
Education Committee

2SHB 1680

Brief Description: Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Santos, Upthegrove, Maxwell, Ryu and Bergquist).

Brief Summary of Bill

- Requires development of data collection standards for student disciplinary actions and collection of data based on the new standards beginning in 2015-16.
- Prohibits school districts from imposing discretionary disciplinary actions that result in suspension of educational services to a student.
- Incorporates cultural competence into training on revised evaluation systems.
- Requires development of a content outline for cultural competence training for all school staff.
- Expands a conditional teacher scholarship program to include teachers seeking endorsements in Bilingual Education or English Language Learner (ELL).
- Requires that teachers assigned to the Transitional Bilingual Instructional Program (TBIP) be endorsed in Bilingual Education or the ELL beginning in 2017-18.
- Directs design of an articulated pathway for teacher preparation, from paraeducator certificates through teacher certification.

Hearing Date: 1/27/14

Staff: Barbara McLain (786-7383).

Background:

Educational Opportunity Gap Oversight and Accountability Committee.

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.

In 2009 the Educational Opportunity Gap Oversight and Accountability Committee (Committee) was established to recommend policies and strategies to close the achievement gap. The Committee has six legislative members, representatives of the Office of Education Ombuds and the Office of the Superintendent of Public Instruction (OSPI), and five members representing the state ethnic commissions and federally recognized tribes.

In its annual reports for 2013 and 2014, the Committee made the following six recommendations:

- decrease the disproportionate representation of students of color in disciplinary actions in schools;
- enhance the cultural competence of current and future educators;
- provide English Language Learner (ELL) and second language acquisition endorsements for all educators;
- create new English language learner accountability benchmarks;
- provide tools for deeper data analysis and disaggregation of student demographic data to inform instructional strategies to close the opportunity gap; and
- invest in the recruitment and retention of educators of color.

Student Discipline.

Each school district board of directors is required to adopt written policies regarding student conduct and discipline. The Superintendent of Public Instruction (SPI) must adopt rules for providing due process rights to students who are subject to disciplinary actions. There is one law that requires expulsion for no less than one year for possession of a firearm on school premises. Other disciplinary actions are made at the discretion of the school district in compliance with district policies and state laws and rules.

Legislation enacted in 2013 made the following changes to the laws regarding student discipline:

- requiring collection of disaggregated data through the student data system on nine categories of student behavior, seven categories of interventions, and the number of days of suspension or expulsion;
- requiring a discipline task force to be convened by the OSPI to develop standard definitions for the data collection;
- prohibiting indefinite suspensions or expulsions and requiring an end date of no more than one year, with a petition process to exceed the one-year limitation for reasons of public health or safety; and
- requiring districts to create an individualized reengagement plan for students returning to their school program.

Cultural Competence.

Legislation enacted in 2009 directed the Professional Educator Standards Board (PESB) to incorporate standards for cultural competence into each level of teacher certification. Cultural competence is defined as knowledge of student cultural histories and contexts; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.

Application of knowledge about students' cultural development and a commitment to closing the achievement gap are among the criteria for evaluating teacher and principal performance under

revised evaluation systems. The OSPI must design a professional development program to support implementation of the revised evaluation systems.

ELL Instruction.

The state allocates additional funding for the Transitional Bilingual Instructional Program (TBIP) to provide additional support for ELL students to gain English language proficiency. The OSPI reports that 1,409 teachers and 1,398 instructional aides were assigned to the TBIP in 2012-13.

In 2007 the Retooling to Teach Mathematics and Science (Retooling) program was established to provide a conditional scholarship to encourage current teachers to obtain an additional endorsement in middle or secondary mathematics or science.

ELL Accountability.

Under federal accountability rules, states and school districts must report the following data for ELL instructional programs:

- students making progress in learning English;
- students attaining language proficiency and exiting the program; and
- student performance on state academic assessments.

In 2010 a technical working group convened by the Quality Education Council recommended development and implementation of a statewide accountability system for the TBIP.

Educator Recruitment.

The Recruiting Washington Teachers program (RWT) recruits and provides training and support for diverse high school students to enter the teaching profession. The RWT courses are typically career and technical education (CTE) courses under a Careers in Education career cluster.

Paraeducators employed using federal Title I funds must meet one of three minimum qualifications:

1. at least two years of postsecondary education;
2. an associate degree or higher; or
3. completion of a formal academic assessment of knowledge and skills.

There are a number of pathway options for paraeducators to meet the academic assessment, including an apprenticeship program offered through the Public School Employees of Washington. Some community and technical colleges also offer certificate programs for paraeducators.

Summary of Bill:

Student Discipline.

The OSPI must convene a Discipline Task Force to develop common definitions of discretionary disciplinary actions, as well as data collection standards for discretionary actions, actions that result in the exclusion of a student from school, and education services provided while a student is subject to discipline. The OSPI must begin collecting discipline data using the new standards beginning in the 2015-16 school year.

A school district may not suspend the provision of educational services to a student as a disciplinary measure. A suspension or expulsion may not be for an indefinite period of time. Emergency expulsions must be converted to another form of action within 10 days. For actions that are discretionary, a school district may not impose a disciplinary action that results in the suspension of educational services to a student. A student may be excluded from a particular classroom, but the district must provide an opportunity for the student to receive educational services in an alternative manner, program, school, or location within the regular school.

The Education Data Center in the Office of Financial Management must develop data sharing agreements with the Office of the Administrator for the Courts to access juvenile justice data for research purposes and prepare a regular report on education and workforce outcomes of such youth. The Department of Social and Health Services must enter data sharing agreements with the Education Data Center.

Cultural Competence.

Professional development for administrators and the training program developed by the OSPI regarding revised evaluation systems must include foundational elements of cultural competence, focusing on multicultural education and principles of English language acquisition.

The OSPI, in collaboration with others, must develop a content outline for professional development in cultural competence for school staff. The content must be aligned with cultural competence standards adopted by the PESB and contain components that could be delivered by individuals from the community. The Legislature encourages Educational Service Districts (ESDs) and school districts to use this training.

ELL Instruction.

The Retooling program is renamed the Educator Retooling program and expanded to include scholarships for teachers seeking endorsements in Bilingual Education, the ELL, or Special Education. In awarding scholarships for Bilingual Education or the ELL, the PESB must give a preference to teachers seeking endorsements in order to be assigned to the TBIP after 2017-18, as well as teachers assigned to certain high-needs schools.

The Washington Student Achievement Council (WSAC) must provide regular reports to the PESB on the status of teacher conditional scholarship recipients. Funds received by the PESB for scholarships may be transferred to the WSAC for deposit into the Conditional Scholarship Account.

Beginning in the 2017-18 school year, classroom teachers assigned to the TBIP must hold Bilingual Education or ELL endorsements.

ELL Accountability.

The OSPI must convene an ELL Accountability Task Force to design a performance-based accountability system for the TBIP. The accountability system must include establishing and monitoring performance benchmarks; tiered levels of support, technical assistance, and intervention; and a focus on program outcomes.

An interim report on the proposed system design is due January 15, 2014, with a final report due September 30, 2014.

Schools with a significant increase in the enrollment of ELL students during the previous two school years must provide cultural competence professional development for their staff.

Educator Recruitment.

The PESB and the OSPI must convene a work group to revise CTE courses related to Careers in Education to incorporate the cultural competence standards adopted by the PESB, reflect new research on educator preparation and development, and incorporate RWT curriculum and activities.

The PESB must convene a work group to design an articulated pathway for teacher preparation that includes:

- paraeducator certificate and apprenticeship programs that offer course credits that apply to transferrable associate degrees and are aligned with the PESB certification standards;
- associate degree programs that add to certificate programs, incorporate field experiences, and are fully transferrable to bachelor's degree programs; and
- bachelor's degree programs that lead to teacher certification without duplicating the associate degrees.

Standards for cultural competence must be incorporated throughout the pathway.

If funds are appropriated, the PESB must submit a report comparing current pathways to teaching with the articulated pathway, along with recommended strategies to address gaps, by January 10, 2014. The PESB and the State Board for Community and Technical Colleges may exercise their authorities for program approval to implement the articulated pathway.

Beginning in 2014-15, paraeducator certificate and apprenticeship programs offered by community and technical colleges must provide candidates the opportunity to earn transferrable course credits and incorporate the PESB standards for cultural competence.

Appropriation: None.

Fiscal Note: Requested on January 23, 2014.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed, except section 202 relating to including cultural competence in required professional development for administrators, and section 402 relating to cultural competency training for schools with a significant increase in English language learners, which are null and void unless funded in the budget.