

HOUSE BILL REPORT

HB 1692

As Reported by House Committee On:

Education
Appropriations

Title: An act relating to implementing career and college ready graduation requirements.

Brief Description: Implementing career and college ready graduation requirements.

Sponsors: Representatives Sullivan, Pettigrew, Maxwell, Lytton and Pollet.

Brief History:

Committee Activity:

Education: 2/19/13, 2/22/13 [DPS];

Appropriations: 2/28/13, 3/1/13 [DPS(ED)].

Brief Summary of Substitute Bill

- Provides that an increase in instructional hours under Basic Education takes effect in 2014-15, and adds a new funding allocation to the prototypical school funding formula to support the increase.
- Authorizes the State Board of Education to implement the 24-credit graduation requirement framework adopted by resolution on November 10, 2010, to take effect with the freshman class of 2015-16.
- Increases allocations for guidance counselors and family engagement coordinators in the prototypical school funding formula.
- Increases the funding allocations for middle and high school students in the Transitional Bilingual Instructional Program (TBIP) and adds a new allocation to provide support for students who have exited the TBIP in the previous two years.
- Increases the funding allocation for the Learning Assistance Program (LAP) and establishes new program requirements for school districts receiving LAP funds.

HOUSE COMMITTEE ON EDUCATION

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.

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Santos, Chair; Stonier, Vice Chair; Bergquist, Haigh, Hunt, Lytton, Maxwell, McCoy, Orwall, Pollet and Seaquist.

Minority Report: Do not pass. Signed by 10 members: Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan, Hargrove, Hawkins, Hayes, Klippert, Parker, Pike and Warnick.

Staff: Barbara McLain (786-7383).

Background:

Basic Education Program.

Revisions to the legislative definition of Basic Education adopted in 2009 require school districts to provide students with the opportunity to complete 24 credits for high school graduation, based on courses specified by the State Board of Education (SBE). The increase to 24 credits is to be phased-in according to a schedule adopted by the Legislature.

Changes in graduation requirements proposed by the SBE must be submitted to the Education Committees of the Legislature and the Quality Education Council for review before they are adopted. Changes that are found to have a fiscal impact on school districts take effect only if formally authorized and funded by the Legislature. In November 2010 the SBE adopted a resolution proposing a Career and College Ready framework for the 24 credits. In 2011 the SBE implemented changes in graduation requirements from the proposed framework that had been identified as not having a fiscal impact, to take effect with the graduating class of 2016. The remaining changes have not yet been authorized or funded by the Legislature.

The revised definition of Basic Education also provides for an increase in minimum instructional hours from a districtwide average of 1,000 hours across all grades, to 1,000 hours in each of grades 1 through 6 and 1,080 hours in each of grades 7 through 12. This increase is also to be implemented according to a schedule adopted by the Legislature, which has not yet occurred.

The statutory prototypical school funding formula to support the Basic Education Program contains allocations for guidance counselors at the following rates:

- elementary schools: 0.493 for 400 students;
- middle schools: 1.116 for 432 students; and
- high schools: 1.909 for 600 students.

The formula also contains an allocation for parent involvement coordinators, but the allocation rate across all schools is zero.

Transitional Bilingual Instructional Program.

The Transitional Bilingual Instructional Program (TBIP) provides instructional support for students whose level of English language proficiency is determined to be sufficiently deficient to impair learning. The prototypical school funding formula allocates funds to

support 4.778 hours per week of supplemental instruction in a class of 15 students for each student eligible for and enrolled in the TBIP.

Learning Assistance Program.

The Learning Assistance Program (LAP) provides instructional support for students who are performing below grade level in reading, writing, and mathematics. The prototypical school funding formula allocates funds to support 1.5156 hours per week of supplemental instruction in a class of 15 students. The funding allocation is based on the percentage of students in the school district who are eligible for free and reduced price lunch, but for purposes of providing supplemental instruction school districts must identify those students with the greatest academic deficits.

School districts must submit an annual plan that identifies the activities to be conducted and the expenditure of funds under the LAP. The plan is required to have a number of specified elements and must be approved by the Office of the Superintendent of Public Instruction (OSPI). School districts have flexibility in determining which schools receive the LAP funds.

Summary of Substitute Bill:

Basic Education Program.

School districts must provide students the opportunity to complete 24 credits for high school graduation beginning with students entering the grade 9 or beginning the equivalent of a four-year high school program on or after July 1, 2015. The SBE must adopt rules to implement the Career and College Ready framework that was adopted by resolution on November 10, 2010. The provisions of the bill and the increased funding through changes to the prototypical school formula contained in the bill constitute the funding by the Legislature that is required under current law to authorize changes in graduation requirements.

The increase in minimum instructional hours under the Basic Education Program takes effect beginning in the 2014-15 school year. To support this increase, an allocation of 2.222 instructional hours per week for students in grades 7 through 12 is added to the prototypical school funding formula, based on the general education class sizes specified in the formula for those grades.

Beginning in 2013-14 the funding formula allocation for guidance counselors is increased by 0.50 in both middle schools and high schools. The staffing category of parent involvement coordinator is changed to family engagement coordinator, and an allocation of 0.50 is provided in elementary schools.

Transitional Bilingual Instructional Program.

Beginning in 2013-14 the funding formula allocation for the TBIP is increased to 6 hours per week of supplemental instruction for students in grades 7 and 8, and eight hours per week for students in grades 9 through 12. The allocation for grades kindergarten through 6 remains at 4.778 hours per week.

A funding allocation is added to provide 3 hours per week of supplemental instruction for students who have exited the TBIP within the previous two years based on their performance on the state English language proficiency assessment. School districts must make a program of instructional support available for up to two years immediately after students exit the TBIP for those who need assistance in reaching grade-level performance in other academic subjects.

Learning Assistance Program.

Beginning in 2013-14 the funding formula allocation for the LAP is increased to 2 hours per week of supplemental instruction. Requirements for school districts to submit plans for the LAP to the OSPI for approval are repealed. Instead, school districts must:

- use curricula or instructional programs recommended by the OSPI based on research evidence that the programs are associated with improved student achievement;
- record each participating student in the statewide student data system;
- monitor and document the performance and progress of participating students using multiple sources of performance data, including data on individual student growth or student growth percentiles when this is available from state assessments;
- conduct an annual program evaluation by analyzing student performance data; and
- prepare a year-end report that includes the criteria for identifying participating students, evaluation results, summary data on expenditures by school, and proposed changes to the district's program based on the evaluation results.

School districts must allocate the LAP funds to any school where more than 50 percent of the students are low-income. School districts must also expend more per student from the LAP funds in schools where more than 75 percent of the students are low-income, compared to per-student funding in other schools.

Substitute Bill Compared to Original Bill:

The 24-credit graduation requirement takes effect with the freshman class entering high school in 2015 rather than 2017. The additional 2.222 hours of instruction per week for students in grades 7 through 12 are allocated in such a way as to include the additional staff allocation within the funding formula calculation of staff units for central district administration, as well as within the calculation of funding for special education.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available. New fiscal note requested on February 23, 2013.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 3 relating to the prototypical school funding formula; section 4 relating to special education, sections 5 and 6 relating to TBIP; and sections 8 through 12 relating to LAP, which take effect September 1, 2013.

Staff Summary of Public Testimony:

(In support) This bill stems from the work of the Joint Task Force on Education Finance (Task Force). As the Task Force reviewed previous education reform bills and graduation requirement recommendations, one thing became very clear. There was a need to ensure that kids graduate career and college ready regardless of their choices about what they want to do. Students should not be allowed to fall further behind or increase the dropout rate. The intent is to allow all students to have success in a 24-credit program. The funding associated with the bill is included in the Task Force recommendations.

This is the next step for fully funding public schools. The key point is to fully fund increased instruction in order to address remediation for the assessments. The targeted approach to the LAP and the TBIP is supported. A targeted approach is needed to take into account race, English language learners, poverty, homelessness, and family instability. This addresses some of the major concerns heard from parents and communities by reducing some of the systemic gaps.

The increase in the TBIP provides not only additional instructional hours, but additional instruction after students exit. The data indicates that exited students are falling behind their English-speaking counterparts. Additional support is needed to support transition and reaching academic success.

The 24-credit diploma has been supported for several years. There is a need to consider flexibility for students not only while they are in school, but also after they graduate. Students need to be able to choose where they want to go. Half of students have not even taken the right credits, let alone the right number, to enter a four-year university without remediation. A faster implementation timeline would be preferred.

School administrators continue to be divided on the 24 credits, but the main concern is that they must be funded. This starts the process by providing additional allocations for instruction and other items. The additional allocations for the TBIP, the LAP, counselors, and family engagement coordinators are appreciated. This would go a long way to express legislative intent about fully funding Basic Education. The timeline for the 24 credits is a little bit too long, but school districts would appreciate the time to phase in the requirements.

This is a great day and a great bill. In 2009 a bill was passed with great promises about additional funding for education. There is a realization that the economy has been bad. The objective is to redefine and fully fund Basic Education and provide a rigorous, balanced, and enriching education to prepare students for life. This cannot rely on parent fundraisers; the state has to come through.

(In support with concerns) Students with successful parents know the next step and receive assistance in choosing the right pathway. Low-income students are the real concern. Their parents are not able to advocate as effectively. The SBE has a special responsibility to ensure that these students leave high school—their one shot at free public education—prepared. The vast majority of students need to earn additional credits, and there needs to be flexibility so that students have the opportunity to take appropriate courses. This bill pays for this opportunity and is extremely important.

The belief is that if this bill is enacted and funded, it sends a significant message to the Washington Supreme Court (Court) that the Legislature is able to sustain and implement previously enacted legislation. The concern is that the Court has made it very clear that 2018 is the time for full constitutional compliance, and this bill implements graduation requirements with the class of 2021.

There is concern with implementing the 24-credit requirement. The SBE has added some flexibility in their proposal, but the one area where there is still grave concern is the third credit of science. The dialogue should be continued. There should be some additional flexibility for students to create a program to meet their needs. The other aspects of the bill are very exciting.

The most exciting aspect of the bill is setting up the opportunity for students to graduate with real choices. When the bar is set high, students will meet it. The concern is with the date. A more aggressive implementation schedule is needed. The increases in the LAP and the TIBP are supported, but there is probably a need to invest more in those areas.

(Opposed) None.

Persons Testifying: (In support) Representative Maxwell, sponsor; Lucinda Young, Washington Education Association; Sharonne Navas, Equity in Education Coalition and Washington State Commission on Hispanic Affairs; Roxana Norouzi, One America; Dave Powell, Stand for Children; Dan Steele, Washington Association of School Administrators; and Ramona Hattendorf, Washington State Parent Teacher Association.

(In support with concerns) Connie Fletcher and Ben Rarick, State Board of Education; Gerry Ringwood, Washington State Skills Centers; Frank Ordway, League of Education Voters; and Tim Knue, Washington Association for Career and Technical Education.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by 18 members: Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle, Cody, Dunshee, Green, Haigh, Hudgins, Hunt, Jinkins, Kagi, Maxwell, Morrell, Pedersen, Pettigrew, Seaquist, Springer and Sullivan.

Minority Report: Do not pass. Signed by 13 members: Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Dahlquist, Fagan, Haler, Harris, Parker, Pike, Ross, Schmick and Taylor.

Staff: Jessica Harrell (786-7349).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Education:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 3 relating to the prototypical school funding formula; section 4 relating to special education, sections 5 and 6 relating to TBIP; and sections 8 through 12 relating to LAP, which take effect September 1, 2013.

Staff Summary of Public Testimony:

(In support) The Legislature adopted the enhanced graduation requirements pending the adoption of an implementation schedule. This bill is an attempt to move that process forward in a way that ensures that all students have an opportunity to get their 24 credits. This bill was one component of the issues discussed by the Joint Task Force on Education Funding and a step towards meeting our obligations under the *McCleary* decision. The Washington Supreme Court has asked for a detailed plan on how the Legislature plans to fund and strengthen the program of basic education. This bill supports that mandate. The career and college readiness framework in this bill provides students with choices and access to living wage jobs. This is the first step towards fulfilling the *McCleary* decision. To aid our schools we need to give them the resources they need to meet the requirements of their communities.

(Opposed) None.

Persons Testifying: Representative Sullivan, prime sponsor; Ben Rarick, State Board of Education; Lucinda Young, Washington Education Association; Sharonne Navas, Equity in Education Coalition; and Frank Ordway, League of Education Voters.

Persons Signed In To Testify But Not Testifying: None.