

SENATE BILL REPORT

E2SHB 1443

As Reported by Senate Committee On:
Early Learning & K-12 Education, March 24, 2011
Ways & Means, April 1, 2011

Title: An act relating to continuing education reforms, including implementing recommendations of the quality education council.

Brief Description: Concerning continuing education reforms, including implementing recommendations of the quality education council.

Sponsors: House Committee on Education Appropriations & Oversight (originally sponsored by Representatives Maxwell, Dammeier, Sullivan, Pedersen, Springer, Kagi, Anderson, Pettigrew, Finn, Morris, Ladenburg, Frockt, Jinkins, Upthegrove, Clibborn, Orwall, Haigh, Jacks, Lias, Billig, Kelley and Probst).

Brief History: Passed House: 3/02/11, 83-14.

Committee Activity: Early Learning & K-12 Education: 3/16/11, 3/24/11 [DPA-WM, w/oRec].

Ways & Means: 4/01/11 [DPA].

Brief Summary of Engrossed Second Substitute Bill (As Amended by Senate)

- Implements the recommendations of the Quality Education Committee regarding the Common Core State Standards; the definition of a high school credit; dropout prevention and graduation rates; parent involvement coordinators; a kindergarten readiness assessment; remediation programs; the Transitional Bilingual and Highly Capable student programs; teacher and principal evaluations; and additional tasks for the compensation working group.
- Requires school districts to award credit for high school courses successfully completed by a student that meet the school district's graduation requirements and are provided by an approved multidistrict online provider.
- Provides that the increase in the minimum instructional program offered by school districts (from a district-wide average of 1000 hours for grades 1-12 with at least 450 hours in kindergarten to 1080 hours in grades 7-12

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.

and at least 1000 hours in grades K-6) must not be required before the 2014-15 school year.

- Aligns the requirements of three financial assistance programs that support individuals obtaining a teaching credential.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Harper, Vice Chair; Litzow, Ranking Minority Member; Eide, Fain, Hill, Hobbs and Tom.

Minority Report: That it be referred without recommendation.

Signed by Senators King, Nelson and Rockefeller.

Staff: Susan Mielke (786-7422)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli, Ranking Minority Member; Parlette, Ranking Minority Member Capital; Baumgartner, Baxter, Brown, Conway, Fraser, Hatfield, Hewitt, Holmquist Newbry, Kastama, Keiser, Kohl-Welles, Pflug, Pridemore, Regala, Rockefeller, Schoesler and Tom.

Staff: Elise Greef (786-7708)

Background: Quality Education Council (QEC). In 2009 the Legislature established QEC to inform and make recommendations on the ongoing implementation of the program of Basic Education and the funding to support it. QEC is composed of the Superintendent of Public Instruction (SPI) and representatives from the Legislature, the State Board of Education (SBE), the Department of Early Learning (DEL), the Professional Educator Standards Board, the Achievement Gap Oversight and Accountability Committee (Achievement Gap Committee), and the Office of the Governor. The 2011 QEC report to the Legislature includes recommendations regarding the Common Core State Standards; the definition of a high school credit; dropout prevention and graduation rates; parent involvement coordinators; a kindergarten readiness assessment; remediation programs; the Transitional Bilingual and Highly Capable student programs; teacher and principal evaluations; and additional tasks for the compensation working group.

Common Core State Standards (CCSS). In May 2009 Governor Gregoire and State Superintendent Dorn signed an agreement joining the governors and the chief state school officers from 48 states to develop CCSS in English-language arts and mathematics for grades K-12. The draft standards were released on March 9, 2010. E2SSB 6696, passed in the 2010 state legislative session, authorized SPI to revise the Essential Academic Learning Requirements (EALRs) by provisionally adopting CCSS for grades K-12 but not implement the revisions until the legislative education committees had an opportunity to review the

standards. SPI provisionally adopted CCSS in July 2010. SPI's plan is that the state assessments of the state standards will not change until the 2014-2015 school year, so districts do not need to transition to CCSS until 2013 – until then the existing EALRs remain in effect. QEC recommended SPI ensure that a review for fairness and bias is performed prior to implementation of CCSS.

High School Credit Definition. SBE rules define a high school graduation credit as 150 hours of planned instructional activities approved by the school district or satisfactory demonstration by a student of clearly identified competencies. Each school district board of directors must adopt a written policy regarding the recognition and acceptance of earned credits to apply to all high schools in the district. QEC recommended the Legislature support the removal of the 150 hour definition and require all districts to certify that a policy defining a credit has been adopted.

Dropout Prevention and Graduation Rates. SPI reports that 16,415 high school students dropped out of school during the 2008-09 school year, which is 5.1 percent of the students enrolled in grades 9-12. The dropout rate by student subgroup is as follows: American Indian 10.1 percent; Black 7.8 percent; Unknown 7.4 percent; Hispanic 7.2 percent; Pacific Islander 6.8 percent; White 4.5 percent; and Asian 3 percent. Over half of the students who dropped out have an Unknown enrollment status. Some may have dropped out, received a GED, or moved out of state without confirming a transfer to a new school.

SPI reports that of the students who were expected to graduate in 2009, because they entered 9th grade in 2005, 73.5 percent graduated on time (*i.e.*, in a four-year period) with a regular diploma. The on-time graduation rate by student subgroup is as follows: Asian 83.6 percent; White 76.4 percent; Black 63.2 percent; Hispanic 62.9 percent; Pacific Islander 59.8 percent; and American Indian 52.7 percent. The extended graduation rate includes students who take longer than four years to graduate. When they are included, the graduation rate increases to 79.2 percent. The extended graduation rate for student subgroups differs from the on-time rate by various amounts, with a low of 4.8 points higher for White students and a high of 15.7 points higher for students with limited English proficiency. QEC recommended the Legislature require SPI to provide technical assistance to develop strategies to reduce dropouts and increase extended graduation rates, which may be provided by SPI's School and District Improvement Programs.

Parent Involvement Coordinator. In 2009 the Legislature adopted the technical details of a new basic education funding allocation formula based on staff and non-staff costs to support instruction and operations in prototypical schools. One of the staff categories included in the formula was Parent Involvement Coordinator. QEC recommended this staff category be renamed Family Engagement Coordinator to better reflect the role and activities of the position.

Kindergarten Readiness Assessment. Most kindergarten teachers assess kindergarten student readiness to some degree at the start of the school year. Some school districts have developed a district assessment process but there is no state assessment or process. In 2009 the Legislature provided \$100,000 for the biennium, contingent on an equal match from private sources, for DEL to work with SPI and others to identify and test a kindergarten assessment process and tools in geographically diverse school districts. QEC recommended

the kindergarten readiness assessment be required to be used in all state-funded full-day kindergarten programs and in schools that are designated as Required Action Schools under federal and state law.

Remediation Programs. The Learning Assistance Program (LAP) is a state-funded program that provides additional academic support in reading, writing, and mathematics to students in grades K-12 who score below standard on statewide or district assessments or who are at-risk of not meeting state or local graduation requirements. QEC recommended LAP be expanded to include science and that the Washington State Institute for Public Policy (WSIPP) study the impact of LAP on student achievement to determine effective strategies and identify outcome measures to evaluate the program.

The Extended Learning Opportunities Program (ELOP) was created to provide additional assistance to 8th grade students for successful entry into high school, and additional assistance for 11th and 12th grade students who are not on track to graduate. ELOP can include reading improvement specialists at the Educational Service Districts to provide professional development to 8th, 11th, and 12th grade educators and direct services to eligible students. QEC recommended extending credit retrieval programs to include 9th through 12th grade students instead of only 11th and 12th grade students.

Transitional Bilingual Instructional Program (TBIP). TBIP served 91,448 students in 197 school districts in the 2009-10 school year. According to an Office of SPI technical workgroup report, the number of students served in the program has steadily increased since the 2006-07 school year. Most students served by TBIP are in K-3 and take about five years to transition out of the program. QEC recommended SPI report TBIP student performance data using the online school report card.

Highly Capable Students. Legislation passed in 2010 directed SPI to convene a technical working group to define a basic education program for highly capable students and address other specific topics. The working group reported to QEC and the Legislature. QEC recommended the Legislature adopt the definition of a highly capable student provide by the technical working group and that SPI be directed to create a consistent identification process for students in the highly capable program.

Teacher and Principal Evaluations. Legislation passed in 2010 required developing, piloting, and implementing new state classroom teacher and principal four-level rating evaluation systems with specified minimum criteria. The pilots will be conducted during the 2010-11 and 2011-12 school years. There are eight pilot districts and one consortium of eight districts through the regional Educational Service District. The new evaluation systems must be implemented in all school districts beginning in the 2013-14 school year. QEC recommended the Legislature maintain support for implementation of revised teacher and principal evaluation systems.

Compensation Working Group. Legislation passed in 2009 and amended in 2010, requires a technical working group to recommend the details of an enhanced salary allocation model that aligns state expectations for educator development and certification with the compensation system. QEC recommended the Legislature direct the working group to

include professional development needs of principals, teachers, and classified staff in its work, including mentoring programs for all education employees.

Online Courses. The final decisions regarding the awarding of high school credit for high school courses provided online is the responsibility of school districts.

Instructional Hours. The minimum instructional program currently offered by school districts must consist of a district-wide annual average of 1000 instructional hours across grades 1-12, with at least 450 hours for kindergarten. Legislation in 2009 provided, among other things, effective September 1, 2011, in accordance with an implementation schedule adopted by the Legislature, school districts must make available a minimum instructional program that consists of an increased instructional hour offering of 1080 in grades 7-12 and at least 1000 in grades K-6.

Pathways to Teaching. Pipeline for Para-educators (PFP). In 2001 the Legislature authorized four alternative routes to teacher certification for school districts to partner with higher education teacher preparation programs to provide a shortened field-based teacher preparation program with a mentored internship. One of the alternative routes is designed for classified school employees with an associate degree and three years of experience to earn a bachelors degree and teaching endorsement in special education, bilingual education, or English as a Second Language education. In 2007 the Legislature created PFP program for para-educators without a degree but with three years of classroom experience to earn an associates degree, and then enroll in a Route One program to earn a bachelors degree and teaching certification in the specified teaching fields. Conditional scholarships are available for PFP participants.

Recruiting Washington Teachers (RTW). In 2007 the Legislature re-established RWT program and provided grants to recruit and provide training and academic support for high school students to enter the teaching profession, particularly in shortage areas and among under-represented groups. In 2009 the Legislature continued grant funding to support four RWT programs that operate as partnerships between school districts, higher education, and community organizations.

The Opportunity Internship Program (OIP). OIP provides incentives for a consortia of high school, businesses, and community organizations to provide internships and other training opportunities in high-demand occupations for low-income high school students. Students who complete the OIP are eligible for up to one year of state financial aid for post-secondary study.

The state funding for these programs was reduced in both the 2010 Supplemental Budget and the early action supplemental budget passed by the Legislature in December.

Summary of Bill (Recommended Amendments): QEC recommendations and other provisions are enacted. QEC recommendations are as follows:

Common Core State Standards. Before implementing revisions to EALRs, SPI must ensure that a fairness and bias review is conducted, including an opportunity for input from the Achievement Gap Committee and additional diverse stakeholders.

High School Credit Definition. SBE may repeal the seat-time definition of a high school credit. School districts must adopt a policy that defines a high school credit, which may be based on seat-time, demonstrated competencies or some combination; provide a copy of the policy to SBE; and annually certify to SBE that the district has a policy.

Dropout Prevention and Graduation Rates. Within available state and federal funds for school and school district improvement, SPI must provide technical assistance to reduce school dropouts and improve on-time and extended high school graduation rates.

Parent Involvement Coordinator. The staff category Parent Involvement Coordinator in the the prototypical funding allocation formula is renamed Family Engagement Coordinator. Schools that are subject to state accountability requirements because they are among the persistently lowest-performing schools in the state must include use of Family Engagement Coordinators in their Required Action plans to improve student achievement. SPI may also require other schools receiving federal school improvement grants to use Family Engagement Coordinators.

Kindergarten Readiness Assessment. Elementary schools that are subject to state accountability requirements must include the use of the state kindergarten readiness assessment process in their Required Action plans. SPI may also require other elementary schools receiving federal school improvement grants to use the assessment.

Remediation Programs. LAP is expanded to include science. WSIPP with SPI must measure the impact of LAP strategies on student achievement to determine which are most effective and efficient in improving student achievement and to identify outcome measures for evaluating LAP's success. The study design must be submitted to QEC and the legislative education committees by September 1, 2011, and the results of the study submitted by September 1, 2012. ELOP is expanded to include 8-12 grade students and educators.

Transitional Bilingual Instructional Program. Information regarding TBIP must be aggregated and posted for each school and school district on SPI Washington State Report Card website, including student performance on the annual English proficiency assessment; the average length of time students are enrolled in TBIP; student progress in attaining proficiency; the number and percentage of students meeting annual targets in reading and mathematics for state and federal accountability; and the academic performance of former TBIP students.

Highly Capable Students. A highly capable student is defined as a student who performs or shows potential to perform at significantly advanced levels when compared to others of the same age, experience, or environment. The education of highly capable students may include supports and services that are in addition to those ordinarily provided as part of general education. Rules adopted by SPI for school districts to nominate, assess, and select their most highly capable students must address consistent procedures for universal screening, public notification, use of multiple criteria, involvement of qualified professionals, family involvement, and safeguards to reduce bias.

Teacher and Principal Evaluations. Language is provided that the Legislature intends to continue development and implementation of revised teacher and principal evaluation systems, including supporting the pilot school districts.

Compensation Working Group. The Compensation Working Group scheduled to convene July 1, 2011, or a technical subgroup, must conduct an analysis of professional development and mentoring needs of educators and classified staff, including specific issues to be addressed.

Online Courses. School districts must award credit for online high school courses successfully completed by a student that meet the school district's graduation requirements and are provided by an approved multidistrict online provider.

Other provisions enacted are as follows:

Instructional Hours. Implementation of the increased instructional hour offering of 1080 in grades 7-12 and at least 1000 in grades K-6 must not occur before the 2014-15 school year.

Pathways to Teaching. If there are conditional scholarship funds available in PFP program after qualified para-educators have been accepted, individuals who participated in one of RWT programs may participate in PFP scholarship program, if they meet the criteria for receiving a PFP scholarship. These individuals also qualify to continue their teaching credential and receive scholarships through a Route One alternative route program. The alternative Route One is expanded to include earning a teaching endorsement in mathematics.

Null and Void. Unless specific funding of at least \$750,000 is provided to school districts for this act, the act is null and void.

Technical and clean-up changes are made to various statutes.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Amendments): Unless specific funding of at least \$750,000 is provided to school districts for this act, the act is null and void.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Amendments): Permits a technical subgroup of the Compensation Working Group to conduct the comprehensive analysis of educator professional development and mentoring needs for principals, teachers, educational staff associates, and classified staff. Requires school districts to award credit for online high school courses successfully completed by a student that meet the school district's graduation requirements and are provided by an approved multidistrict online provider.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony on Engrossed Second Substitute House Bill (Early Learning & K-12 Education): PRO: Past QEC recommendations have created an incredible foundation for change in our schools. These recommendations are no or low cost and continue many of the efforts already underway, which shows that the Legislature is not walking away from promises that have been made. The state is faced with extraordinary fiscal challenges but we need to maintain our commitment to education and we can continue to move forward with this legislation. It keeps the dream of full funding for basic education alive but would suggest that it include a funding mechanism. The bill includes recommendations from workgroups that the QEC adopted that are intended to protect the investments in important student instructional programs. Other important actions that are also included are delaying the increase in the instructional hours, expanding LAP to include science, continuing support for the teacher/principal evaluation pilots, requiring targeted use of the kindergarten readiness assessment, and changing the definition of a high school credit.

OTHER: The requirement for the compensation workgroup to review mentoring needs should be done by mentoring specialists and not compensation specialists.

Persons Testifying (Early Learning & K-12 Education): PRO: Representative Maxwell, prime sponsor; Representative Sullivan, Representative Anderson, Representative Dammeier, sponsors; Doug Nelson, Public School Employees/Service Employees International Union; Dave Powell, Stand for Children; Dan Steele, Washington Association of School Administrators; Edie Harding, State Board of Education; George Scarola, League of Education Voters; Mitch Denning, Alliance of Education Association; Marie Sullivan, Washington State School Directors Association; Ramona Hattendorf, Alfred Frates, Washington State PTA.

OTHER: Lucinda Young, Washington Education Association.

Signed In, Unable to Testify & Submitted Written Testimony: PRO: Jerry Bender, Association of Washington Principals.

OTHER: Wes Pruitt, Workforce Training and Education Coordinating Board.

Staff Summary of Public Testimony on Recommended Amendments as Heard by EDU (Ways & Means): PRO: We want to keep education reform moving forward by implementing these recommendations of the QEC. This education system needs to be the best it can be. Our schools are not working for all our children. This bill takes some strong steps that will strengthen instruction and close the opportunity gap. We support the recognition of online courses and funding them the same as other alternative education.

CON: It is not true that there is no cost to the school districts to switch to the CCSS. School districts don't have the money to keep changing our standards.

Persons Testifying (Ways & Means): PRO: Representative Maxwell, prime sponsor; Representative Dammeier, sponsor; Ramon Hattendorf, Washington State PTA; George

Scarola, League of Education Voters; Doug Nelson, Public School Employees/Service Employees International Union; Mitch Denning, Alliance of Educational Associations.

CON: Sandy Elliot, Ellensburg School Director.