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## Education Committee

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### HB 1177

**Brief Description:** Modifying the education accountability system to allow state criteria, resources, and strategies to be used for assistance and intervention.

**Sponsors:** Representatives Lytton, Sullivan, Santos, Maxwell, Reykdal, Fitzgibbon, Ryu, Pollet, Stanford, Tharinger, Jinkins and Bergquist.

#### Brief Summary of Bill

- Updates the criteria used by the Office of the Superintendent of Public Instruction (OSPI) to identify persistently lowest-achieving schools, to conform to revised federal rules and guidance.
- Directs that the criteria be applied equally to both Title I and non-Title I schools.
- Requires that the OSPI use a Washington Achievement Index to identify schools, if it is federally approved.
- Permits state as well as federal funds to be used for school improvement in a Required Action District, and removes requirements that these districts use one of four federal intervention models.
- Directs the OSPI to design a system of support, assistance, and intervention that is subject to review by the State Board of Education, applies equally to Title I and non-Title I schools, and is implemented in the 2014-15 school year.

**Hearing Date:** 2/5/13

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

#### **Background:**

##### History.

In 2010 the Legislature enacted a law to establish criteria and a process for identifying and requiring intervention in persistently lowest-achieving schools. Each year the Office of the

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Superintendent of Public Instruction (OSPI) identifies the schools and recommends that the State Board of Education (SBE) designate school districts as Required Action Districts (RADs) if the districts have a persistently lowest-achieving school. The RADs must undergo an academic audit, develop a required action plan, have the plan approved by the SBE, and then implement the plan using federal funds for school improvement.

The 2010 law was enacted concurrently with a significant increase in federal funding for School Improvement Grants (SIGs). The U.S. Department of Education (DOE) established certain requirements for eligibility for the SIGs, many of which were included in the law:

- A persistently lowest-achieving school is defined as one of the lowest performing 5 percent of schools either receiving or eligible to receive federal Title I funds.
- School performance is measured using the scores of all students taking the state reading and mathematics tests.
- Recipients of the SIGs must implement one of four intervention models specified by the DOE: turnaround, restart, school closure, or transformation.

The RAD process is to be implemented only if federal SIGs or other federal funds are available.

Since 2010 the OSPI has annually identified the list of persistently lowest-achieving schools, and 28 schools have received \$67 million from the SIGs, to be used over a three-year period. Four of these schools were also designated under the RAD process.

#### Current Status.

The OSPI is not anticipating additional federal funding for the SIGs and thus did not designate any RADs for the 2012-13 school year. State funding for school improvement grants was eliminated in the 2011-13 biennial budget.

In July 2012 Washington received a provisional one-year waiver from certain requirements of the Elementary and Secondary Education Act (ESEA). Under the ESEA waiver:

- Low-achieving schools are categorized as Priority, Focus, and Emerging, with performance measured using the test scores of all students, plus achievement gaps between groups of students, as well as high school graduation rates for all students and subgroups of students.
- Instead of implementing specific federal intervention models, low-achieving schools are required to use turnaround principles established by the DOE to improve performance.
- States are permitted to propose their own methods for identifying schools and their own systems of providing support, assistance, and intervention based on their performance.

The provisions of the ESEA continue to apply only to Title I or Title-I eligible schools, but the OSPI and the SBE are redesigning the state Accountability Index and developing an accountability system that could apply to all schools in the state.

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

Beginning December 1, 2013, the OSPI must identify a category of schools called "challenged schools in need of improvement." The criteria used by the OSPI to identify schools must meet federal requirements under the ESEA or other federal rules or guidance. The criteria must take into account the proficiency of all students and subgroups of students on state assessments and high school graduation rates. The criteria must be applied equally to both Title I and non-Title I schools.

The OSPI must also identify a subset of these challenged schools for purposes of the state RAD process, called "persistently lowest-achieving" schools. The criteria for this designation must also be established by the OSPI and include lack of progress over a number of years.

The state Accountability Index is renamed the Washington Achievement Index, and if federally approved, the OSPI must use it to identify schools.

State as well as federal funds may be used to support a required action plan. The requirement that the RADs must implement one of four specified federal intervention models is removed. Instead, a RAD must implement an intervention model or turnaround principles. Turnaround principles are defined as including:

- providing strong leadership;
- ensuring teachers are effective and able to improve instruction;
- increasing learning time;
- strengthening the school's instructional program;
- using data to inform instruction;
- establishing a safe and supportive school environment; and
- engaging families and communities.

The SBE must adopt rules to establish an accountability framework. The OSPI must then design a system of support, assistance, and intervention based on the framework and submit the design to the SBE for review. The system must be implemented statewide no later than the 2014-15 school year. To the extent state funds are available, the system must apply equally to Title I and non-Title I schools.

**Appropriation:** None.

**Fiscal Note:** Available.

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