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## Education Committee

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### HB 1541

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

**Sponsors:** Representatives Santos, Ortiz-Self, Tharinger, Moscoso, Orwall and Gregerson.

#### Brief Summary of Bill

- Prohibits long-term suspension or expulsion as a form of discretionary discipline.
- Requires the Education Data Center to prepare a regular report on the educational and workforce outcomes of youth in the juvenile justice system.
- 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 Special Education, Bilingual Education, or English Language Learner (ELL).
- Requires development of a performance-based accountability system for the Transitional Bilingual Instructional Program (TBIP).
- Requires that teachers assigned to the TBIP be endorsed in Bilingual Education or the ELL beginning in 2019-20.
- Requires collection of student data disaggregated by sub-racial and sub-ethnic categories, to be phased in beginning in 2017-18.
- Directs design of an articulated pathway for teacher preparation, from paraeducator certificates through teacher certification.

**Hearing Date:** 2/10/15

**Staff:** Megan Wargacki (786-7194).

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*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.*

## **Background:**

### Educational Opportunity Gap Oversight and Accountability Committee.

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 2015 report to the Legislature, the Committee made the following recommendations:

- reduce the length of time students of color are excluded from school due to suspension and expulsion and provide students support for reengagement plans;
- enhance the cultural competence of current and future educators and classified staff;
- endorse all educators in English Language Learner (ELL) and second language acquisition;
- account for the transitional bilingual instruction program instructional services provided to ELL students;
- analyze the opportunity gap through deeper disaggregation of student demographic data;
- invest in the recruitment, hiring, and retention of educators of color;
- incorporate integrated student services and family engagement; and
- strengthen student transitions.

### Student Discipline.

Each school district board of directors is required to adopt written policies regarding student conduct and discipline. The Superintendent of Public Instruction must adopt rules for providing due process rights to students who are subject to disciplinary actions. Disciplinary actions made at the discretion of the school district must be compliance with district policies and state laws and rules. Long-term suspension is defined as more than 10 days.

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: (1) knowledge of student cultural histories and contexts; (2) knowledge and skills in accessing community resources and community and parent outreach; and (3) 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 Instruction Program (TBIP) to provide additional support for ELL students to gain English language proficiency.

#### 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 TBIP; 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.

#### Disaggregated Data.

The OSPI collects student data on race and ethnicity through the statewide student data system. The K-12 Data Governance Group oversees data collection protocols and standards and provides guidance for school districts. Federal race and ethnicity reporting guidelines require, at a minimum, reporting of student race as White, African American/Black, Asian, American Indian/Alaskan Native, Native Hawaiian/Pacific Islander, and then a separate reporting of ethnicity as Hispanic or not Hispanic. The data system also contains 57 different racial subcategories and nine ethnic subcategories, but school districts are not required to report at this level of disaggregation.

#### Educator Training.

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.

#### Educator Recruitment.

The Recruiting Washington Teachers program (RWT) operates as a grant-funded partnership between high schools, colleges of education, and community organizations to recruit and provide 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:

- at least two years of postsecondary education;
- an associate degree or higher; or
- 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.

School districts may not exclude students from school for discretionary disciplinary actions, rather the district must provide educational services in an alternative manner.

The Education Data and Research Center must prepare a regular report on the educational and workforce outcomes of youth in the juvenile justice system.

#### 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.

Professional development program to support evaluation systems must be aligned to cultural competence standards and focus on multicultural education and principals of English language acquisition. Schools that are required to implement a plan for improvement must provide the cultural competence training for all staff.

#### ELL Instruction.

The types of endorsements teachers and certain certificated elementary educators may pursue to qualify for the Retooling program must include special education, bilingual education, or ELL, in addition to math and science. Preference must be given to teachers assigned to a school implementing a plan for improvement and teachers assigned to schools with growing populations of ELL, when awarding scholarships in bilingual education or ELL endorsements.

All teachers in the TBIP must hold an endorsement in bilingual education or ELL by the 2019-20 school year.

#### ELL Accountability.

The OSPI must convene an ELL Accountability Task Force to design a performance-based accountability system for the TBIP. The Legislature is no longer required to approve and fund TBIP evaluations before the program can be implemented. The OSPI must provide districts with assistance and support related to the TBIP. The OSPI must also identify schools that have experienced a significant increase in ELL students, so that the district can provide training to these schools.

#### Disaggregated Data.

The OSPI must collect and school districts must submit student data using federal race and ethnicity guidelines, including sub-racial and sub-ethnic categories, with the following additions:

- further disaggregation of the African American/Black category and Asian category;

- further disaggregation of the White category to include Eastern European nationalities with significant populations in Washington; and
- reporting of students by their discrete racial categories if they report as multi-racial.

This data must be collected beginning in the 2017-18 school year for students who newly enroll, transfer, or change schools within a district. The K-12 Data Governance Group must develop protocols and guidance for this data collection, and the OSPI must incorporate training on best practices for collecting data on racial and ethnic categories into other data-related training.

#### Recruitment and Retention.

The PESB and the OSPI must convene a work group to revise the 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 the 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.

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, 2016.

The 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 2016-17, 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 02/04/15.

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