that change is delayed by three months. The staff of the SBE will all be exempt and the SBE will not have responsibility for recommending performance improvement goals. The SPI will not automatically chair the SBE. The SBE will work with early learning providers and policymakers and workforce representatives.

Rule making and implementation responsibilities for educator certificate and preparation are transferred from the SBE and OSPI to the PESB on July 1, 2005. The A+ Commission expires on June 30, 2006.

A Task Force is created to study the duties of the SPI, A+ Commission, and SBE. By December 15, 2005 the Task Force will report to the Governor, the legislative education committees, and others on its recommendations for the appropriate agencies to adopt rules for and implement statutory education responsibilities. The responsibilities and staff of the A+ Commission are not transferred to any agency.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill has an emergency clause and takes effect July 1, 2005, except section 101 and 301, relating to the state board of education, and sections 501 through 504, making technical corrections, which take effect October 1, 2005, and section 505, repealing the A+ Commission, which takes effect June 30, 2006.

Testimony For: (In support of original bill) At the state level, education governance is fragmented and responsibility is dispersed. It is time to broaden the vision for the state's governance system and to realign the responsibilities of state agencies responsible for the rule making and implementation of education policy. The state needs to consolidate accountability with other education programs. The A+ Commission should be abolished and

its duties reassigned to other agencies. The PESB should be an autonomous and independent board responsible for the certification of educational professionals and the approval of the programs that lead to certification. Putting certification into the hands of the PESB will create efficiencies and make it easier to correct any problems with certification requirements and the programs leading to certification. The PESB, which has done an excellent job with the alternative routes to certification program, is a board of educational professionals so it should be responsible for the licensure necessary to improve the profession.

(Concerns on original bill) The Governor should not make all the appointments to the SBE; some or all of the board members should be elected by school board members. The advisory relationship of the PESB to the SBE is working and should be left alone. The state should undertake a deliberative process before it reassigns the responsibilities for education rule making and program administration.

Testimony Against: The members of the SBE should be elected by school boards. The A+ Commission should become an advisory body to the SBE. The current board represents the geographic diversity of the state, a diversity that is not required in this legislation. The legislature should be mindful of the possibility of losing the SBE's connection to the public by changing its selection process.

Persons Testifying: (In support of original bill) Judy Hartman, Governor's Policy Office; Lucinda Young, Washington Education Association; Jennifer Wallace, Professional Education Standards Board; and Steve Mullin, Washington Round Table.

(Concerns) Terry Bergeson, Superintendent of Public Instruction; Barbara Mertens, Washington Association of School Administrators; and Chris Thompson and Lee Schmit, A+ Commission.

(Opposed) Larry Davis, State Board of Education; Rainer Houser, Association of Washington State Principals; Juanita Doyon and Nancy Vernon, citizens; and Dan Steele, Washington School Directors' Association.

Persons Signed In To Testify But Not Testifying: None.