
Education Committee

HB 2606

Brief Description: Creating the laboratory school partnership program.

Sponsors: Representatives Sullivan, Maxwell and Tharinger; by request of Governor Gregoire.

Brief Summary of Bill

- Creates a laboratory school partnership program that brings together institutions of higher education and low-achieving public schools to collaborate and implement plans to improve student and educator success outcomes.
- Directs the Office of Financial Management, to the extent funds are appropriated for this purpose, to make financial resources available for those partnerships that have been approved by the State Board of Education and the Professional Educator Standards Board.

Hearing Date: 1/20/12

Staff: Cece Clynch (786-7195).

Background:

Title I Schools. The federal Title I provides financial assistance to districts and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards. Federal funds are currently allocated through statutory formulas that are based primarily on census poverty estimates and the cost of education in each state.

Federal School Improvement Regulations. The American Recovery and Reinvestment Act of 2009 provided approximately \$42.5 million for school improvement to Washington over the course of three years. Under federal regulations governing the use of federal funds for school improvement, attention is focused on the lowest 5 percent of persistently lowest-performing schools that are eligible for Title I funds.

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.

To receive a federal school improvement grant, school districts are required to implement one of the following four federal intervention models in persistently lowest-performing schools:

1. Turnaround: A district is required to replace the principal, rehire no more than 50 percent of the staff, adopt a new governance structure for the school, provide high quality professional development, and use data to identify and implement a research-based instructional program.
2. Restart: A district must close the school and reopen it either as a charter school or under the management of an external education management organization.
3. Closure: A district closes the school and enrolls the students in higher-performing schools in the district.
4. Transformation: In addition to replacing the principal, a variety of required and optional reform activities are outlined in the federal guidelines.

State School Accountability System. The Required Action Framework was part of education reform legislation passed in 2010. The Office of the Superintendent of Public Instruction (OSPI) is required to annually identify the persistently lowest-achieving schools in the state and to recommend to the State Board of Education (SBE) which school districts should be designated as Required Action Districts. The SBE designates one or more districts as Required Action Districts. These districts may receive federal grants for up to \$2 million per school per year for three years.

The OSPI must contract with an external review team to conduct an academic performance audit of a Required Action District and its persistently lowest-achieving schools. Based on the audit, a Required Action District must develop a Required Action Plan (Plan) in collaboration with staff, parents, unions, students, and other representatives of the community and hold a public hearing on the proposed Plan.

A Plan must include implementation of one of the four federal intervention models that are required for receipt of federal school improvement grants, except that a district is not authorized to establish a charter school without express legislative authorization. A Plan must also include an application for a federal school improvement grant or other federal funds for school improvement and other specified items.

If necessary, the district must reopen collective bargaining agreements to address audit findings. In the event the school district and employee organizations are unable to agree to these changes, the parties must request the Public Employment Relations Commission (PERC) to appoint a mediator. If the PERC finds that the parties are unable to reach agreement after a reasonable period, the PERC Director must certify any disputed issues for a decision by the superior court of the county in which the district is located.

After consideration of briefs and a hearing, the superior court must enter an order selecting the proposal that best responds to the issues raised in the district's academic performance audit and allows for the award of a federal school improvement grant. Orders are binding on the parties, except that the court's decision is subject to appeal if it does not allow the district to implement a Plan that is consistent with an award of a federal school improvement grant or other federal funds for school improvement.

Plans must be submitted to the SBE for approval. If the SBE does not approve a Plan, a district must either submit a new Plan or can request reconsideration from a Required Action Review Panel (Panel). The Panel can reaffirm the SBE's rejection of the Plan, recommend approval, or recommend changes to secure approval.

If federal funds are not available, a Plan is not required to be implemented. Otherwise, a Plan must be implemented in the school year immediately following designation as a Required Action District.

The OSPI must provide a biannual report to the SBE on the progress of all Required Action Districts. The OSPI must recommend that a district be released from Required Action after the district implements a Plan for three years, has made progress, and no longer has a persistently lowest-performing school. If the SBE determines that a district has not made sufficient progress, the district remains in Required Action and must submit a new or revised Plan.

Summary of Bill:

Creation of Laboratory School Partnership Program. A laboratory school partnership program is created to bring together institutions of higher education, specifically their schools of education, with low-achieving public schools to collaborate and implement plans to improve both student and educator success.

A public school is eligible to become a laboratory school if it meets, or as of December 2011 it met, the following two criteria:

1. the school has been identified by the OSPI as persistently low-achieving; and
2. it has not received other state, federal, or private funds specifically for the purpose of implementing a school improvement plan.

Four-year public institutions of higher education must take the lead in any laboratory school partnership, although Washington independent institutions of higher education may participate and work in conjunction with the partners.

Application Form. The PESB and the SBE must jointly develop an application of intent form to be used to create a laboratory school partnership. The following elements must be included in an application:

- a plan to improve the performance of the low-achieving school and to enhance the relevant practical experience for students and faculty in teacher and principal education programs;
- an implementation plan;
- a commitment to disseminate lessons learned from implementation, including best practices, student achievement data, and school improvement activities;
- designation of a fiscal agent; and
- signatures of the president of the institution of higher education, the dean of the school of education, the superintendent of the school district, and the principal of the eligible school.

List of Eligible Schools. By July 1, 2012, the OSPI must create a list of public schools satisfying eligibility criteria and notify both the school and the school district of their eligibility. The OSPI

must also provide this list to the SBE, the PESB, and the Office of Financial Management (OFM). The PESB must send the list to the education school within each four-year public institution of higher education.

Plan Development. Interested institutions and schools must develop the partnership plan collaboratively, including at least one public hearing and involving the following persons or groups of persons in the planning process:

- Educator preparation program staff and others designated by the institution of higher education.
- Staff and community members from the eligible school and school district, including, as appropriate, administrators, teachers, parents, unions representing employees within the district, and students.

The plan must include the following elements:

- an examination of the elements included in the school academic performance audit;
- articulation of the goals and related outcomes;
- description of learning innovations and best practices to be implemented;
- description of roles, activities, and responsibilities;
- description of strategies to engage families and communities;
- identification of any other entities involved;
- identification of assessment measures;
- identification of waivers to be requested from the SBE or the OSPI;
- identification of modifications to approved alternative route programs or waivers to be requested from the PESB;
- a proposed budget;
- identification and completion of any needed collective bargaining procedures;
- a statement providing that all contracts with employees allow implementation of the plan; and
- a timeline with benchmarks for the planning year, the 2013-14 school year, and the implementing school years from 2014-15 through 2016-17. (Nothing prevents a plan from beginning implementation during the 2013-14 school year.)

Plan Approval. Applications are due to the SBE and the PESB no later than February 1, 2013. The PESB has responsibility to approve, or not approve, the portions of the plan related to educator preparation, while the SBE is tasked with approving a plan only if the plan includes the above-stated elements and provides sufficient remedies to improve student achievement.

The SBE must accept for inclusion in the plan the final decision of the superior court on any issue certified by the executive director of the PERC. Any addendum or modification of an existing collective bargaining agreement that is related to student achievement or school improvement does not go into effect unless, and until, the plan receives the SBE approval.

If the plan receives approval from both the PESB and the SBE, those two entities must so notify the OFM. The OFM must make available to the laboratory school partnership financial resources for the implementation of the plan, within the resources appropriated for this purpose. If the plan is rejected, the partnership may submit a new plan within 40 days of receipt of notification of rejection.

Waivers. Waivers for the implementation of laboratory school partnership plans are authorized. These include those same waivers that are in the SBE's or the OSPI's discretion to grant in order to implement:

- a local plan to provide an effective education system that is designed to enhance the educational program for each student;
- an innovation school or zone; and
- a plan for restructuring.

Such waivers must not exceed the designation of the school as a laboratory school, however, waivers may be extended if there is agreement, and approval, to continue the laboratory school partnership beyond the original time period.

Review, Accountability, and Reporting. Laboratory schools must provide data to the OSPI, they and their districts must provide data to the SBE, and the higher institution partner must provide data to the PESB. Both the PESB and the SBE must work collaboratively to analyze and summarize the laboratory school data obtained and make any recommendations in a manner that can be disseminated to the governor, the legislature, institutions of higher education, and school districts. Recommendations may include a determination to rescind approval or modify the plan based on a lack of expected results. If the recommendation is to rescind approval, the SBE and the PESB must work with the school and the district to provide a transition plan out of laboratory school status. The two agencies must also notify a school when it completes its plan.

The first report is due no later than September 1, 2013 summarizing those partnerships that have been formed. Additional annual reports must be submitted by September 1st for each of the implementation years, with a final report due September 1, 2017.

Appropriation: None.

Fiscal Note: Requested on January 19, 2012.

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