

# HOUSE BILL REPORT

## HB 3212

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**As Reported by House Committee On:**  
Education

**Title:** An act relating to monitoring and addressing achievement of groups of students.

**Brief Description:** Monitoring and addressing achievement of groups of students.

**Sponsors:** Representatives Santos and Hudgins.

**Brief History:**

**Committee Activity:**

Education: 2/4/08, 2/5/08 [DPS].

**Brief Summary of Substitute Bill**

- Directs the Center for the Improvement of Student Learning and the Education Ombudsman to include students with disabilities in the groups of students for whom they identify strategies to improve success.
- Requires the Office of the Superintendent of Public Instruction to report assessment data that is disaggregated at least based on specified student groups, including students covered by Section 504 of the Federal Rehabilitation Act beginning in 2009-10.

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### 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; Barlow, Vice Chair; Priest, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Haigh, Liias, Roach, Santos and Sullivan.

**Staff:** Barbara McLain (786-7383).

**Background:**

The mission of the Center for the Improvement of Student Learning (CISL) is to serve as a clearinghouse for information, promising practices, and research that promotes and supports

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effective learning environments for all students, especially those in underserved communities. The responsibilities of the CISL also include identifying strategies for improving the success rates of ethnic and racial student groups with disproportionate academic achievement. The CISL is housed in the Office of the Superintendent of Public Instruction (OSPI).

The Education Ombudsman, housed in the Office of the Governor, shares some of the same responsibilities as the CISL regarding identifying strategies for assisting groups of students with disproportionate academic achievement.

The federal No Child Left Behind Act requires states to report student achievement and progress based on specified groups of students: gender, ethnic and racial groups, students with disabilities, limited English proficient, economically disadvantaged, and migrant. For students with disabilities, Washington reports data based on students qualifying for the special education program.

Section 504 refers to a federal civil rights law enacted as part of the Rehabilitation Act of 1973 that protects people with disabilities from discrimination in areas such as education and the workplace. As recipients of federal funds, schools must take steps to reduce barriers for any disabled student to access learning by making accommodations for them through a Section 504 plan. Students eligible for accommodation under Section 504 are not necessarily eligible for special education. The OSPI does not collect data, including student achievement data, based on students with a Section 504 plan.

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### **Summary of Substitute Bill:**

Along with their other duties, the CISL and the Education Ombudsman must identify strategies for improving success rates for students with disabilities. The CISL will also provide best practices and research information on programs to meet the needs of students with disabilities.

When reporting results on the Washington Assessment of Student Learning, the OSPI must provide results that are disaggregated by at least the following student groups: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low income, transitional bilingual, migrant, and special education. Students covered by Section 504 of the Federal Rehabilitation Act are added beginning in the 2009-10 school year.

### **Substitute Bill Compared to Original Bill:**

Pacific Islander/Hawaiian Native students are added to the list of student groups for reporting WASL results. Students with a Section 504 plan are added to the reporting requirement beginning in 2009-10.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) The heart of the bill is about monitoring progress of all students, including students with disabilities. It was a surprise to find there is no data collection on one group of students with disabilities: those with a Section 504 plan. We must continue to press for disaggregation of student data. The CISL and the Education Ombudsman have in their mission to provide information and best practices is assisting all disadvantaged students. It is already possible to provide disaggregated data on Pacific Islander/Hawaiian Native students, so they should be added to the list. The next generation of the student data base will include reporting on students with a Section 504 plan, which will be mandatory in the 2009-10 school year. Students with disabilities, particularly Section 504 students, are the most commonly overlooked. Not all students with disabilities are in special education.

(Opposed) None.

**Persons Testifying:** Representative Santos, prime sponsor; Brian Jeffries, Office of the Superintendent of Public Instruction; and Christie Perkins, Washington State Special Education Coalition.

**Persons Signed In To Testify But Not Testifying:** None.