

# SENATE BILL REPORT

## SB 6798

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, February 4, 2010  
Ways & Means, February 9, 2010

**Title:** An act relating to implementing recommendations of the achievement gap oversight and accountability committee.

**Brief Description:** Implementing the recommendations of the achievement gap oversight and accountability committee.

**Sponsors:** Senators Kauffman, Franklin, McAuliffe, Hobbs, Marr, Prentice, Eide, Shin and Kline.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 2/03/10, 2/04/10 [DPS-WM, w/oRec].  
Ways & Means: 2/09/10 [DP2S, w/oRec].

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

**Majority Report:** That Substitute Senate Bill No. 6798 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King, Ranking Minority Member; Gordon, Hobbs and McDermott.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Brandland and Roach.

**Staff:** Juliana Roe (786-7438)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Second Substitute Senate Bill No. 6798 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Fairley, Hobbs, Keiser, Kline, Kohl-Welles, McDermott, Murray, Oemig, Pridemore, Regala and Rockefeller.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** That it be referred without recommendation.

Signed by Senators Brandland, Hewitt, Honeyford, Parlette, Pflug and Schoesler.

**Staff:** Elise Greef (786-7708)

**Background:** The 2008 Legislature commissioned five studies, by way of 2SHB 2722 (2008), and four provisos in the 2008 supplemental operating budget, that analyzed the differences in academic achievement and educational outcomes among various subgroups of students. These differences are often referred to as the achievement gap. In 2009 the Legislature created the Achievement Gap Oversight and Accountability Committee (Committee), by way of 2SSB 5973, to synthesize findings and recommendations from the 2008 studies into an implementation plan, and recommend policies and strategies in specified areas to the Office of Superintendent of Public Instruction (OSPI), Professional Educator Standards Board (PESB), and the State Board of Education to close the achievement gap. The Committee has since provided the Legislature with a list of recommendations as to how to close the achievement gap.

Under RCW 28A.410.260, PESB in consultation with the Committee was required to identify a list of model standards for cultural competence and make recommendations to the Legislature on the strengths and weaknesses of those standards. PESB was not required to implement these standards.

Pursuant to RCW 28A.300.1361, OSPI was required to take actions to secure federal funds to support data collection and other model programs. OSPI was not required to collect data regarding the achievement gap or monitor the progress of closing the achievement gap.

**Summary of Bill (Recommended Second Substitute):** On a yearly basis, starting December 1, 2010, OSPI must report information to the Committee regarding data collected and progress achieved in closing the achievement gap. The equity and civil rights office for OSPI and PESB must work with other state entities and stakeholders to develop state policy to support the implementation of the cultural competence standards developed by PESB pursuant to RCW 28A.410.260. OSPI and PESB must work together to establish rules and procedures to implement the cultural competence standards identified by PESB pursuant to RCW 28A.410.260 across the continuum of educator preparation and continuing professional development. OSPI and PESB must, within each agency's statutory authority, ensure the implementation of the cultural competence standards by November 1, 2017.

**EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Second Substitute):** The implementation of cultural competence standards must be complete by November 1, 2017, rather than by November 1, 2011.

**EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended First Substitute):** To ensure the implementation of the cultural competence standards by November 1, 2011, PESB and OSPI must implement cultural competence standards within each agency's statutory authority.

**Appropriation:** None.

**Fiscal Note:** Requested on proposed substitute February 6, 2010.

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

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

**Staff Summary of Public Testimony on Original Bill (Early Learning & K-12 Education):** PRO: This is a good bill that will help identify the gaps in collected information and coordinate the data. This bill moves us in the right direction. It helps to change the hearts and the minds of people and, therefore, their attitudes and behaviors.

One way to address the achievement gap is to help teachers to better understand the cultures of these students whom they serve. While the bill does call for cultural competence standards to be implemented by 2011, it is important to keep in mind that cultural competence is a process that cannot be accomplished by force. There is currently only one free cultural competence training course offered in the state and that is by OSPI through the Center for Improvement of Student Learning, which staffs two people. There are approximately 60,000 educators who would need to be trained in Washington. This would reflect a systemic change and not merely a cosmetic change.

**Persons Testifying (Early Learning & K-12 Education):** PRO: Senator Kauffman, prime sponsor; David Brenna, PESB; Erin Jones, OSPI; Barbara Mertens, Washington State School Directors Association.

**Staff Summary of Public Testimony on Recommended First Substitute (Ways & Means):** PRO: There is a crucial need for cultural competence throughout our educational system. This change will occur only if we ensure all instructors are properly trained. Our demographics are shifting dramatically. The white population has dropped by more than 65,000 and students of color have increased by nearly twice that amount. By 2028 the majority of our students will be of color. Equity in education is the most important civil rights issue of our time. The cost of instructor training can be covered with continued funding from the state for a Learning Improvement Day (LID). Through research with highly capable community, there are opportunity gaps that cause negative impacts on diverse groups such as African Americans, Latinos, and American Indian & Native Alaskan students. The most significant thing that can be done to create opportunities for all children is enhanced cultural competence of educators and administrators through training and awareness. When school districts identify students for the highly capable program, many use testing that has significant, well-known cultural bias that translates to up to 15 points in score differences – filtering out diverse students. The result is insufficient representation of diverse groups in highly capable programs, advisory groups, parent representatives, and state gifted groups.

**Persons Testifying (Ways & Means):** PRO: Robert Harkins, Deputy Superintendent of Public Instruction; Lynne Tucker, Northwest Exceptional Children, Committee Chair for Seattle PTSA Special Education Group for Twice Exceptional (children who are gifted and disabled).