

# FINAL BILL REPORT

## ESHB 1209

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Synopsis as Enacted

**Brief Description:** Reforming education.

By House Committee on Education (originally sponsored by Representatives Peery, Ballard, Dorn, Jones, Brough, R. Meyers, Cothorn, Sheldon, Brumsickle, Roland, Eide, Holm, Jacobsen, Thomas, J. Kohl, Ogden, Franklin, G. Cole, Veloria, Wang, H. Myers, Horn, Scott, Karahalios, L. Johnson, Thibaudeau, Wolfe, Leonard, Locke, Basich, Orr, Kessler, Campbell, Linville, Pruitt and Wineberry; by request of Council on Education Reform and Funding).

House Committee on Education  
House Committee on Appropriations  
Senate Committee on Education

**Background:** In May 1991, Governor Gardner created the Governor's Council on Education Reform and Funding. The council, which was composed of legislative, school, and business leaders, developed recommendations designed to improve the education system. The final report of the council was completed in December 1992, and many of its recommendations were incorporated in the initial version of this legislation (House Bill 1209).

The recommendations included, but were not limited to, student learning goals, changes to the duties of the Commission on Student Learning, school improvement grants, educator assistance programs, technology initiatives, and social service collaboration programs.

### STUDENT LEARNING GOALS

The "Basic Education Act" provides the framework for state funding of K-12 education. The goal of the act is "...to provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning." The skills that are "requisite to learning" include being able to: (1) distinguish, interpret, and make use of words, numbers, and other symbols; (2) organize words and other symbols into acceptable verbal and nonverbal forms of expression; (3) perform intellectual functions; and (4) use various muscles necessary for coordinating physical and mental functions.

## COMMISSION ON STUDENT LEARNING

The 1992 Legislature approved legislation (SSB 5953) establishing a Commission on Student Learning that is to develop new student assessment and school accountability systems for public K-12 schools. The assessment system is to be based on new student learning goals adopted by the 1993 Legislature. The elementary grade assessment is to be implemented in the 1996-97 school year, while the secondary grade assessment is to be implemented in the 1997-98 school year. Successful completion of the secondary assessment will lead to a "Certificate of Mastery," which will be required for graduation.

The act also began the process of reducing state-level control of how instruction is provided in local school districts. With the "performance-based" system created in SSB 5953, state-level accountability will concentrate more on how well students are learning, and less on state-level regulation and control of how instruction is provided in schools and school districts.

## STUDENT LEARNING IMPROVEMENT GRANTS

Surveys of teachers participating in the Schools for the 21st Century Program indicate that the most important component of the program was the extra days provided school personnel to jointly plan and implement school improvement strategies. The extra time allowed teachers to devise more effective instructional practices, collaboratively solve problems, and better meet the unique needs of their students. It is argued that if educators are not provided with additional staff development and planning time, widespread school improvement efforts will proceed very slowly, if at all.

## EDUCATOR TRAINING AND ASSISTANCE PROGRAMS

Teacher Assistance Program/Mentor Pilot Program: In 1985, a program was created to assist beginning teachers during their first year of teaching. In subsequent years, the program was expanded so that mentors could be provided for experienced teachers, but few mentors for experienced teachers have been funded.

The Governor's Council on Education Reform recommended mentors be funded for experienced teachers who are having difficulty, and programs be developed using individuals who work full-time as mentors.

Administrator Internship Programs: Candidates in preparation programs for principal, program administrator,

or superintendent certificates are required to complete internships. While some school districts provide release time during the school day to their employees who are completing internships, many districts do not. To better ensure a worthwhile internship, the Association of Washington School Principals has recommended state funding be provided to pay for substitutes so that release time may be provided for principal candidate internships.

Paraprofessional Training Program: Beginning in 1989, the state has funded a paraprofessional training program in the Appropriations Act. Paraprofessionals are classified aides who assist teachers. The training is provided through educational service districts, and includes both the paraprofessional and the teacher with whom the paraprofessional works. In an effort to make the program more permanent, it has been suggested that the program be codified in statute.

#### CENTER FOR THE IMPROVEMENT OF STUDENT LEARNING

Considerable research has been conducted during the last several decades on effective teaching and parent involvement strategies. Access to this information, however, is often difficult. Educators, parents, and others have suggested greater efforts be made to make the information available, and additional staff development opportunities be provided based on the results of this research.

#### SCHOOL-TO-WORK TRANSITIONS

The 1992 Legislature established the Academic and Vocational Development Grant Program. The purpose of the program is to fund projects in which academic and vocational subjects are integrated into a single instructional system. The intent is to make school more relevant and practical, and increase the ability of students to make the transition successfully into their future careers.

A total of \$98,000 was appropriated for the 1991-93 Biennium for the program. Because of the large demand for the funds and the importance of better preparing students, especially those who are not planning to go to college, it has been recommended that the program be expanded.

#### TECHNOLOGY

Research and practice have shown the expanded use of computers, telecommunications, video, networks, and other forms of technology has the potential of significantly improving student learning in schools and in meeting school district administrative needs.

However, applying technology in schools is often complex and expensive, and technical assistance is often needed. In the early 1980s, the Legislature initiated regional technology centers in educational service districts to provide technical assistance to school districts. Funding for these centers was eliminated in 1991.

#### EDUCATOR PERFORMANCE ASSESSMENT

In 1987, the Washington State Legislature created a requirement that teacher certification candidates pass an examination before receiving an initial teaching certificate. The requirement is to take effect on August 31, 1993.

The examination is to test knowledge and competence in subjects including, but not limited to, instructional skills, classroom management, and student behavior and development. The exam is to consist primarily of essay questions.

No funds were appropriated for developing and administering the exam. As a result, the State Board of Education requested proposals from testing companies to develop and administer the test, with the contractor being paid from fees paid by individuals taking the exam. Prior to awarding the contract, however, the Attorney General's Office concluded that the state board did not have the legislative authority to charge applicants for taking the test.

#### READINESS TO LEARN

Educators, social service providers, and members of the Governor's Council on Education Reform and Funding have recommended that additional efforts be made by schools and human service providers to coordinate social services for children. This greater coordination, it is argued, will result in more efficient delivery of services.

The Family Policy Council includes the directors of state-level education and human service agencies, legislators, and a governor's representative. The primary purpose of the council is to improve the responsiveness of programs for at risk children and families by increasing coordination and flexibility in the use of program funds.

#### DEREGULATION, ACCOUNTABILITY, FUNDING, AND LEGISLATIVE OVERSIGHT

Deregulation: School board members and school personnel often complain that the state has too many laws and rules that unnecessarily regulate their actions. These laws and

rules should be modified or repealed, they argue, to allow educators the freedom to provide instructional programs that meet the unique needs of their students.

Funding System: The current funding system for K-12 education has many critics. Some think it does not provide enough flexibility for local school districts, while others do not believe it provides adequate incentives for improving student achievement. Others think it does not allocate adequate funds to school districts that have the greatest need.

Choice Transfer Fees: The 1990 Legislature adopted legislation that allows a student to attend school in another school district. However, the legislation allowed the school district to charge the nonresident student a transfer fee. In October 1992, 31 districts charged annual transfer fees that ranged from \$150 to \$1,540. Proponents of educational "Choice" think that these fees are too high, and that they unnecessarily discourage students from transferring to other districts.

Legislative Oversight: Parents, legislators, and others have expressed concern that there needs to be additional legislative oversight of the Commission on Student Learning and other restructuring efforts.

#### PRIVATE SCHOOL AND HOME-SCHOOLED STUDENTS

Many parents of private and home-schooled students have requested their children not be required to participate in the assessment system to be created by the Commission on Student Learning.

#### **Summary:**

#### STUDENT LEARNING GOALS

The goals of the "Basic Education Act" are modified. The primary goal for the schools of the state is to provide students with the opportunity to become responsible citizens, to contribute to their own economic well-being and to their families and communities, and to enjoy productive and satisfying lives. The goals of school districts are to provide opportunities for students to develop the knowledge and skills essential to:

**Goal 1** - read with comprehension, write with skill, and communicate effectively and responsibly in a variety of ways and settings;

**Goal 2** - know and apply the core concepts and principles of mathematics; social, physical, and life sciences; civics and history; geography; arts; and health and fitness;

**Goal 3** - think analytically, logically and creatively, and integrate experience and knowledge to form reasoned judgments and solve problems; and

**Goal 4** - understand the importance of work, and how effort, performance, and decisions directly affect future career and educational opportunities.

#### COMMISSION ON STUDENT LEARNING

The definitions, membership, and duties of the Commission on Student Learning are modified.

Definitions: Definitions of essential academic learning requirements, standards, performance-based education system, and other terms are provided.

The term "performance-based education system" is defined as an education system in which a significantly greater emphasis is placed on how well students are learning, and significantly less emphasis is placed on state-level laws and rules that dictate how instruction is to be provided. According to the definition, the "performance-based education system" created in the act does not require schools to use an outcome-based instructional model. Decisions regarding how instruction is provided are to be made, to the greatest extent possible, by school and school district personnel, not by the state.

Membership: The size of the commission's membership is increased from nine to 11. The governor will appoint the two additional members and appoint the chair.

Duties - Essential Academic Learning Requirements and Assessments: The timelines for establishing the "essential academic learning requirements" (EALRs) and for implementing the assessments are modified. EALRs for Goal 1 and the math component of Goal 2 are to be completed by March 1, 1995, with the assessments for these EARLs to be initially implemented no later than the 1996-97 school year.

EARLs for the remainder of Goal 2 and Goals 3 and 4 are to be completed by March 1, 1996, with the assessments for these EARLs to be initially implemented no later than the 1997-98 school year.

Assessments must be given in the elementary, middle, and high school grades. Prior to the 2000-2001 school year, participation in the student assessment and school accountability systems is optional. Beginning in the 2000-2001 school year, all public schools must participate.

Duties - Certificate of Mastery: After the State Board of Education has determined that the high school assessment is sufficiently reliable and valid, successful completion of the high school assessment will lead to a "Certificate of Mastery," which will be required for graduation. The certificate must be obtained by most students at about the age of 16.

After obtaining certificates, students will pursue career and educational objectives through educational pathways that emphasize integration of academic and vocational education.

A requirement is removed that would have required elementary students to pass an assessment before progressing.

Duties - School Accountability, Assistance, Intervention, and Incentives: The commission's duties regarding accountability are made more specific, and include:

- (1) requiring school-site, school district, and state-level accountability reporting systems;
- (2) creating a school assistance program to help schools and districts having difficulty helping students learn the essential learning requirements;
- (3) creating a system to intervene in schools or districts in which significant numbers of students persistently fail to learn the essential academic learning requirements; and
- (4) creating an awards program to provide incentives to school staff to help their students learn the essential academic learning requirements. These building-based performance awards will be based on the rate of improvement of student performance in individual schools.

Duties - Duties Transferred: Responsibility for administering certain educator assistance programs, including the Quality Schools Center, is transferred to the Center for the Improvement of Student Learning located in the Office of the Superintendent of Public Instruction (OSPI).

Responsibility for making recommendations regarding the repeal or modification of state education laws is transferred to a Legislative Joint Select Committee on Education Restructuring.

#### STUDENT LEARNING IMPROVEMENT GRANTS

The OSPI is directed to provide student learning improvement grants to schools for the 1994-95, 1995-96, and 1996-97 school years. The purpose of the grants is to provide funds for additional time and resources for staff development and planning intended to improve student learning consistent with the student learning goals.

To the extent funds are appropriated, and for allocation purposes only, the amount of grants for the 1994-95 school year will be the equivalent of the salaries for three to five days times the number of full-time equivalent certificated staff, classified instructional aides, and classified secretaries who work in the school at the time of application. For the 1995-96 and 1996-97 school years, the equivalent of five days annually must be provided. The allocation per full-time equivalent staff shall be determined in the budget.

To be eligible for student learning improvement grants, school district boards of directors are required to:

- (1) adopt a policy regarding the sharing of instructional decisions with school staff, parents, and community members; and
- (2) submit school-based applications that have been developed by school building personnel, parents, and community members. Each application shall list the activities to be performed, identify technical resources, include a proposed budget, and show that the application was approved by the school principal and representatives of teachers, parents, and the community.

Procedures for school board approval of the applications are provided. If the above requirements are met, OSPI is directed to approve the grant application.

#### EDUCATOR TRAINING AND ASSISTANCE PROGRAMS

Teacher Assistance Program: It is made more explicit that mentors may be provided in the Teacher Assistance Program for experienced teachers who are having difficulty.



Mentorship Pilot Program: A pilot program is created to support the pairing of full-time mentor teachers with beginning teachers and experienced teachers who are having difficulties. OSPI is to submit a report to the Legislature by December 31, 1995, with findings about the pilot program.

Principal and Superintendent/Program Administrator Internship Programs: Principal and superintendent/program administrator internship support programs are created. The programs will provide funds to school districts to hire substitutes for district employees who are in principal, superintendent or program administrator preparation programs so the employees can complete their internships.

Paraprofessional Training Program: The Paraprofessional Training Program conducted through educational service districts is established in statute.

#### CENTER FOR THE IMPROVEMENT OF STUDENT LEARNING

The Center for the Improvement of Student Learning is created in OSPI. The primary purpose of the center is to provide assistance and advice to parents, educators, and the public regarding strategies for assisting students to learn the essential academic learning requirements. The center is to work in conjunction with the Commission on Student Learning, educational service districts, and institutions of higher education.

The center will serve as a clearinghouse for school improvement programs and provide technical assistance to educators. The center also will contract out for the development of parental involvement materials and for other actions to increase public awareness of the importance of parental involvement in education.

#### SCHOOL-TO-WORK TRANSITIONS

The importance of the School-to-Work Transitions Program created in ESHB 1820 (1993) is recognized. The purpose of the grant program is to fund and coordinate projects to develop model secondary school programs that combine academic and vocational education into a single instructional system that provides multiple educational pathway options for all secondary students.

#### TECHNOLOGY

OSPI is directed to develop and implement a Washington State K-12 Education Technology Plan. The plan is to coordinate and expand the use of education technology in the common schools of the state. The plan, at a minimum, is to address

technical assistance, the continued development of a network, and methods to equitably increase the use of education technology by students and school personnel throughout the state.

In conjunction with the plan, OSPI is directed to submit recommendations to the Legislature by December 15, 1993, regarding the development of a grant program for school districts for the purchase and installation of computers, computer software, telephones, and other types of education technology.

Educational service districts are to establish regional educational technology support centers to provide technical assistance to school districts.

#### EDUCATOR PERFORMANCE ASSESSMENT

The current examination requirement for new teachers, which was to be implemented in August 1993, is postponed until May 1996. However, if funding for development of the examination is not provided, the examination will not be required. The subject matter to be included in the examination is broadened, and the State Board of Education and OSPI are given the authority to charge applicants for the examination and to hire a contractor to develop and administer the exam.

#### READINESS TO LEARN

To the extent funds are appropriated, the Family Policy Council is directed to award grants to community-based consortiums that submit comprehensive plans that include strategies to assist students in being ready to learn.

#### LEGISLATIVE OVERSIGHT, DEREGULATION AND TRANSFER FEES

Legislative Oversight Committee: A 12-member Legislative Joint Select Committee on Education Restructuring is created. The select committee is directed to monitor, review, and periodically report upon the enactment and implementation of education restructuring in Washington.

In addition, the committee is directed to review all laws pertaining to K-12 public education and submit proposed legislation that repeals or modifies those laws that inhibit the new system of performance-based education. It also is to analyze several student data collection issues.

Fiscal Study: A 12-member Legislative Fiscal Study Committee is created. The committee is to study the common school funding system, and by January 16, 1995, report to

the Legislature with recommendations for a new funding model for the common school system.

School Reports: Beginning in the 1994-95 school year, each school is directed to annually publish a school performance report. The type of data to be included in the report is specified. OSPI is directed to develop a model report form schools may use for the reports.

Choice Transfer Fees: Beginning with the 1993-94 school year, school districts are prohibited from charging transfer fees or tuition for students living outside the district who are enrolled under the state's "Educational Choice" Program.

PRIVATE SCHOOL AND HOME SCHOOL STUDENT EXEMPTIONS

Current requirements for private schools and for home-schooling are amended to **prohibit** the State Board of Education from requiring a Certificate of Mastery for graduation. The board also may not require private school or home-schooled students to meet the student learning goals, to master the essential learning requirements, or to take the assessments that will be developed by the Commission on Student Learning.

**Votes on Final Passage:**

House	85	12	
Senate	27	21	(Senate amended)
House			(House refused to concur)

Conference Committee

Senate	26	18
House	81	17

**Effective:** July 25, 1993