

SENATE BILL REPORT

SB 5330

As of February 5, 2013

Title: An act relating to improved student achievement and student outcomes.

Brief Description: Improving student achievement and student outcomes.

Sponsors: Senators Hargrove, Shin and Hill.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/04/13.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Susan Mielke (786-7422)

Background: Washington Kindergarten Inventory of Developing Skills (WaKIDS). WaKIDS is a process that includes: the Whole-Child Observational Assessment, which provides kindergarten teachers information about the social, emotional, physical, cognitive, and linguistic development of the children in their classrooms; and the Family Connection, a meeting between the kindergarten teacher with students' families. The assessment is administered three times a year in the Early Childhood Education and Assistance Program (ECEAP); and has been administered in state-funded full-day kindergarten programs since the 2012-13 school year. The kindergarten administration of WaKIDS is funded with state funds, a federal grant, and private funding. The 2011-13 operating budget provided \$900,000 for WaKIDS to support the implementation of the inventory and for training of school district staff. The Department of Early Learning (DEL) was awarded a federal Race to the Top grant for early learning that specifies that all incoming kindergarten students will be reviewed under the same assessment process, using WaKIDS, statewide by 2014-15. The work group created in 2012, is to make annual recommendations regarding implementation of WaKIDS. The 2011-13 biennial budget provided \$900,000, to support the development and implementation of inventory and staffing at the Office of Superintendent of Public Instruction (OSPI) for oversight of the program and training of school district staff. In 2012 the Legislature provided an additional \$1 million for implementation of WaKIDS.

Full-day Kindergarten. All school districts must provide half-day kindergarten for students. State funding to support full-day kindergarten is being phased in, beginning in schools with the highest percentage of low-income students. Currently, about 22 percent of the state's kindergarteners are in a state-funded, full-day kindergarten program, which includes 91

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school districts and 222 schools. Current statutory language provides that the minimum instructional program of basic education each district must make available to students includes half-day kindergarten, which must be increased to full-day kindergarten on an implementation schedule adopted by the Legislature and achieved by the 2017-18 school year.

Salary Allocation Schedule. The Legislature allocates money to each school district for state-funded employee salaries. In the case of certificated instructional staff (CIS), which are teachers, counselors, librarians, and other instructional staff requiring certification, the state funding is provided based on a state-salary allocation schedule. An individual's education level and teaching experience determines the allocation for base salary and is displayed in the biennial budget as a matrix with 128 cells. Additional funds, a 1 to 3 percent increase, are provided for each additional year of experience up to 16 years. Additional funds, a 3 to 8 percent increase, are also provided for additional credits of approved education acquired up to a Ph.D. Additionally, the Legislature limits a school district's authority to establish salaries for certificated instructional staff by setting a minimum and an average salary level. Actual salaries are determined through collective bargaining, subject to certain minimum and average limits that are set by the Legislature.

K-12 CIS who attain certification from the National Board for Professional Teaching Standards (NBPTS) receive an annual bonus in each of the ten years for which the certification is in effect. The amount of the bonus is identified in statute as \$5,000 in the 2007-08 school year, to be increased by inflation annually. The current amount of the annual bonus is \$5,090. An additional \$5,000 bonus is available for individuals with NBPTS certification who teach in a high poverty school, which is a school in which at least 70 percent of the students qualify for free and reduced-price lunch.

In June 2012 a compensation technical work group created by the Legislature submitted a final report with recommendations on the details of a salary allocation model that aligns with educator certification. The work group recommended that a minimum of three years of experience be required to make the progression from the residency certificate, the first certificate earned, to the professional certificate. PESB recommended that a more developmentally-appropriate, salary-related incentive for teachers would be for CIS to first pursue the professional certificate and later pursue National Board, if appropriate. The schedule includes PESB recommendation results in twelve cells on the matrix.

Supplemental Contracts. School districts may provide one-year supplemental contracts for CIS for additional time, responsibilities, incentives, and innovations (TRII) using local revenues. TRII contracts are not part of basic education and cannot be used for provision of basic education services. TRII contracts must not cause the state to incur any future funding obligation.

K-3 Class Size. In 2009 the Legislature created a new funding formula to determine state funding provided for the instructional program of basic education. The formula uses prototypical schools to illustrate the level of resources needed to operate a school of a particular size, with particular type, and grade levels of students using commonly understood terms and inputs, such as class size, hours of instruction, and various categories of school staff. The formula is for allocating funds to school districts; the districts are not required to

spend the funds in the same manner as they are allocated. Current law requires the allocation for K-3 class size must be sufficient to reduce the average class size to no more than 17 students per teacher beginning in the 2017-18 school year.

Parent Involvement Coordinator. Currently the prototypical school funding allocation model has parent involvement coordinator listed as one of the specified staff positions used to determine how to fund public schools, but the value in the model is zero. The Quality Education Council made recommendations to the Legislature in January 2011, to set the funding values at 1.0 full-time equivalent coordinator for the prototypical elementary school; 1.0 full-time equivalent for the prototypical middle school; and 0.8 for the prototypical high school. The 2013 report of the Educational Opportunity Gap Oversight and Accountability Committee includes a recommendation that 1.0 full-time equivalent coordinator be allocated per prototypical elementary, middle, and high school.

Teacher Mentor Program. In 2009 the Legislature redesigned the teacher assistance program to create the Beginning Educator Support Team (BEST), which is a grant program to provide support for the development of early career educators. The 2011-12 grant recipients included two school districts and three regional consortia, serving 26 additional school districts. The 2011-13 biennial operating budget provided \$2 million for the BEST program, which was a reduction of 50 percent, from the prior biennium.

Learning Assistance Program (LAP). LAP provides remedial academic instruction to students in kindergarten through grade twelve who score below grade level in reading, writing, and mathematics on statewide or local school district assessments. Services and activities that may be supported by LAP include outreach activities and support for parents of participating students. The Legislature appropriated \$255 million in state funds for LAP in the 2011-13 biennium.

Transitional Bilingual Instruction Program (TBIP). TBIP assists students in achieving competency in English when they are from homes where English is not the primary language. School districts must provide in-service training for teachers, counselors, and other staff who are involved in the district's TBIP.

Building Bridges Grants. In 2007 the Legislature created a Building Bridges grant program to award grants to local partnerships of schools, families, and communities to begin phasing in the statewide comprehensive dropout prevention, intervention, and retrieval system. Currently there are three Building Bridges grantees that serve students in Granite Falls School District, ESD 113–Mason County, and Vancouver School District that each received \$75,000.

Summary of Bill: WaKIDS. Beginning with the 2014-15 school year, all kindergarten teachers must administer WaKIDS to each kindergarten student. The results must be reported to OSPI. Schools may use up to five school days at the beginning of the school year to meet with parents and families as part of WaKIDS process and still receive basic education funding for those days. The 2012 work group is eliminated.

Full-day Kindergarten. The stated goal for an effective kindergarten program is to provide a learning environment that will successfully prepare each individual student to take the next

step in their education. The Legislature finds that all kindergarten students will not need a full-day kindergarten program to be prepared for first grade. The Legislature must provide a full-day kindergarten basic education program for students who participate in the ECEAP whose performance on the spring administration of WaKIDS indicates that they need additional support; and students identified using a screening tool to determine the level of kindergarten readiness of entering kindergarten students. The screening tool must be developed or listed as appropriated by OSPI for school districts to use. Starting in the 2015-16 school year, state funding for the basic education program for full-day kindergarten will be based on the percentage of students in kindergarten in the school district who were eligible for free or reduced meals in the prior school year. Beginning in the 2017-18 school year, state funding for the full-day kindergarten program is based on a three-year rolling average of the number of children within the school district scoring below peer level on WaKIDS. Students that do not participate in WaKIDS are not eligible for a state-funded, full-day kindergarten basic education program.

Salary Allocation Schedule. A proposed salary allocation that is structured according to the stages of the career continuum for educators is created to apply to CIS who enter the public school system after the 2012-13 school year. It recognizes the movement from a residency certificate to a professional certificate and potentially to a NBPTS certificate with an increase in the allocation for salaries. It also provides an increase in allocations for an advanced degree after nine years of experience and retention of a professional or NBPTS certificate. The proposed allocation matrix has twelve cells. CIS with a professional or continuing certificate by the 2013-14 school year may choose to stay under the old salary allocation schedule or to transfer to the the proposed salary allocation schedule. A CIS who earns a NBPTS certificate must choose to either accept the bonus available for obtaining the NBPTS certification and stay under the old salary allocation schedule, or to not accept the bonus and have their salaries distributed in accordance with the proposed salary allocation schedule. The bonus for NBPTS certificate holders who teach in a high poverty school is available under both allocation schedules.

Supplemental Contracts. TRII contracts are eliminated. One-year, locally funded salary enhancements for non-basic education functions that are unique to the school district are authorized. The enhancements must not be more than 10 percent of the state amount of the school district's state provided salaries.

K-3 Class Size. The prototypical school allocation model is changed to require the allocation for K-2 class size, instead of K-3 class size, to be sufficient to reduce the average class size funded to no more than 17 students per teacher beginning in the 2017-18 school year.

Parent Involvement Coordinator. The funding values for the parent involvement coordinator in the prototypical school funding allocation model are set at one full-time equivalent family involvement coordinator for each prototypical elementary, middle, and high school. The state funds provided for the coordinators must be spent to employ a parent involvement coordinators and to implement parent involvement programs that have been shown by research to be successful.

Mentor Program. A support program for novice and probationary teachers is created to provide mentor support for first through third year teachers and teachers who are on

probation. The program must include a paid orientation, assignment of a qualified mentor who must be a NBPTS certificate holder, development of a professional growth plan for each mentored teacher, release time for mentors and new teachers to work together, and teacher observation with accomplished peers.

LAP. LAP is expanded to assist students who exhibit behavior that is not conducive to their own learning or the learning of other students. OSPI must recommend a research-based, standardized screening tool to be used by school districts to identify students with behavior problems to participate in LAP. Programs used in LAP must be included on the inventory of effective practices, activities, and programs developed by the Washington Institute of Public Policy (WSIPP), unless approved by OSPI when the school district can show that the students in the program experienced an increase in academic achievement. WSIPP must update the inventory every two years. OSPI must monitor school district fidelity in implementing the the programs on the inventory. School districts must report to OSPI, student entrance and exit data; and the specific practices, activities, and programs used by each school building that receives LAP funding. LAP funds may be used to employ a parent involvement coordinator.

TBIP. Schools with more than 15 percent language diversity in the student population must be allocated funding to provide research-based professional development to all educators in the school regarding successful, best-practice strategies for English language learner instruction. OSPI must develop or identify research-based or evidence-based professional development of effect strategies for English language learner instruction.

Building Bridges Grants. School districts with the highest levels of truancy must receive priority when Building Bridges grants are awarded.

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: It is important to deliver research-based practices into the schools and to make sure it is implemented with fidelity. The focus should be on what individual students need and not just implement blanket programs for all students that are not meaningful for some students, especially when resources are scarce. A quality teacher is important for student success but if that teacher must deal with students who have behavior problems then it takes away from the teacher's ability to provide quality teaching to the other students. There is great research that shows that parent involvement is important for a student's educational success. We can encourage and assist parents to be involved.

OTHER: There are a lot of things to like in this bill but there are some things that raise concerns. The extra days provided for implementing WaKIDS is very helpful. Fully implementing WaKIDS by 2014-15 is a positive move and it aligns with DEL's federal Race to the Top grant. Providing professional development for schools that have a high level of

English Language Learners is great. Different children do need different levels of support in their early years. However, full-day kindergarten is good for all students, whether they are gifted or struggling, and it is part of the definition of basic education. If you are going to target delivery of full-day kindergarten than other factors, not only socio-economic needs, should be used to determine how to target the program. WaKIDS is very difficult to do if you are a half time kindergarten teacher, so requiring all kindergarten teachers to administer it will be difficult. Research has shown that lowering class size in early years is helpful, but this only addresses grades K-2, currently K-3 class size reduction is in the definition of basic education. The new salary schedule could result in salary reductions, which is a concern. The family involvement coordinators are important but first the state should fund other things to meet the *McCleary* court requirements of funding basic education.

Persons Testifying: PRO: Senator Hargrove, prime sponsor.

OTHER: Randy Dorn, State Superintendent of Public Instruction; Amy Blondin, DEL.