

SENATE BILL REPORT

2SHB 1680

As of March 15, 2013

Title: An act relating to implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee.

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 History: Passed House: 3/08/13, 54-44.

Committee Activity: Early Learning & K-12 Education: 3/15/13.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Katherine Taylor (786-7434)

Background: 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 the Education Ombudsman and the Office of Superintendent of Public Instruction (OSPI), and five members representing the state ethnic commissions and federally recognized tribes.

In its annual report for 2013, 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 ELL 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.

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.

Summary of Bill: Student Discipline. OSPI must convene a discipline task force to develop common definitions of discretionary disciplinary actions, as well as data collection standards for discretionary actions and actions that result in the exclusion of a student from school. Data must be included about education services provided while a student is subject to discipline, the status of petitions for readmission, credit retrieval, and school dropout as a result of discipline. OSPI and the K-12 Data Governance Group must revise the statewide student data system and begin collecting discipline data using the new standards beginning in the 2015-16 school year.

A suspension or expulsion may not be for an indefinite period of time. Emergency expulsions must be converted to another form of action within ten days. A school district may not suspend the provision of educational services to a student as a disciplinary measure. 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. The training program for revised evaluation systems developed by OSPI must include foundational elements of cultural competence, focusing on multicultural education and principles of English language acquisition. Professional development for principals and administrators on the evaluation systems must also include this content.

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 Professional Educators Standards Board (PESB), and must contain components for different types of staff, as well as components that could be delivered by individuals from the community. The Legislature encourages Educational Service Districts (ESDs) and school districts to use this training and provide opportunities for all staff to gain knowledge and skills in cultural competence.

ELL Instruction. The Retooling program is renamed the Educator Retooling program and expanded to include scholarships for teachers seeking endorsements in Bilingual Education, ELL, or Special Education. In awarding scholarships for Bilingual Education or ELL, PESB must give a preference to: teachers seeking endorsements in order to be assigned to a Transitional Bilingual Instructional Program (TBIP) after 2017-18, teachers in schools that must implement improvement plans, and schools whose ELL enrollment has increased more than 5 percent per year for the previous three years.

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

Beginning in the 2017-18 school year, classroom teachers assigned to provide supplemental instruction to TBIP students using TBIP funds must hold Bilingual Education or ELL endorsements.

ELL Accountability. OSPI must convene an ELL Accountability Taskforce to design a performance-based accountability system for TBIP, including reviewing research and best practices for ELL instruction and identifying performance benchmarks for TBIP. The accountability system must include reporting and monitoring of benchmarks; tiered levels of support, technical assistance, and intervention; and a reduction in requirements for program applications and program plans, to be replaced by 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 that experience a significant increase during the previous two school years in the enrollment of ELL students, as identified by OSPI, must provide cultural competence professional development for their staff.

Educator Recruitment. PESB and OSPI must convene a workgroup to revise the career and technical education courses related to careers in education to incorporate the cultural competence standards adopted by PESB, reflect new research on educator preparation and development, and incorporate the Recruit Washington Teachers Program curriculum and activities.

Subject to funding, PESB must convene a workgroup to design an articulated pathway for teacher preparation that includes the following:

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

Subject to funding, 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. PESB and the State Board for Community and Technical Colleges may exercise their authorities under current law for certification program approval and degree 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 PESB standards for cultural competence.

Section 202 relating to including cultural competence in required professional development for administrators, and section 402 relating to cultural competency training for schools with significant increasing ELL, are null and void unless funded in the budget.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This is an omnibus bill. We should adopt this to close the opportunity gap. We urge your support. We need a commitment to fix the opportunity gap at many levels. This bill is not as good as the first version of the bill. We support this bill but we want the disaggregated data section back. We need to diversify our teacher core. We need cultural competency. We need parents engaged. Professional development and training in cultural competency is important. Washington leaders and administrators need tools to provide cultural competency. We need to bring back the time when we believed that all children were gifted. This bill takes a strategic approach. This is more of a chasm than a gap. We want a number of sections from the original bill to be restored. The cultural competency training would have helped me as a teacher. There is no funding for TBIP. We want teachers to be properly endorsed. We want principals added to the taskforce. We need funding. There are 2.3 million hours for bilingual instruction. There are standards for teachers but not paraeducators on bilingual training.

OTHER: There are a lot of things in this bill that we support. However, we need to balance discipline issues. Indefinite suspensions should have qualifications for safety issues. We like the discipline taskforce. We do not want deep data collection.

Persons Testifying: PRO: Jeannie Nist, TeamChild; Alex Hur, Equity in Education Coalition; Ay Saechao, SE Asian American Access in Education Coalition; Dave Powell, Stand for Children; Lucinda Young, WA Education Assn.; Lynne Tucker, Schools Out WA; Rosalund Jenkins, Black Education Strategy Roundtable, League of Education Voters; Jerry Bender, Assn. of WA School Principals; Lillian Ortiz-Self, Commission on Hispanic Affairs; Doug Nelson, Puget Sound Energy, Service Employees International Union 1948; Emily Murphy, OneAmerica; Miguel Perez-Gibson, Progreso Latino Progress Alliance, Colville Tribes.

OTHER: Marie Sullivan, WA State School Directors Assn.