

# SENATE BILL REPORT

## SB 5618

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As of February 10, 2009

**Title:** An act relating to establishing a statewide dropout reengagement system.

**Brief Description:** Establishing a statewide dropout reengagement system.

**Sponsors:** Senators Kauffman, McAuliffe, Berkey, Shin, Murray and Kohl-Welles.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 2/09/09.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Kimberly Cushing (786-7421)

**Background:** Students are eligible to receive education in a public school until the age of 21 or completion of a high school diploma, whichever is sooner. School districts have broad authority to contract with colleges, community-based organizations, or other education providers to provide educational services. School districts that use Basic Education dollars for these services must meet certain criteria established by rules that are intended to assure that the contracted services meet the purpose of Basic Education program requirements.

In the Building Bridges Dropout Prevention, Intervention, and Retrieval Workgroup's 2008 report to the Legislature, one of the recommendations was to establish a statewide dropout retrieval system with a single, comprehensive regulatory framework to govern retrieval programs. The recommendation included establishing authority for regional partnerships and designation of a lead agency in the region to contract for services and programs.

**Summary of Bill:** A statewide dropout reengagement system is created to provide education and services to older youth who have dropped out of school or are not expected to graduate from high school by the age of 21. Under the system, Educational Service Districts (ESDs) act as brokers and managers of model interlocal agreements and contracts between school districts and dropout reengagement program providers. Program providers may be community and technical colleges or community-based organizations. School districts must either enter the model agreements with the local ESD, make similar programs available to students, or both.

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Students eligible for dropout reengagement programs are those aged 16 to 21 who are so credit deficient that completion of a high school diploma before age 21 is not reasonable, or are recommended by social service or juvenile justice system case managers. Students must enroll in their resident school district.

Dropout reengagement programs must offer academic instruction, including GED preparation, academic skills, and college and work readiness preparation that generates high school credit for a school district diploma or a diploma issued by a college; instruction by certified teachers or college instructors whose credentials are established by the college; case management, counseling, and resource and referral services; and opportunity for qualified students to enroll in college courses tuition-free if the program provider is a college. Program providers must also comply with the accountability requirements of the model contract, as well as cooperate with the resident school district or the ESD in cases where special education services are needed.

Under the system, the ESDs have the following responsibilities: identify and contract with program providers in the region, create partnerships, and identify other sources of funding that could be leveraged for the program; serve as liaison between school districts and program providers; monitor program performance and compliance with contract terms; manage enrollment and student data reporting and financial billing to the state on behalf of school districts; and work to assure students can earn high school credit through the programs. An ESD can create a separate agreement with a school district to provide special education services for students in the programs but must manage these agreements separately from the dropout reengagement system agreements to avoid a conflict of interest.

School districts which enter the interlocal agreement for the dropout reengagement system must enroll and refer eligible resident students; provide special education services based on a student's individualized education program in cooperation with the program provider or under separate contract with the ESD; and provide student data to the ESD as necessary for the ESD to manage the program on the district's behalf.

The Office of the Superintendent of Public Instruction (OSPI), in consultation with stakeholders, must create statewide model contracts and interlocal agreements, which include common performance measures, to be used in the dropout reengagement system. OSPI must adopt rules for the program that clarify student eligibility and minimum instructional staffing ratios for programs offered by community-based organizations. OSPI is also directed to develop nonregulatory guidance for school districts that choose to offer similar programs rather than enter an agreement with the ESD.

OSPI must allocate the per-FTE student basic education funding, plus the Student Achievement Fund allocation, to the ESD directly for each FTE student enrolled in a dropout reengagement program. The basic education funding is calculated on a statewide average rate and includes vocational program enhancements. The ESD retains 5 percent of the allocation for administration, and the school district receives 2 percent of the allocation. The remainder goes to program providers through the model contract for program operation. For all other funding, including the state special education excess cost allocation, students enrolled in the dropout reengagement program are considered regularly enrolled students of

the resident district, but they do not count against a district's basic education staffing ratio compliance.

**Appropriation:** None.

**Fiscal Note:** Requested on January 27, 2009.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Reengagement programs offer support for students even when their family does not. These programs offer students support that is not available in the public school system, give students a place to go to continue education when they do not fit in at high school, and help kids get off the street. The demand for these programs is high; they provide an opportunity for credit recovery, a chance to get a GED, an opportunity to go to college, and internships that lead to finding a degree. The case management and resources help make these programs successful.

Addressing mental illness is a huge part of dropout prevention. Students need these programs. Reengagement programs are good public policy and make good business sense. They help meet the state's economic demands and increase the transition from K-12 to universities. Without such programs, students end up in dead-end jobs or the criminal justice system.

Community colleges are part of the reengagement program solution; however, without a change in the statutory and regulatory scheme, these programs may not continue to exist because many school districts are reluctant to contract with the providers. In addition, there is a lack of set guidelines and school districts are increasing their administrative fees. There needs to be a long term solution for reengagement. We should not have to chose between dropout prevention and reengagement. Even though these programs cost money, they save money in the long run. This bill uses existing funding; it does not require new funding. Learning matters to every child.

OTHER: The funding plan may not provide sufficient funds for the community colleges. The bill retains local control.

The bill's contracting provisions cause some concern. The language needs to include the Reinvestment Act, which could leverage basic education dollars.

**Persons Testifying:** PRO: Senator Kauffman, prime sponsor; Joe Sturgeon, Building Bridges; Taisha Finkle-Connoes, Career Link Academy; Amber Bonifas, Jaime Bennett, Kellie Baird, Zane Taamall, Mariko Kaakiuchi, Career Education Options at Shoreline Community College (SCC); Shoubee Liaw, SCC Trustee; Lee Lambert, SCC President; John Aultman, OSPI; Nancy Felke, North Seattle Community College; Jim Shoemake, Association of ESDs; Robert Slater, Dillon Jules, Clearview High School, Ferndale Schools; Wes Pruitt, Workforce Board; Jena Graham, Jennifer Llamas, Legislative Youth Advisory Council; Melinda Giovengo, YouthCare; and Stephanie Lane, Youth 'N Action.

OTHER: Pat Martinez Johnson, Learning Center North, SCC; Michael Tate, State Board for Community and Technical Colleges.