



PROPOSED RULE MAKING

CR-102 (October 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: November 21, 2017

TIME: 1:59 PM

WSR 17-23-177

Agency: State Board of Education

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR September 26, 2016 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) The following sections of Chapter 180-105 (Performance Improvement Goals): 180-105-020 (Reading and mathematics) and 180-105-060 (High school graduation).

Hearing location(s):

Date: Time: Location: (be specific) Comment:

January 10, 2018	11:45 A.M.	6500 Tye Drive SW, Tumwater, WA 98501	
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Date of intended adoption: January 11, 2018 (Note: This is NOT the effective date)

Submit written comments to:

Name: Andrew J. Parr

Address: 600 Washington Street SE, Olympia, WA 98504

Email: andrew.parr@k12.wa.us

Fax: 360-586-2357

Other:

By (date) January 5, 2018

Assistance for persons with disabilities:

Contact Tami Jensen

Phone: 360-725-4475

Fax: 360-586-2357

TTY:

Email: tami.jensen@k12.wa.us

Other:

By (date) January 3, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of the proposal is to make various amendments to two sections of Chapter 180-105 WAC (Performance Improvement Goals) to align district and school improvement goals to long-term goals described in the Washington Every Student Succeeds Act (ESSA) State Accountability Plan. The proposed amendments also make certain technical corrections to this chapter.

Reasons supporting proposal: The need to ensure that Chapter 180-105 WAC (Performance Improvement Goals) is consistent in language and provisions with Chapter 28A.305 RCW.

Statutory authority for adoption: Chapter 28A.305 RCW.

Statute being implemented: Chapter 28A.305 RCW

Is rule necessary because of a:

- Federal Law? Yes No
 Federal Court Decision? Yes No
 State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) State Board of Education

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Andrew J. Parr	600 Washington Street SE, Olympia, WA 98504	360-725-6063
Implementation:	Executive Director - TBD	600 Washington Street SE, Olympia, WA 98504	360-725-6024
Enforcement:	Executive Director - TBD	600 Washington Street SE, Olympia, WA 98504	360-725-6024

Is a school district fiscal impact statement required under RCW 28A.305.135?

- Yes No

If yes, insert statement here:

WSR:	Title of Rule: Performance Improvement Goals	Agency: SDF - School District Fiscal Impact - SPI
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Part I: Estimates

No Fiscal Impact

OSPI estimates that total statewide cost of \$2,691,500. OSPI assumes that 80% or \$2,153,200 of these expenditures would be incurred in fiscal year 2018 and 20% or \$538,300 in fiscal year 2019.

Estimated Cash Receipts to:

No Estimated Cash Receipts

ACCOUNT	FY 2018	FY 2019	2017-19	2019-21	2021-23
None	\$0	\$0	\$0	\$0	\$0
Total \$	\$0	\$0	\$0	\$0	\$0

Estimated Expenditures From:

No Estimated Expenditures

ACCOUNT	FY 2018	FY 2019	2017-19	2019-21	2021-23
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School District Local Funds	\$2,153,200	\$538,300	\$0	\$2,691,500	\$0
Total \$	\$2,153,200	\$538,300	\$0	\$2,691,500	\$0

Estimated Capital Impact:

No Estimated Capital Impact

ACCOUNT	FY 2018	FY 2019	2017-19	2019-21	2021-23
None	\$0	\$0	\$0	\$0	\$0
Total \$	\$0	\$0	\$0	\$0	\$0

The cash receipts and expenditures estimate on this page represent the most likely fiscal impact.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note from Parts I-IV.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Agency Preparation: T.J. Kelly	Phone: 360-725-6301	Date: 11/21/2017
Agency Approval: T.J. Kelly	Phone: 360-725-6301	Date: 11/21/2017

Part II: Narrative Explanation

II. A – Brief Description Of What the Measure Does That Has Fiscal Impact

Briefly describe by section, the significant provisions of the rule, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

In order to reset graduation goals, districts would need to hold meetings with their high school building leadership teams, school boards, and offer community engagement and education.

II. B – Cash Receipts Impact

Briefly describe and quantify the cash receipts impact of the rule on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None.

II. C – Expenditures

Briefly describe the agency expenditures necessary to implement this rule (or savings resulting from this rule), identifying by section number the provisions of the rule that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

It is estimated that on average, districts would spend 20 hours with each of their high school leadership teams, 20 hours on providing materials and feedback to their school boards on the change, and 60 hours on community engagement and answering questions from parents on the scope of the changes. School year 2016-17 data shows 630 high schools in the state times 20 hours each equals 12,600 aggregate hours at the school level. Since not all districts operate high schools, the estimate is based on the assumption that 280 districts would spend a combined 20 hours on materials for their school boards, plus an additional 60 hours on community service for an aggregate total of 22,400 hours (280 * (20+60)). These costs would be at the statewide average for certificated administrative staff, and would be one-time costs split between the 2018 and 2019 state fiscal years since the deadline for school board adoption is December 2018. The statewide average school district rate for a CAS staff member for the 2017-18 school year is estimated at \$149,000 in salary and mandated benefits, or approximately \$76.90 per hour. The aggregate amount of time spent in the description above is 35,000 hours

(12,600 + 22,400) for a total statewide cost of \$2,691,500 equal to 35,000*\$76.90. OSPI assumes that 80% or \$2,153,200 of these expenditures would be incurred in fiscal year 2018 and 20% or \$538,300 in fiscal year 2019.

Part III: Expenditure Detail

III. A – Expenditures by Object or Purpose

All school district expenditures would be for additional salary and fringe benefits.

Part IV: Capital Budget Impact

None

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name: Thomas J. Kelly

Address: Rm. 433, 600 Washington Street SE, Olympia, WA 98504.

Phone: 360-725-6301

Fax:

TTY:

Email:

Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

No: Please explain:

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW 34.05.310 (4)(e).

Explanation of exemptions, if necessary: RCW 28A.305 (Performance Improvement Goals) requires the alignment of district and school improvement goals to long-term goals described in the Washington Every Student Succeeds Act (ESSA) State Accountability Plan.

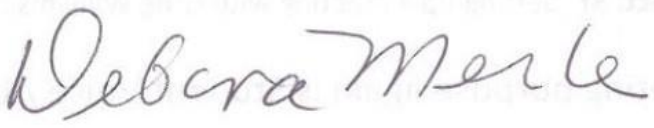
COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's analysis showing how costs were calculated. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: November 21, 2017	Signature: 
Name: Deb Merle	
Title: Interim Executive Director	