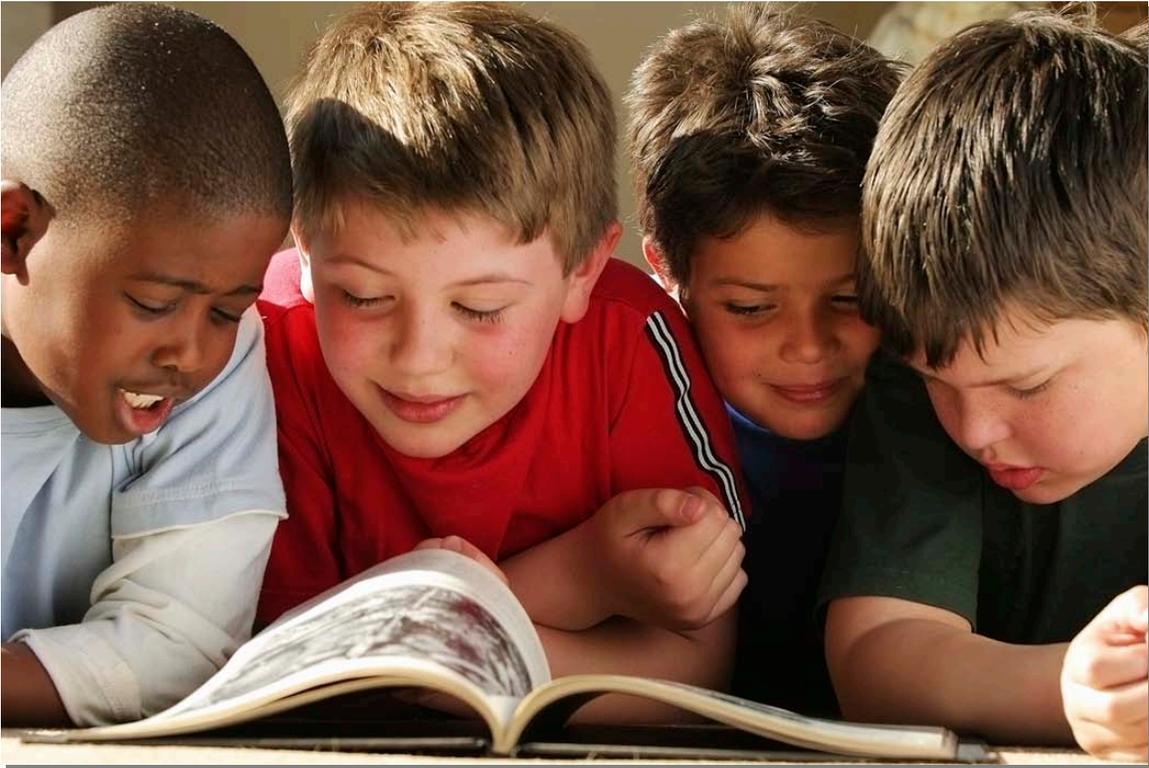


# **THE WASHINGTON STATE BOARD OF EDUCATION**

Accountability | World-Class Math and Science Standards | Meaningful Diploma/CORE 24



**An Excellent and Equitable Education for All Students:  
A State and Local Partnership for Accountability  
\*DRAFT\* December 1, 2009**

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## Executive Summary

### An Excellent and Equitable Education for All Students: A State-local Partnership for Accountability

#### Introduction

In 2005, the Washington State Legislature directed the State Board of Education (SBE) to “implement a standards-based accountability system to improve student academic achievement.”<sup>1</sup>

To this end, SBE has consulted with national experts, studied the experiences of other states, and commissioned research on barriers to school improvement, effective models for change, and the effects of teacher mobility and assignment policies. SBE has also conducted extensive work with stakeholders from across the state to solicit their ideas, concerns, and suggestions. The progress of this work has been regularly reported to the Washington State Legislature.

In 2009, the Legislature passed ESHB 2261, which acknowledged the capacity of an SBE accountability framework to “create a unified system of support for challenged schools.”<sup>2</sup> The Legislature directed SBE, in consultation with the Office of Superintendent of Public Instruction (OSPI), to provide a report by December 1, 2009, that includes:

- An accountability index to identify exemplary schools that deserve recognition and schools where persistently low student achievement indicates a need for additional support and intervention to accelerate improvement.
- A proposal and timeline for a voluntary system of state support to improve low achieving schools.
- A proposal and timeline for a comprehensive system of required state intervention to improve the lowest-achieving schools and districts that have not demonstrated significant improvement through the voluntary system.<sup>3</sup>

This draft proposal and its accompanying proposed legislation respond to that legislative directive. SBE acknowledges that a comprehensive system of improvement, referred to in this report as “required action,” can only take effect if authorized by the Legislature. Current state law provides for voluntary – but not mandatory – participation in state-provided school and school district improvement programs. Approval of this proposed framework for accountability

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<sup>1</sup> RCW 28A.305.130

<sup>2</sup> RCW 28A.305.225

<sup>3</sup> RCW 28A.305.225

will signal a dramatic change in the way low-achieving schools and their districts are identified and served.

### **What an Accountability System Can Achieve**

Many Washington students still lack access to an excellent and equitable education.

**To demonstrate the magnitude in the final report, we will include OSPI data on numbers of persistently low achieving schools as well as student enrollment in those schools.**

Washington's schools have clearly demonstrated that it is possible to improve student achievement. Over the past decade, schools have learned how to use assessment data to align curriculum to state standards and to improve the quality of instruction in diverse classrooms. Many schools and districts have also built systems for continuous improvement and personalized instruction. OSPI has likewise demonstrated its capacity to provide services that help schools improve.

What we lack is a systematic way to apply all that has been learned about how to *sustain and accelerate* school improvement for all students, schools, and districts.

President Obama and U.S. Secretary of Education Duncan are encouraging states to focus on the urgent need to dramatically improve the bottom five percent of persistently low achieving schools.

That is what this proposed accountability system seeks to do. To succeed, this accountability system must provide districts with the resources, expertise, and authority to rise to the challenge, a strong set of effective models for guidance, and broad public support for the work they must do.

### **The SBE's Proposal**

SBE has created a coherent and effective accountability framework to ensure that there is: 1) an excellent and equitable education for all students; 2) a continuous improvement for all schools and districts; 3) one federal/state system; and 4) a state and local collaborative effort to assist persistently low achieving schools. Through this accountability system we expect to improve student achievement for all students to prepare them for postsecondary education, work and citizenship.

## Identifying High Achieving Schools and Persistently Low Achieving Schools

SBE has developed an Accountability Index that provides a clear and comprehensive measure of student achievement. The Accountability Index will help districts focus improvement efforts where they are most needed and identify and confront achievement gaps. It will also identify schools that “beat the odds” in helping disadvantaged students, shining a bright light on the example the schools set.

State assessments of reading, writing, math, and science, as well as the extended graduation rate, are included in the Accountability Index. The SBE Accountability Index will be used to recognize high-achieving schools in an annual joint SBE/OSPI Recognition Program. SBE also plans to work with OSPI to advocate for federal adoption of this Accountability Index to identify persistently low achieving schools in replacement of the Annual Yearly Progress (AYP) matrix, either through amendment of the Elementary and Secondary Education Act (ESEA) or through a U.S. Department of Education waiver.

SBE believes that its Accountability Index provides a better system than the current federal AYP matrix. For now, however, SBE proposes using federal criteria,<sup>4</sup> as well as state criteria, to identify persistently low achieving schools. This will ensure a unified federal/state system of accountability.

The federal and state criteria will be:

1. Federal criteria comprise the persistently lowest achieving five percent of Title I and Title I-eligible Washington schools in a step of federally required improvement. This metric includes both absolute student performance and improvement in performance compared to average state gains in the “all students” category in reading and math.
2. State criteria must be legally defensible and could include, but not be limited to: a measure of the duration of low achievement over five years, measures of low achievement by different student subgroups, extended graduation rates, percent of credits earned by 9<sup>th</sup> graders, and local district data on student achievement.

Following analysis of these factors, districts with persistently low-achieving schools will be notified of their status as Voluntary Action Districts or Required Action Districts. Approximately one to five districts with a total of fifty schools will be included in the initial identification for federal funding support.

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<sup>4</sup> The federal criteria are defined in the draft new federal school improvement guidelines that are a part of Title I of the Elementary and Secondary Education Act.

## The Voluntary System

A district recommended for voluntary action, based on the federal and state criteria above, will have the opportunity to participate in the OSPI school and district improvement program and be eligible for federal school improvement funds. OSPI will conduct a district needs assessment that focuses on student achievement issues and will work with the district on how to address the issues identified. The district must select one of the four required federal models for school improvement described below. OSPI will focus on building the district's capacity to improve student achievement. This program will begin in the winter of 2010 and does not need legislative approval.

## The Required System

OSPI will notify the district and SBE that the district is a recommended Required Action District and must participate in a state legislatively-mandated improvement process. A Required Action District differs from a Voluntary Action District in two ways:

1. It may include both Title I and non-Title I schools.
2. It has not demonstrated sufficient performance gains in reading and math for all students in five years.

The district may appeal required action status by bringing any evidence to OSPI about why it should not be so classified.

SBE will designate the district as a Required Action District. The Required Action Districts will then begin following the required action process.

OSPI will conduct an academic performance audit of each Required Action District using experts in comprehensive school and district reform. The audit will focus on student achievement and will include (but not be limited to):

- Strengths and weaknesses of current leadership in district and schools.
- Human resources policies as outlined in the collective bargaining contracts and other school board policies (how staff is evaluated, hired, compensated, assigned, and replaced, as well as professional development opportunities).
- Alignment of curriculum and instruction to state standards.
- Use of data to inform instructional practice.
- Quality, use, and amount of instructional time.
- Current resources (federal, state, and local) targeted on lowest performing schools.
- Quality of current district and school improvement plans and effective implementation.
- Family and community partnerships with schools.

- The most effective model for improvement based on the academic performance audit.

Following the audit, the local school board, in collaboration with its staff and community, will develop a required action plan based on the audit findings and select an appropriate model for change from among either the four federal models listed below or state/local models (to be defined in Phase II).

### **Federal Models for Phase I (2010-2013)**

<u>Turnaround:</u>	Replace the principal and at least 50 percent of the staff, adopt a new governance structure, and implement a new or revised instructional program.
<u>Restart:</u>	Close the school and reopen it as a charter school or a school led by an educational management organization.
<u>Closure:</u>	Close the school and transfer students to a higher-performing school.
<u>Transformation:</u>	Implement a transformation strategy that: <ul style="list-style-type: none"> <li>○ Develops teacher and school leader effectiveness.</li> <li>○ Implements comprehensive instructional reform strategies.</li> <li>○ Extends learning and teacher planning time.</li> <li>○ Creates community-oriented schools.</li> <li>○ Provides operating flexibility and intensive support.</li> </ul>

Federal funds will be available for use in Title I and Title I-eligible schools; other schools, and schools that choose a state or local model for change, will require state and/or local support.

### **State and Local Models for Phase II (2012-2015)**

SBE will propose, to the legislature next biennium, state and local models under Phase II (2012-15), based on lessons learned in Phase I. State funds would be available for districts that choose a state model, but not a local model.

Once a Required Action District chooses a model for change, the school board will collaborate with its staff and community to develop an implementation plan,

budget requirements, and outcome metrics. This required action plan must specify how the district will address the academic performance audit findings.

If any parties disagree and there is an impasse in developing a required action plan, SBE will have several options available. The options under discussion in this draft report include: OSPI withholding or redirecting Title I funds to the district, mediation or binding arbitration between the parties in disagreement, and making plan elements mandatory in statute for prospective collective bargaining contracts.

SBE must approve the required action plan, which then becomes a binding agreement between the school board and SBE. OSPI will then provide resources (including expertise, professional development, instructional coaching, and other services) that help the district implement the plan.

Required Action Districts must report to SBE and OSPI quarterly on their progress, identifying the strategies and assets they are using to solve problems, evidence of fidelity to the plan, evidence of impact on student achievement, and student achievement data.

After three years under required action status, OSPI will notify SBE that a Required Action District is either ready to exit required action status or that it is not making sufficient progress in improving student learning, based on the federal and state criteria that defined the persistently low achieving schools in the district.

Based upon OSPI's recommendation, SBE will either approve the district's release from required action status or require the local school board to adopt a different model or revise its strategies in a new required action plan in collaboration with its staff and community.

If there is legislative approval in the 2010 Legislative Session, the required action program will begin in spring of 2010.

### **Resources and Timeline**

There is approximately \$42.5 million in federal school improvement funds that would support a Phase I three-year cohort of Voluntary and Required Action Districts beginning in 2010. Additional state funding or federal Race to the Top competitive grants would be needed to fund non-Title I schools, and those schools that choose a state or local model for change.

## **A Call to Action**

Thanks to the hard work and dedication of Washington's educators, we have made important improvements in overall student achievement in the last 15 years. But we have yet to keep the fundamental promise of equal education for all Washington students – a promise that is central to our state's constitution and values.

To address this critical shortcoming, the 2009 Legislature took bold action to redefine basic education, improve funding, and set in motion a process to create a strong and effective school accountability program.

At the same time, the federal government, which years ago promised to “leave no child behind,” has refocused its efforts on turning around the nation's lowest performing schools – schools in which many children are, indeed, being left behind.

These two developments signal an opportunity to take an important step forward – a step that is urgently needed and that will directly benefit children who deserve better schools, better skills, and the hope for better lives.

Each of our children deserves the opportunity to thrive and reach his or her full potential. We must insist on boldness now and hold ourselves accountable to act. No child's education should hold them hostage from a bright future.

Parents send their children to school with great hope – one that we all share. Each of our children deserves the opportunity to thrive and reach his or her full potential. We must insist on boldness now and hold ourselves accountable to act.

## **An Excellent and Equitable Education for All Students: A State-local Partnership for Accountability**

### **Introduction**

In 2005, the Washington State Legislature directed the State Board of Education (SBE) to “implement a standards-based accountability system to improve student academic achievement.”<sup>5</sup> See [Appendix A](#) for a list of State Board of Education members.

In 2009, the Legislature, through ESHB 2261, directed SBE to create a revised accountability framework that will result in “a unified system of support for challenged schools.”<sup>6</sup> See Appendix B for statutory language. The Legislature required SBE, in consultation with the Office of Superintendent of Public Instruction (OSPI), to provide a report by December 1, 2009, that includes:

- An accountability index to identify exemplary schools that deserve recognition, and schools where persistently low student achievement indicates a need for additional support and intervention to accelerate improvement.
- A proposal and timeline for a voluntary system of support to improve low achieving schools.
- A proposal and timeline for a comprehensive system of required state intervention to improve the lowest-achieving schools and districts that have not demonstrated significant improvement through the voluntary system.<sup>7</sup>

This draft proposal and its accompanying proposed legislation respond to that legislative directive. SBE acknowledges that a comprehensive system of improvement, referred to in this report as “required action,” can only take effect if authorized by the Legislature. Current state law provides for voluntary – but not mandatory – participation in state-provided school and school district improvement programs.

### **What an Accountability System Can Achieve**

Many Washington students still lack access to an excellent and equitable education.

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<sup>5</sup> RCW 28A.305.130

<sup>6</sup> RCW 28A.305.225

<sup>7</sup> RCW 28A.305.225

**To demonstrate the magnitude in the final report, we will include OSPI data on numbers of persistently low achieving schools as well as student enrollment in those schools.**

Washington's schools have already demonstrated that it is possible to improve student achievement. Over the past decade, schools have learned how to use assessment data to align curriculum to state standards and to improve the quality of instruction in diverse classrooms. Many schools and districts have also built systems for continuous improvement and personalized instruction. Local school districts have worked with their unions to develop collective bargaining agreements to support changes that improve student achievement, such as family/teacher partnerships and new teacher assignment practices.

At the state level, OSPI has demonstrated its capacity to provide services that help challenged schools improve.

What we lack is a systematic way to apply all that has been learned about how to *sustain and accelerate* school improvement for all students, schools, and districts.

President Obama and US Secretary of Education Duncan are encouraging states to focus on immediate and sustained efforts to dramatically improve student achievement in the bottom five percent of the persistently lowest achieving schools.

That is what this proposed accountability system seeks to do. To succeed, it must provide districts with the resources, expertise, and authority to rise to the challenge, a strong set of effective models for change to guide them, and broad public support for the work they must do.

### **The Progress of Washington's School Reform and the Need for a Coherent Accountability System**

This proposed accountability framework has evolved in the context of Washington's ongoing effort to raise student achievement to levels consistent with the requirements of today's economy and society.

That process was set in motion in 1993, when the Washington State Legislature passed landmark legislation that led to the creation of state academic standards and the requirement that students meet these standards to earn a high school diploma.

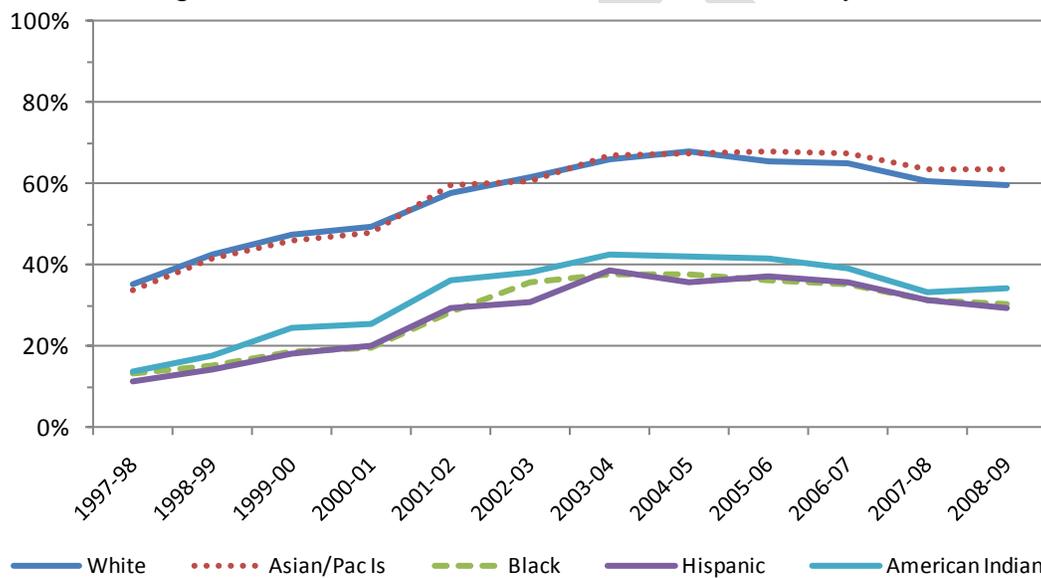
Creating a standards-based education system ended the practice of awarding high school diplomas to students who lack basic skills and knowledge. Over the past dozen years, Washington's new standards-based system has helped

improve student learning – especially in reading and writing – and provided educators with powerful data to analyze trends in student achievement.

Student achievement data also highlighted the achievement gaps between affluent and low income students and between white and some subgroups of Asian-American students on the one hand, and African-American, Latino, Pacific Islander, and Native American students on the other. While student achievement has risen for all groups of students, the gap has not closed, as shown in [Figure One](#).

**Figure One**

Percent Meeting Grade 4 Mathematics Standards, Statewide by Race/Ethnicity,



The data generated by standards-based tests present a clear picture of how our schools are performing. In spite of the good news of overall increases in student achievement, a frustrating story remains: in most cases, it is the schools with the highest concentrations of low-income students and students of color who are making the least gains in student achievement. In too many of our schools, student achievement perpetually lags, while the skill requirements of the 21<sup>st</sup> century society and economy continue to rise.

The consequences – for the students in these schools, for the communities in which they live, and for our state and nation – are potentially devastating. A recent report by McKinsey and Company concludes that “achievement gaps have negative implications that will grow over time for the U.S. economy as diminished skills and performance in the labor force reduces national income and economic growth. For example, measuring the impact of lower performance of black and Latino students and the impact on their educational attainment, we can

estimate the U.S. earnings alone would be \$120 billion to \$160 billion higher in 2008 if there was no racial achievement gap.”<sup>8</sup>

### **The Uneven Landscape of School Improvement**

Some districts and schools continue to make steady gains in student achievement, and among these are “beat the odds” schools that are achieving impressive gains in student achievement with low-income students and students of color who often lack the many advantages of their affluent white peers.

Over the past six years, the OSPI School and District Improvement Program has provided assistance and interventions to schools and districts struggling to improve. OSPI’s programs have evolved based on what has been learned from these efforts. To date, their results have been mixed.

Thus, the landscape of school improvement is uneven. In some schools, students are getting a world-class education. In others – most commonly the schools with high concentrations of low-income students and students of color – they are being shortchanged.

Even some schools and districts with predominantly middle-class students are failing to make the gains in student achievement that are so urgently needed.

### **The Quest for Effective, Shared Accountability**

The State Board of Education has worked for several years with a wide array of stakeholders and education experts to find effective remedies for our persistently low achieving schools.

As part of its process for designing an accountability system, SBE has:

- Commissioned a study of “Trends in Teacher Retention and Mobility in Selected Washington Middle and High Schools,” by the Center for Strengthening the Teaching Profession (CSTP), which found that high levels of teacher mobility and assignment of novice teachers in high-need schools impede student learning. Additional work is now underway to look at the financial incentives impact on National Board Certificated teachers with CSTP.
- Contracted with the Northwest Regional Educational Laboratory for a study that identified insufficient or unpredictable resources, inflexibility in their allocation, lack of time for professional development and collaboration, and absence of a coherent system to recruit, develop, and

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<sup>8</sup> McKinsey and Company. Detailed Findings on the Economic Impact of the Achievement Gap in America’s Schools April 2009 page 81.

retain quality staff as the chief barriers to dramatic improvement in student achievement.

- Contracted with Mass Insight to develop models for school transformation that have subsequently been adapted to serve as the basis for the new federal education policy.
- Examined other states' accountability and intervention systems for struggling schools.
- Produced background and research papers to inform stakeholders about SBE's work, the context of state and federal requirements, and the critical importance of quality instruction tailored to student needs.
- Met with groups of educators, national experts, education leaders, parents, and community members from across the state to solicit their ideas, feedback, and analysis of barriers and opportunities for school improvement and the development of an effective state accountability system.
- Worked collaboratively with OSPI's School and District Improvement Program to utilize what has been learned from OSPI school improvement efforts and to build on their work.

This proposal and the draft legislation necessary to implement it (Appendix G) are built on the foundation of this work.

### **Core Principles for Shared Accountability**

Washington's system for accountability relies on partnerships between SBE, OSPI, and local school districts to dismantle barriers to improvement while building on the following principles for success:

- Collaboration that builds local capacity is the only route to sustainable improvement that will endure beyond the period of state intervention or extra support.
- Flexibility in the school calendar, collective bargaining, regulation, and resource use is needed to direct expertise and assistance to the schools and students who need it most.
- Building statewide system capacity to provide effective assistance and professional development to local districts must be a process of continuous improvement, based on emerging national and international research and best practices.

- Reciprocal accountability must be a consistent feature of relationships between parents and schools, between schools and districts, and between districts and OSPI and SBE.

### **Current Status of Voluntary Action in Low Achieving Schools**

During the past six years, OSPI has established “focused assistance” programs to help struggling schools. These programs have provided targeted schools and districts with evaluations, professional development, planning assistance, coaching, and various other services to help them improve student achievement. However, participation in these programs is voluntary, and there are no consequences for under-performing schools and districts that choose not to avail themselves of these programs.

These programs are supported by federal Title I school improvement funds and state funds. The total investment for 2009-10 was \$21 million.

Initially, OSPI’s assistance was targeted to individual schools. Over time; however, it became apparent that while gains in student achievement were made during the two or three years when active assistance was provided, it was often not sustained after the period of extra support ended. At the school level, sustained efforts to improve were often slowed or derailed by changes in staff or leadership or by lack of resources. Improvement was most vulnerable to deterioration when local school district leaders were not directly involved or invested in the work initiated by focused assistance.

As a result, OSPI’s school improvement efforts have shifted to work with both schools and school districts. This ensures that district policy makers are engaged and committed to long-term improvement efforts.

In 2008, OSPI launched the Summit District Improvement Initiative – a new, federally-funded effort that has provided an improved, intensive set of services for eight school districts over three years. Three more districts were added to the initiative in 2009.

OSPI school improvement programs consistently provide an analysis of the school and/or district’s needs, a part-time district or school improvement facilitator, targeted professional development, the expertise of needed consultants, and grant funding.

OSPI also created the Washington Improvement and Implementation Network (WIIN) Center, located in Tacoma, to carry out this school improvement work. Professional development and other services are provided at the WIIN Center.

## The No Child Left Behind Act

The federal No Child Left Behind Act (NCLB) has shaped how schools and districts are selected for voluntary participation in OSPI's school improvement programs. NCLB requires that schools and districts make "Adequate Yearly Progress" (AYP) by meeting rigorous annual goals, as measured by state test results in reading and math, the percentage of students who take the tests, graduation rates (for high schools), and unexcused absence rates (for middle and elementary schools).

NCLB measures achievement at the school and district levels using a complex matrix. It requires a specific level of achievement for nine groups of students, including five ethnic or cultural subgroups, English language learners, students in special education, and low-income students. In Washington, the level of achievement required to meet AYP is raised every three years, and the goal is for all students to meet state academic standards by 2014.

Schools are judged to be deficient if they do not meet the required level of student achievement, attendance, or graduation *in any one* of the nine student groups. NCLB requires a set of sanctions to be applied if a school or district does not make AYP for two years in a row. These sanctions become progressively more intense, but they apply *only* to those schools who have high concentrations of low-income students and therefore receive federal NCLB Title I funds.

Corrective action for schools that have not met AYP for multiple years may include requirements to replace staff, implement new curricula, extend the school day or year, close the school, or convert it to a charter school. When faced with these choices, most schools (including those in Washington) select the NCLB "other" option, which focuses on an array of different technical assistance strategies, from professional development to coaches to instructional trainers. None of these measures have been required until recently. And new proposed federal guidelines for school improvement may change the landscape. These new draft guidelines provide a more diverse menu of voluntary [turnaround models](#) that districts must select from in order to receive federal school improvement funding.

## Designing a Coherent and Effective School Accountability System

SBE has, in consultation with a wide array of stakeholders, defined the essential elements of a coherent and effective system of school accountability and improvement:

- A shared goal of excellent and equitable education for all students.
- Continuous improvement for all schools and districts.
- A single system for both state and federal measurement of school performance.

- A system built around collaboration between the state and local school boards/districts.

The three essential parts of this system will be:

1. A fair and objective method of identifying both successful and under-performing schools and districts, based on both the proposed Accountability Index and additional criteria.
2. A system for *voluntary* participation in state-provided school and district improvement programs.
3. A system for *required* participation in state-provided school and district improvement programs.

To identify schools and districts in need of improvement, the legislature directed SBE to develop an easy-to-understand Accountability Index that could be accepted by the federal government as a substitute for current NCLB accountability provisions. This would require a federal waiver of NCLB rules or changes to the Act itself.

If waivers from or changes to NCLB are not forthcoming, SBE will rely on the proposed (and soon to be adopted) federal school improvement guidelines to identify the persistently lowest achieving schools.

### **Identifying Schools and Districts that Need to Improve**

In the accountability provisions of ESHB 2261, the Washington State Legislature directed the SBE to develop a better identification process of schools most in need of improvement. The Accountability Index meets that demand. [Figure Two](#) shows how this proposed Index would apply to a single school. It measures four indicators and five outcomes. The four indicators are:

- Achievement by non-low income students.
- Achievement by low-income students.
- Achievement compared to other schools with similar demographics (called “peer” schools).
- Improvement in student achievement.

The five outcomes are student test scores in reading, writing, math and science, plus the extended graduation rate.

**Figure Two**  
Matrix of Accountability Measures

INDICATORS	OUTCOMES				
	Reading	Writing	Math	Science	Ext. Grad. Rate
Achievement of non-low income students.					
Achievement of low income students.					
Achievement vs. peers.					
Improvement from the previous year.					

This Index is fairer than AYP calculations, and, at the same time, it reflects a more thorough measurement of student achievement by including math and science and by reducing the minimum number of students required to generate a measure (from 30 to 10) in each grade. Both OSPI and SBE are currently using the new Accountability Index to recognize the state's highest achieving schools, with the 2009 awards to be announced in May, 2010.

To highlight achievement gaps, SBE proposes utilizing an additional matrix to measure the performance of each student subgroup. (Technical descriptions and analysis of the Accountability Index and the separate matrix for subgroups are available on the SBE website at <http://www.sbe.wa.gov>.)

As this Accountability Index was being refined, the federal Department of Education issued new rules for how states should identify the lowest-performing Title I schools in a step of improvement for school improvement funding. At the same time, the Department announced that federal aid to improve struggling schools will double in the next two years. The Secretary of Education has committed to using increased funding to turn around the bottom five percent of Title I schools in improvement status and other equally low performing Title I-eligible schools. The new, simplified metric will measure reading and math achievement in the "all students" category in each school in terms of absolute performance (the lowest performers) and degree of improvement compared to the state average gains.

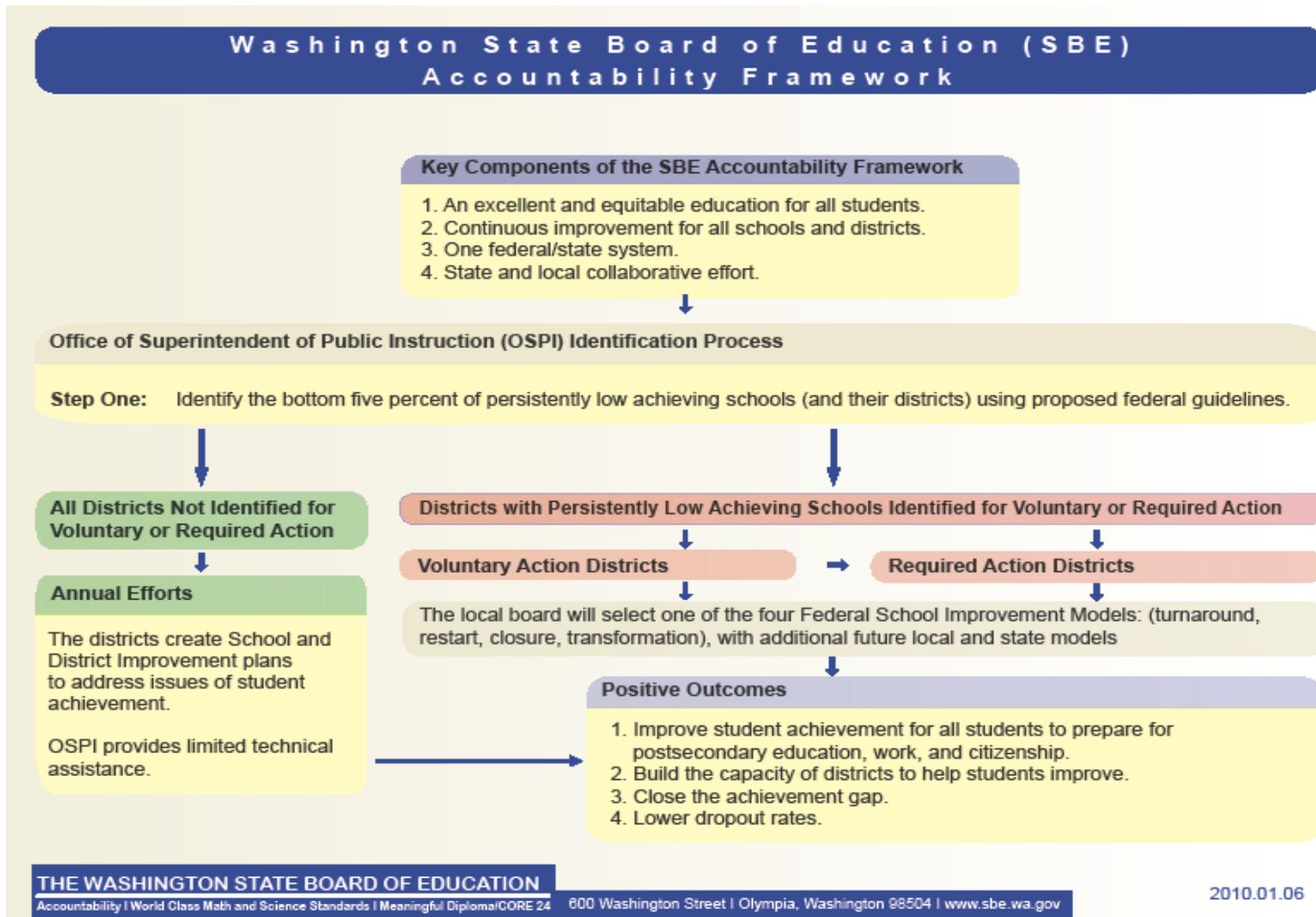
To meet these new requirements and qualify for the increased federal funding, the state must sort schools into three tiers:

- Tier I: The lowest-achieving five percent of Title I schools that are in a step of improvement, corrective action, or restructuring, as measured by the state test scores of all the school's students in reading and math.

- Tier II: Equally low-achieving Title I-eligible middle and high schools who have not received Title I funds.
- Tier III: All other Title I schools that have not made AYP for more than two years.

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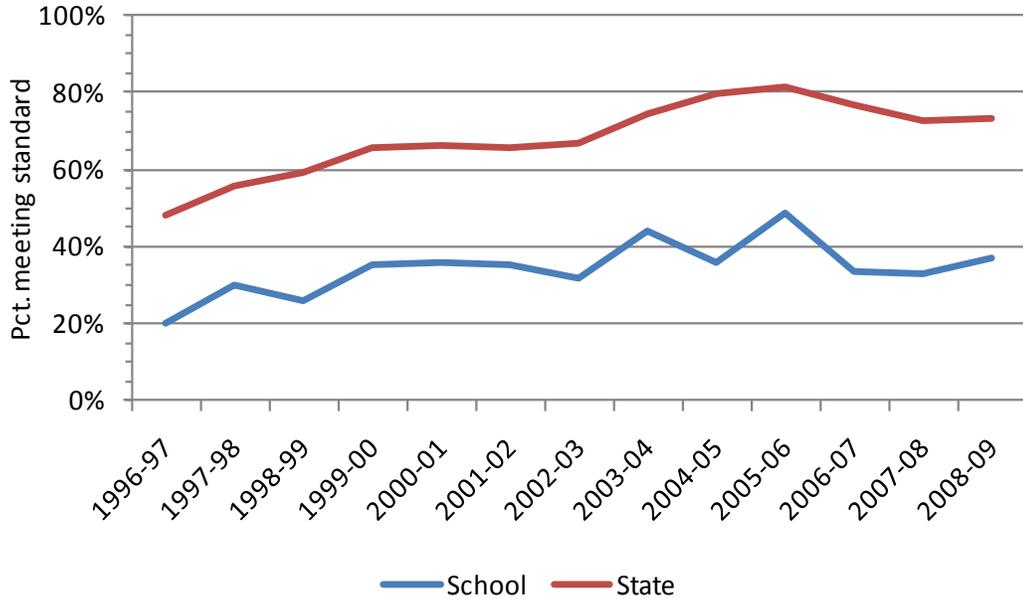
Helping Challenged Schools Accelerate Improvement – Schematic



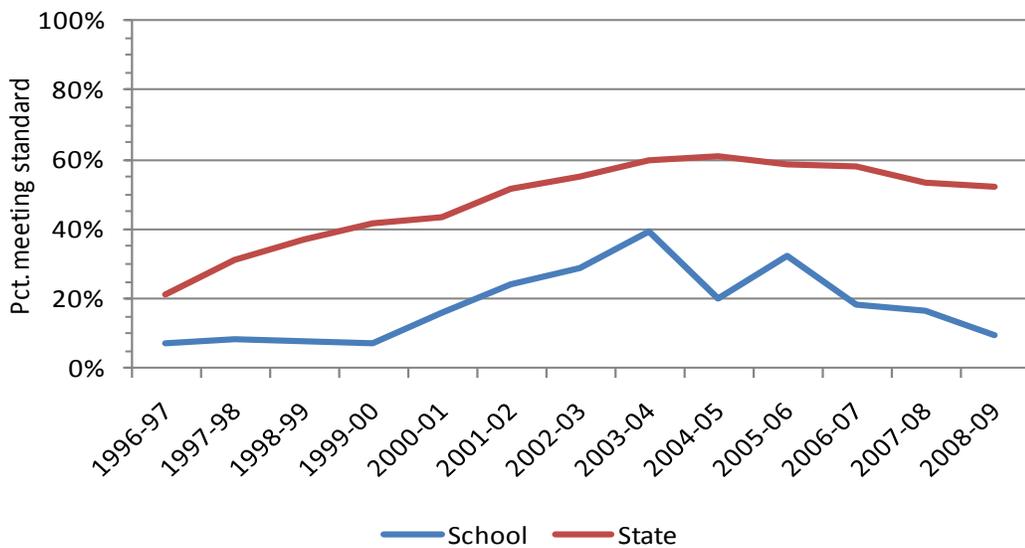
After identifying the lowest achieving five percent of all Title I schools that are in a step of improvement, corrective action, or restructuring, OSPI will select the lowest achieving schools and their districts for further analysis, using additional state criteria.

**Figure Three and Four:** An example of one Washington elementary school with 500 students that has had low achievement for many years and would be identified under the federal measures.

**Grade 4 Reading WASL Results**



**Grade 4 Math WASL Results**



Once initially identified, the school and district will undergo a deeper analysis utilizing additional state criteria. These criteria must be clearly measurable and legally defensible. Examples of the criteria that will be used (others may be included):

Duration of low achievement and greatest number of students and schools affected:

- Five years of performance data on state assessments for elementary, middle, and high schools.
- Feeder school patterns to determine if there is a progression of low achievement from elementary through high school.
- Number of students and schools in the district with persistent low achievement.

Examination of details of low achievement in schools:

- Extended graduation rates.
- Number of credits ninth graders earned.
- Subgroup performance on state assessments.
- English Language Learners' performance on Washington Language Proficiency Test.
- Perception data from local school board, staff, students, parents and community members on student achievement.
- Local district data on student achievement, such as formative assessments.

This deeper analysis is necessary to ensure that school improvement efforts are targeted where they are most needed and will be most productive. This analysis will also help identify schools that are tackling persistent achievement issues effectively, as well as those where effort is lacking or ineffective.

Following this deeper analysis, districts with persistently low-achieving schools will be notified of their status as Voluntary Action Districts or Required Action Districts. Approximately one to five districts with a total of fifty schools will be a part of the initial identification.

- A Voluntary Action District can include both Title I and Title I-eligible schools that have extremely low overall student achievement and have not

demonstrated sufficient performance gains in reading and math for all students in *three years* (plus additional state-defined criteria).

- A Required Action District is one that includes Title I and non-Title I schools<sup>9</sup> that have extremely low overall student achievement and have not demonstrated sufficient performance gains in reading and math for all students in *five years*, plus additional state-defined criteria.

All districts identified as Required Action Districts may appeal required action status to a joint OSPI/SBE staff panel for review. This panel will make recommendations to SBE, and SBE will rule on this appeal.

For Voluntary Action Districts, OSPI will conduct a needs assessment with external experts. Following from the assessment, the district will select a federal model for school improvement based on the final federal school improvement guidelines. OSPI will focus on building the district's capacity to improve its low-performing schools. A Voluntary Action District may choose not to participate in the federal models. OSPI/SBE will monitor the progress of the Voluntary Action District to determine if, after two years, it should be a Required Action District.

For Required Action Districts, OSPI will conduct an external academic performance audit using experts in comprehensive school reform and district improvement. No staff or member of OSPI, SBE, or the local school district may participate in the audit team.

The academic performance audit will focus on student achievement and will include (but not be limited to):

- Strengths and weaknesses of current leadership in district and schools.
- Human resources policies as outlined in the collective bargaining contracts and other school board policies (how staff is evaluated, hired, compensated, assigned, and replaced, as well as professional development opportunities).
- Alignment of curriculum and instruction to state standards.
- Use of data to inform instructional practice.
- Quality, use, and amount of instructional time.
- Current resources (federal, state, and local) targeted on lowest performing schools.

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<sup>9</sup> Non Title I schools will be addressed through a Phase II approach in the following biennium when the State Board of Education requests state funding to support non Title I school performance.

- Quality of current district and school improvement plans and implementation.
- Family and community partnerships with schools.
- The most effective model for improvement based on the academic performance audit.

Following the academic performance audit, the local school board, in collaboration with its staff and community, will develop a required action plan based on the audit findings and select an appropriate model for change from among the four required federal models listed below:

#### **Four federal models for Phase I (2010-2013)**

- Turnaround: Replace the principal and at least 50 percent of the staff, adopt a new governance structure, and implement a new or revised instructional program.
- Restart: Close the school and reopen it as a charter school or a school run by an educational management organization.
- Closure: Close the school and transfer students to a higher-performing school.
- Transformation: Implement a transformation strategy that:
  - Develops teacher and school leader effectiveness.
  - Implements comprehensive instructional reform strategies.
  - Extends learning and teacher planning time.
  - Creates community-oriented schools.
  - Provides operating flexibility and intensive support.

See [Appendix B](#) for a more detailed description of these federal models.

Federal funds will be available for use in Title I and Title I-eligible schools.

The school board in a Required Action District will collaborate with its staff and community to develop an implementation plan, budget requirements, and outcome metrics. This required action plan must specify how the district will address the academic performance audit findings.

If there is an impasse in developing a required action plan, SBE will have several options available. Those under discussion include: OSPI withholding or redirecting Title I funds to the district, mediation or binding arbitration, and making required action plan elements mandatory in state statute.

SBE, in consultation with OSPI, must approve the required action plan, which will be a binding agreement between the district and SBE. The state will then provide resources for the district to implement the plan.

Required Action Districts are required to report to SBE and OSPI quarterly on their progress, identifying the strategies and assets utilized to solve problems, the evidence of plan implementation, the evidence of impact on student achievement, and progress monitoring data.

After three years under required action status, OSPI will notify SBE that a Required Action District is ready to exit required action status or that it is not making sufficient progress, as measured by the metrics of the district's plan and improvements in meeting the federal and state criteria that resulted in the district's initial placement in required action.

SBE will then either approve the district's release from required action status or require the local school board to adopt a different model with revised strategies and a new required action plan, developed in collaboration with its staff and community.

### **State and Local Models for Phase II (2012-2015)**

In addition to the four federal models, state and local models will be proposed under Phase II (2012-15) based on lessons learned in Phase I. State funds would be needed for non-Title I schools, or if the district chooses to use the state Innovation Zone model. (This state model is similar to the federal "transformation" model, but provides more flexibility to tailor programs to unique local circumstances and needs). No state funds would be available for districts that choose a local model.

### **Resources and Timeline**

There is approximately \$42.5 million in federal school improvement that will be available to fund a beginning three-year cohort of Voluntary and Required Action Districts in 2010 for Phase I (if the Legislature adopts a measure that gives SBE the authority to require local school and district participation in state-provided school improvement programs). Additional state or Race to the Top funds would be needed to fund non-Title I schools or the Innovation Zone state model in 2012 for Phase II. The proposed timeline is as follows:

Winter 2010

- Analyze data to identify schools for voluntary and required action.
- Seek legislation.

March 15, 2010

- OSPI makes recommendations for Voluntary and Required Action Districts.
- Required Action Districts may appeal their designation to SBE.

April 15, 2010

- SBE designates Required Action Districts.

July 15, 2010

- OSPI completes needs assessment for Voluntary Action Districts that intend to use a federal model.
- OSPI completes performance academic audits for Required Action Districts.

September 1, 2010

- Voluntary Action Districts' local school boards prepare their plans, choose models for change, create budgets, and define metrics.

December 15, 2010

- Required Action Districts' local school boards prepare their plans, choose models for change, create budgets, and define metrics.

January 15, 2011

- SBE approves Required Action District plans.

A detailed plan of both the timeline and resources needed for voluntary and required action are provided in [Appendix C](#) and [Appendix D](#).

**State and Federal Actions for 2010**

After two and a half years of diligent work with its stakeholders, SBE will propose a bill to the Washington State Legislature that incorporates the elements of the required action framework outlined above. This will allow SBE and OSPI to enter into a collaborative but required relationship with the local school board of a Required Action District to conduct an academic audit, create a plan, and provide the resources and authority for implementation.

The bill will propose a process to permit the school districts and their local education associations to reopen the applicable provisions of the collective bargaining agreement to include any items based on the academic performance audit findings as subjects of mandatory bargaining. These items must be acted upon in an expeditious manner.

If any parties disagree and there is an impasse in developing a required action plan, SBE will have several options available. The options under discussion in this draft report include: OSPI withholding or redirecting Title I funds to the district, mediation or binding arbitration between the parties in disagreement, and making plan elements mandatory in statute for prospective collective bargaining contracts.

The federal government is expected to provide funding for the group of persistently lowest achieving Title I and Title I-eligible schools in 2010 through its school improvement program. To receive this federal school improvement funding, and to be eligible for a Race to the Top grant, a state must not have any law or rule that prohibits the state from intervening in low achieving schools.

### **Effective Programs for School and District Improvement**

Under the proposed federal school improvement guidelines, the U. S. Department of Education has announced it will allocate funding for Title I and Title I-eligible schools for three years if they choose to implement one of the four federal models – turnaround, restart, closure, or transformation. SBE and OSPI will make any adjustments needed to the required action proposal if there are changes in the final federal school improvement guidelines.

SBE proposes to go beyond this new federal guidance in two important ways for Phase II:

1. SBE will seek state funding to include non-Title I eligible schools in its accountability and improvement system.
2. SBE will add state and local models to the list of models for change.

The state model SBE proposes is called the Innovation Zone. This is a model for school transformation that incorporates many of the ideas in the U.S. Department of Education's transformation model, including developing teacher and leader effectiveness, promoting comprehensive instructional strategies, extending learning time, providing operating flexibility, and changing budget and staffing. While the Innovation Zone is similar to the federal Transformation model, the Innovation Zone provides more flexibility to tailor programs unique to local circumstances and needs. However, no federal funds would be available to school districts that choose this model.

SBE would also like to provide flexibility for school districts to use additional local models of change and innovation. Proposed local models must address the performance audit findings and use research-based principles and practices for achieving enduring success.

## **A Call to Action**

Thanks to the hard work and dedication of Washington's educators, we have made important improvements in overall student achievement in the last 15 years. But we have yet to keep the fundamental promise of equal education for all Washington students – a promise that is central to our state's constitution and values.

To address this critical shortcoming, the 2009 Legislature took bold action to redefine basic education, improve funding, and set in motion a process to create a strong and effective school accountability program.

At the same time, the federal government, which years ago promised to “leave no child behind,” has refocused its efforts on turning around the nation's lowest performing schools – schools in which many children are, indeed, being left behind.

These two developments signal an opportunity to take an important step forward – a step that is urgently needed and that will directly benefit children who deserve better schools, better skills, and the hope for better lives.

Each of our children deserves the opportunity to thrive and reach his or her full potential. We must insist on boldness now and hold ourselves accountable to act. No child's education should hold them hostage from a bright future.

Parents send their children to school with great hope – one that we all share. Each of our children deserves the opportunity to thrive and reach his or her full potential. We must insist on boldness now and hold ourselves accountable to act.

**Appendices:**

- A. [List of SBE Members](#)
- B. SBE Current Accountability Statute
- C. [Description of Federal Models in New Draft School Improvement Guidelines](#)
- D. [Implementation Timeline](#)
- E. [Resources Needed for Voluntary and Required Action Districts and State Support](#)
- F. [List of SBE Systems Performance Accountability \(SPA\) Work Group Members](#)
- G. [List of SBE Studies Conducted For Accountability Framework 2007-2009.](#)
- H. [Propose Legislation.](#)

DRAFT

**Appendix A: State Board of Education Members**

1. Mary Jean Ryan, Chair  
Seattle (Governor Appointed)
2. Warren T. Smith Sr., Vice Chair  
Spanaway (WSSDA Elected, Western WA, Position 5)
3. Amy Bragdon  
Spokane (Governor Appointed)
4. Dr. Bernal Baca  
Yakima (Governor Appointed)
5. Bob Hughes  
Seattle (WSSDA Elected, Western WA, Position 4)
6. Eric Liu  
Seattle (Governor Appointed)
7. Jeff Vincent  
Bainbridge Island (Governor Appointed)
8. John C. Schuster  
Ocean Shores (Private Schools Representative).
9. Dr. Kristina L. Mayer  
Port Townsend (Governor Appointed)
10. Phyllis Bunker Frank  
Yakima (WSSDA Elected, Eastern WA, Position 2).
11. Randy Dorn  
Superintendent of Public Instruction
12. Dr. Sheila Fox  
Bellingham (Governor Appointed)
13. Dr. Steve Dal Porto  
Quincy (WSSDA Elected, Eastern WA, Position 1)
14. Connie Fletcher  
Issaquah (WSSDA Representative via Appointment)
15. Austianna Quick  
Oroville (Student, Eastern WA)
16. Anna Laura Kastama  
Tacoma (Student, Western WA)

New Appendix B- renumber all others in text and in following appendices

RCW 28A.305.225

Accountability framework — Accountability index — Comprehensive system of voluntary support and assistance for schools and districts — System for challenged schools — Use of state system to replace federal accountability system.

(1) The state board of education shall continue to refine the development of an accountability framework that creates a unified system of support for challenged schools, that aligns with basic education, increases the level of support based upon the magnitude of need, and uses data for decisions.

(2) The state board of education shall develop an accountability index to identify schools and districts for recognition and for additional state support. The index shall be based on criteria that are fair, consistent, and transparent. Performance shall be measured using multiple outcomes and indicators including, but not limited to, graduation rates and results from statewide assessments. The index shall be developed in such a way as to be easily understood by both employees within the schools and districts, as well as parents and community members. It is the legislature's intent that the index provide feedback to schools and districts to self-assess their progress, and enable the identification of schools with exemplary student performance and those that need assistance to overcome challenges in order to achieve exemplary student performance. Once the accountability index has identified schools that need additional help, a more thorough analysis will be done to analyze specific conditions in the district including but not limited to the level of state resources a school or school district receives in support of the basic education system, achievement gaps for different groups of students, and community support.

(3) Based on the accountability index and in consultation with the superintendent of public instruction, the state board of education shall develop a proposal and timeline for implementation of a comprehensive system of voluntary support and assistance for schools and districts. The timeline must take into account and accommodate capacity limitations of the K-12 educational system. Changes that have a fiscal impact on school districts, as identified by a fiscal analysis prepared by the office of the superintendent of public instruction, shall take effect only if formally authorized by the legislature through the omnibus appropriations act or other enacted legislation.

(4)(a) The state board of education shall develop a proposal and implementation timeline for a more formalized comprehensive system improvement targeted to challenged schools and districts that have not demonstrated sufficient improvement through the voluntary system. The timeline must take into account and accommodate capacity limitations of the K-12 educational system. The proposal and timeline shall be submitted to the education committees of the legislature by December 1, 2009, and shall include recommended legislation and recommended resources to implement the system according to the timeline developed.

(b) The proposal shall outline a process for addressing performance challenges that will include the following features: (i) An academic performance audit using peer review teams of educators that considers school and community factors in addition to other factors in developing recommended specific corrective actions that should be undertaken to improve student learning; (ii) a requirement for the local school board plan to develop and be responsible for implementation of corrective action plan taking into account the audit findings, which plan must be approved by the state board of education at which time the plan becomes binding upon the school district to implement; and (iii) monitoring of local district progress by the office of the superintendent of public instruction. The proposal shall take effect only if formally authorized by the legislature through the omnibus appropriations act or other enacted legislation.

(5) In coordination with the superintendent of public instruction, the state board of education shall seek approval from the United States department of education for use of the accountability index and the state system of support, assistance, and intervention, to replace the federal accountability system under P.L. 107-110, the no child left behind act of 2001.

(6) The state board of education shall work with the education data center established within the office of financial management and the technical working group established in section 112, chapter 548, Laws of 2009 to determine the feasibility of using the prototypical funding allocation model as not only a tool for allocating resources to schools and districts but also as a tool for schools and districts to report to the state legislature and the state board .

## Appendix C: Description of Federal Models in New Draft School Improvement Guidelines

[Federal Register: December 10, 2009 (Volume 74, Number 236)]  
[Notices]  
[Page 43101-43114]  
From the Federal Register Online via GPO Access [wais.access.gpo.gov]  
[DOCID:fr26au09-38]

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DEPARTMENT OF EDUCATION

[Docket ID ED-2009-OESE-0010]  
RIN 1810-AB06

School Improvement Grants--American Recovery and Reinvestment Act of 2009; Title I of the Elementary and Secondary Education Act of 1965

ACTION: Notice of proposed requirements.

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SUMMARY: The U.S. Secretary of Education (Secretary) proposes requirements for School Improvement Grants authorized under section 1003(g) of Title I of the Elementary and Secondary Education Act of 1965, as amended (ESEA), and funded through both the Department of Education Appropriations Act, 2009 and the American Recovery and Reinvestment Act of 2009 (ARRA). The proposed requirements would define the criteria that a State educational agency (SEA) must use to award school improvement funds to local educational agencies (LEAs) with the lowest-achieving Title I schools that demonstrate the greatest need for the funds and the strongest commitment to use those funds to provide adequate resources to their lowest-achieving Title I schools in order to raise substantially the achievement of the students attending those schools. The proposed requirements also would require an SEA to give priority, through a waiver under section 9401 of the ESEA, to LEAs that also wish to serve the lowest-achieving secondary schools that are eligible for, but do not receive, Title I funds. Finally, the proposed requirements would require an SEA to award school improvement funds to eligible LEAs in amounts sufficient to enable the targeted schools to implement one of four specific proposed interventions.

Excerpt: . . .  
Proposed Requirements

The Secretary proposes the following requirements with respect to the allocation and use of School Improvement Grants.

## I. SEA Priorities in Awarding School Improvement Grants

### A. Defining Key Terms

To award School Improvement Grants to its LEAs, consistent with section 1003(g)(6) of the ESEA, an SEA must define three tiers of schools, in accordance with the requirements in paragraph 1, to enable the SEA to select those LEAs with the greatest need for such funds. From among the LEAs in greatest need, the SEA must select, in accordance with paragraph 2, those LEAs that demonstrate the strongest commitment to ensuring that the funds are used to provide adequate resources to enable the lowest-achieving schools to meet, or be on track to meet, the LEA's three-year student achievement goals in reading/language arts and mathematics. Accordingly, the Secretary proposes to require an SEA to use the following definitions to define key terms:

1. Greatest need. An LEA with the greatest need for a School Improvement Grant must have one or more schools in at least one of the following tiers:
  - a. Tier I schools: A Tier I school is a school in the lowest-achieving five percent of all Title I schools in improvement, corrective action, or restructuring in the state, or one of the five lowest-achieving Title I schools in improvement, corrective action, or restructuring in the state, whichever number of schools is greater.
    - i. In determining the lowest-achieving Title I schools in the state, an SEA must consider both the absolute performance of a school on the state's assessments in reading/language arts and mathematics and the school's lack of progress on those assessments over a number of years as defined in paragraph (a).
    - ii. A school has not made progress if its gains on the state's assessments in reading/language arts and mathematics, in the "all students" category (as used in section 1111(b)(2)(C)(v)(I) of the ESEA), are less than the average gains of schools in the state on those assessments.
  - b. Tier II schools: A Tier II school is a secondary school (middle school or high school) that is equally as low-achieving as a Tier I school and that is eligible for, but does not receive, Title I, Part A funds.
  - c. Tier III schools: A Tier III school is a Title I school in improvement, corrective action, or restructuring that is

- not a Tier I school. An SEA may establish additional criteria to encourage LEAs to differentiate among these schools in their use of school improvement funds and to use in setting priorities among LEA applications for funding.
2. Strongest Commitment. An LEA with the strongest commitment is an LEA that agrees to implement, and demonstrate the capacity to implement fully and effectively, one of the following rigorous interventions in each Tier I and Tier II school that the LEA commits to serve:
    - a. Turnaround model. A turnaround model must include:
      - i. Replacing the principal and at least 50 percent of the staff.
      - ii. Adopting a new governance structure, which may include, but is not limited to, reporting to a new "turnaround office" in the LEA or SEA, hiring a "turnaround leader" who reports directly to the Superintendent or Chief Academic Officer, or entering into a multi-year contract with the LEA or SEA to obtain added flexibility in exchange for greater accountability.
      - iii. Implementing a new or revised instructional program.
      - iv. Implementing strategies designed to recruit, place, and retain effective staff.
      - v. Providing ongoing, high-quality, job-embedded professional development to staff to ensure that they are equipped to facilitate effective teaching and learning.
      - vi. Promoting the continuous use of student data (such as from formative, interim, and summative assessments) to inform and differentiate instruction to meet the needs of individual students.
      - vii. Establishing schedules and strategies that increase instructional time for students and time for collaboration and professional development for staff.
      - viii. Providing appropriate social-emotional and community-oriented services and supports for students.
    - b. Restart model. A restart model is one in which an LEA closes a school and reopens it under a charter school operator, a charter management organization (CMO), or an education management organization (EMO) that has been selected through a rigorous review process. A

- restart model must admit, within the grades it serves, all former students who wish to attend the school.
- c. School closure. An LEA closes a school and enrolls the students who attended that school in other, high-achieving schools in the LEA, which may include charter schools.
  - d. Transformation model. A transformation model must include each of the following strategies:
    - i. Developing teacher and school leader effectiveness.
      1. Required activities. The LEA must:
        - a. Use evaluations that are based in significant measure on student growth to improve teachers' and school leaders' performance.
        - b. Identify and reward school leaders, teachers, and other staff who improve student achievement outcomes and identify and remove those who do not.
        - c. Replace the principal who led the school prior to commencement of the transformation model.
        - d. Provide staff ongoing, high-quality, job-embedded professional development (e.g., regarding subject-specific pedagogy, instruction that reflects a deeper understanding of the community served by the school, or differentiated instruction) that is aligned with the school's comprehensive instructional program and designed to ensure staff are equipped to facilitate effective teaching and learning and have the capacity to successfully implement school reform strategies.
        - e. Implement strategies designed to recruit, place, and retain effective staff.
      2. Permissible activities. An LEA may also implement other strategies to develop teachers' and school leaders' effectiveness, such as:

- a. Providing additional compensation to attract and retain high-quality educators to the school.
    - b. Instituting a system for measuring changes in instructional practices resulting from professional development.
    - c. Ensuring that the school is not required to accept a teacher without the mutual consent of the teacher and principal, regardless of the teacher's seniority.
  - 3. Comprehensive instructional reform strategies.
    - a. Required activities. The LEA must:
      - i. Use data to identify and implement comprehensive, research-based, instructional programs that are vertically aligned from one grade to the next as well as aligned with state academic standards.
      - ii. Promote the continuous use of individualized student data (such as from formative, interim, and summative assessments) to inform and differentiate instruction to meet the needs of individual students.
    - b. Permissible activities. An LEA may also implement other strategies for implementing comprehensive instructional reform strategies, such as:
      - i. Conducting periodic reviews to ensure that the curriculum is being implemented with fidelity, is having the intended impact on student achievement, and is modified if ineffective.
      - ii. Implementing a school-wide "response-to-intervention" model.
      - iii. In secondary schools:
        - 1. Increasing rigor by offering opportunities for students to enroll in advanced coursework (such as Advanced Placement or International Baccalaureate), early-college high schools, dual enrollment programs, or thematic learning academies that prepare students for college and careers, by providing appropriate supports designed to ensure that low-achieving students can take advantage of these programs and coursework.

2. Improving student transition from middle to high school through summer transition programs or freshman academies.
3. Increasing graduation rates through, for example, credit-recovery programs, smaller learning communities, and acceleration of basic reading and mathematics skills.
4. Extending learning time and creating community-oriented schools.
  - a. Required activities. The LEA must:
    - i. Provide more time for students to learn core academic content by expanding the school day, the school week, or the school year, or increasing instructional time for core academic subjects during the school day.
    - ii. Provide more time for teachers to collaborate, including time for horizontal and vertical planning to improve instruction.
    - iii. Provide more time or opportunities for enrichment activities for students (e.g., instruction in financial literacy, internships or apprenticeships, service-learning opportunities) by partnering, as appropriate, with other organizations, such as universities, businesses, and museums.
    - iv. Provide ongoing mechanisms for family and community engagement.
  - b. Permissible activities. An LEA may also implement other strategies that extend learning time and create community-oriented schools, such as:
    - i. Partnering with parents, faith- and community-based organizations, health clinics, the police department, and others to create safe school environments that meet students' social, emotional and health needs.
    - ii. Extending or restructuring the school day to add time for such strategies as advisory periods to build relationships between students, faculty, and other school staff.
    - iii. Implementing approaches to improve school climate and discipline, such as implementing a system of positive behavioral supports or taking steps to eliminate bullying and student harassment.
5. Providing operating flexibility and sustained support.
  - a. Required activities. The LEA must:

- i. Give the school sufficient operating flexibility (including staffing, calendars/time, and budgeting) to implement fully a comprehensive approach to substantially improve student achievement outcomes.
  - ii. Ensure that the school receives ongoing, intensive technical assistance and related support from the LEA, the SEA, or a designated external lead partner organization (such as a school turnaround organization or an EMO).
- b. Permissible activities. The LEA may also implement other strategies for providing operational flexibility and intensive support, such as:
  - i. Allowing the school to be run under a new governance arrangement, such as a turnaround division within the LEA or SEA.
  - ii. Implementing a weighted per-pupil school-based budget formula.

In determining the strength of an LEA's commitment to using school improvement funds to implement these interventions, an SEA must consider, at a minimum, the extent to which the LEA's application shows the LEA's efforts to:

1. Analyze the needs of its schools and match the interventions to those needs.
2. Design interventions consistent with this notice.
3. Recruit, screen, and select external providers to ensure quality.
4. Embed the interventions in a longer-term plan to sustain gains in achievement.
5. Align other resources with the interventions.
6. Modify its practices, if necessary, to enable it to implement the interventions fully and effectively.
7. Sustain the reforms after the funding period ends.

Moreover, the SEA must consider LEA's capacity to implement the proposed interventions and may approve the LEA to serve only those schools for which the SEA determines that the LEA can implement fully and effectively one of the proposed interventions.

Note: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

**Appendix C: Implementation Timetable**

Fall 2009	Winter 2010	Spring 2010	Summer 2010
<p><b>State</b></p> <ol style="list-style-type: none"> <li>1. SBE lays out the details of its accountability framework with stakeholders.</li> <li>2. OSPI and SBE identify persistently low achieving schools to determine Voluntary and Required Action Districts.</li> <li>3. SBE completes the report and SBE/OSPI send a joint bill to the legislature on the accountability framework.</li> <li>4. SBE incorporates report and draft legislation in Round 1 of the Race to the Top Application (including a request for funding for state models and non Title 1 schools funding under required action).</li> </ol>	<p><b>State</b></p> <ol style="list-style-type: none"> <li>1. Legislature acts upon the SBE proposed Accountability bill.</li> <li>2. Required Action Phase I would be implemented to include federal models of intervention and federal funding.</li> </ol> <p><b>District</b></p> <ol style="list-style-type: none"> <li>1. Districts selected for voluntary or required action (pending legislative approval).</li> </ol>	<p><b>State</b></p> <ol style="list-style-type: none"> <li>1. The Voluntary Action Districts and potential Required Action Districts are offered the opportunity to participate in the voluntary state assistance program (OSPI) under new federal school improvement guidelines.</li> <li>2. SBE will determine the designation of Required Action Districts.</li> <li>3. Required Action Districts will have an OSPI Audit.</li> </ol> <p><b>District</b></p> <ol style="list-style-type: none"> <li>1. Voluntary Action Districts begin work on evaluation and pre-work to receiving additional state assistance.</li> <li>2. Required Action Districts will undergo OSPI academic performance audit</li> </ol>	<p><b>State</b></p> <p><b>District</b></p> <ol style="list-style-type: none"> <li>1. Required Action Districts may appeal designation to SBE within one month of recommendation.</li> </ol>
Fall 2010	Winter 2011	Spring 2011	Summer 2011
<p><b>State</b></p> <ol style="list-style-type: none"> <li>1. SBE and OSPI will submit a request for fiscal year 2011-2013 funding for state support to Voluntary and Required Action Districts.</li> </ol>	<p><b>State</b></p> <ol style="list-style-type: none"> <li>1. OSPI provides a list of resources and assistance to Required Action Districts.</li> <li>2. Legislature acts on budget request for state funding for accountability pieces.</li> </ol> <p><b>District</b></p> <ol style="list-style-type: none"> <li>1. Required Action District's local school board creates the required action plan for SBE approval.</li> </ol>		

Fall 2011	Winter 2012	Spring 2012	Summer 2012
	<p><b>State</b></p> <p>Required Action Phase I three year cohort would be implemented to include non Title I schools and state and local models of intervention and state and local funding.</p>		<p><b>State</b></p> <ol style="list-style-type: none"> <li>OSPI may conduct an additional audit to review why there's a lack of progress.</li> </ol> <p><b>District</b></p> <ol style="list-style-type: none"> <li>Voluntary Action Districts who do not participate in the state and program and whose schools have made limited or insufficient progress based on federal and state identified criteria will go into required action. OSPI may conduct additional audits.</li> <li>Required Action Districts must demonstrate improvement based on federal and state criteria as well as their own metrics.</li> <li>Local Board must supply a remedy for insufficient progress.</li> </ol>
Fall 2012	Winter 2013	Spring 2013	Summer 2013
			<p><b>State</b></p> <ol style="list-style-type: none"> <li>OSPI will recommend, to SBE, that Required Action Districts, if successful, no longer be designated Required Action Districts.</li> <li>SBE will review and take appropriate action.</li> </ol> <p><b>District</b></p> <ol style="list-style-type: none"> <li>Pending state funding, Voluntary Action Districts who do participate in the state program and whose schools do not make progress based on federal and state criteria will go into required action.</li> </ol>

**Appendix D: Resources Needed for Voluntary and Required Action Districts and State Support**

This Appendix provides **OSPI cost estimates based on a Phase I Implementation using federal funding of \$42.5 million federal funds for three years. This amount would allow funding for one to five districts for a total of fifty schools under Phase I of the SBE proposal. Thus approximately \$14.16 million would be available per year for OSPI and the local district.**

The tables below provide cost estimates for implementing the SBE/OSPI Model for voluntary/required action in a mid-size district (25 schools) and large district (45 schools). Table 1 describes each district. Table 2 is from an excel spreadsheet depicting projected known costs. The same criteria has been used for determining total allocation as might be used to distribute Federal ARRA SIG 1003(g) funds based on proposed guidelines (all other funds are questionable).

Table 1

<b>Descriptor</b>	<b>District A</b>	<b>District B</b>
No. of Schools	25	45
No. of Title I Schools	12	30
No. of Tier I Schools (Title I) in a Step of Improvement	2	4
No. of Tier II Schools (Title I-eligible Secondary Schools)	1	5
No. of Tier III Schools (Title I) in a Step of Improvement	7	15
No. of Low-achieving Non Title-I Eligible Schools District will serve	1	2
No. of Schools District has Capacity to Serve	<b>10</b> (Tier I = 1; Tier II =1; Tier III = 7, Non=1)	<b>15</b> (Tier I = 2; Tier II =1; Tier III = 10; Non = 2)
Grant at \$500,000 per identified Title I School (Tier I and Tier III Schools)	<b>\$4M</b> (District has capacity to serve a total of <b>8</b> Tier I and Tier III schools)	<b>\$6M</b> (District has capacity to serve a total of <b>12</b> Tier I and Tier III schools)

Table 2

This table shows how funds might be distributed based on the federal guidelines for 1003(g) funds. These descriptors are not inclusive and may be expanded (e.g. restart training, charter contract/management, or other considerations).

Descriptor	District A	District B	Funding Source	TOTAL
External Needs Assessment or Academic Performance Audit	\$ 500,000	\$ 1,000,000	OSPI Holdback	
District Improvement Facilitator	\$ 100,000	\$ 100,000	OSPI Holdback	
District Continuum of Services	\$ 100,000	\$ 100,000	OSPI Holdback	
<b>TOTAL – OSPI Technical Asst.</b>	<b>\$ 700,000</b>	<b>\$ 1,200,000</b>	<b>OSPI</b>	<b>\$ 1,900,000*</b>
School Review/Audit for identified schools @ \$50,000/school	\$ 500,000	\$ 750,000	District Grant (OSPI Holdback?)	
Technical Assistance Contractors @\$50,000 per identified school	\$ 500,000	\$ 750,000	District Grant (OSPI Holdback?)	
Remainder of Grant - available to district	\$ 3,000,000	\$ 4,500,000	District Grant	
<b>TOTAL – District Grant</b>	<b>\$ 4,000,000</b>	<b>\$ 6,000,000</b>	<b>District Grant</b>	<b>\$ 10,000,000</b>
<b>GRAND TOTAL: This funding amount reflects OSPI Technical Assistance and District Funding for <u>2 Districts with a total of 25 participating schools for one year only.</u></b>				<b>\$11,900,000</b>

\* Note: No funds to administer the program(s) are currently calculated in the projected annual costs of this model.

Note that this funding projection does not incorporate the NEW final guidance from the USED on the use of ARRA SIG (School Improvement Grant) funds as that final guidance has not yet been provided to the states. Once the final guidance is available, along with a state application process for these SIG funds, a more accurate projection can be provided regarding funds available along with future direction for the existing improvement programs.

The Continuum of District Services and Supports includes professional development emphasizing evidence-based practices and other innovations via the Washington Improvement and Implementation Center (WIIN). The *Center* specializes in technical assistance which builds on research around implementation science, OSPI's *Characteristics of Improved Districts: Themes from Research*, and research-supported leadership and instructional practices.

SBE has \$75,000 each fiscal year of this biennium to assist with accountability work and does not anticipate requesting additional funds for this work in this biennium.

**Appendix E: List of SBE Systems Performance Accountability (SPA) Work Group Members**

## Past and Present SPA Members

Kristina Mayer, SBE Board Member Lead  
Edie Harding, SBE Executive Director  
Pete Bylsma, SBE Consultant

1. Ann Walker, Wiley Elementary, Richland School District
2. Bill Williams, PTA
3. Bob Harmon, OSPI
4. Caroline King, Partnership for Learning
5. Don Rash, AWSP
6. Erin Jones, OSPI
7. Gary Kipp, AWSP
8. George Juarez, Othello School District
9. Janell Newman, OSPI
10. Karen Davis, WEA
11. Mack Armstrong, WASA
12. Marc Cummings, Director, Public Affairs, Battelle
13. Marilee Scarbrough, WSSDA
14. Martha Rice, WSSDA
15. Mary Alice Heuschel, Renton School District
16. Mike Bernard, Madison Cooke, Inc.
17. Myra Johnson, PESB, Clover Park School District
18. Nancy Smith, PESB, Lake Stevens School District
19. Phil Brockman, Ballard School District
20. Roger Erskine, PESB
21. Ted Thomas, WSSDA

**Appendix F: List of SBE Studies Conducted for Accountability Framework 2007-2009**

Bylsma, Pete. "Washington's New Accountability Index A Final Report to the Board." November 2009.

Center for Strengthening the Teaching Profession. "Trends in Teacher Retention and Mobility in Selected Washington Middle and High Schools." A technical report prepared for the SBE September 2007.

Mass Insight Education. "Serving Every Child Well: Washington State's Commitment to Help Challenged Schools Succeed." Final report to the SBE December 2008.

Northwest Regional Educational Laboratory. "Study of State and Local Barriers to Raising Student Achievement Dramatically for All Students." July 2008.

SBE Staff. "The National Picture of State Intervention Authority in Low Performing Schools and Districts." August 2008.

SBE Staff. "Recent Actions and Research for Consideration Under SBE accountability framework." June 2009.

**Appendix G: Proposed Draft Legislation (to be finalized by State Board of Education in January 2010)****DRAFT ACCOUNTABILITY LEGISLATION**

*LEGISLATIVE PURPOSE – PHASE I TITLE I AND TITLE I ELIGIBLE SCHOOLS IMPELEMENTING ONE OF FOUR FEDERAL MODELS (2010-2011); PHASE II NON TITLE I SCHOOLS IMPLEMENTING STATE OR LOCAL MODELS (2012-2013)*

**NEW SECTION.** The Legislature recognizes that state public schools demonstrating the lowest performance on state indicators of student achievement need to develop and implement a comprehensive approach to school improvement that requires the implementation of rigorous interventions to improve student learning. In order to take advantage of federal funds available for statewide student improvement grants under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) and Elementary and Secondary Education Act of 1965, ESEA (20 U.S.C. Sec. 9601 et seq.), the state intends to implement the first phase of an accountability program for implementation in 2010 that requires school districts with Title I and non-Title I eligible schools that meet specified criteria to implement one of the four federal intervention models under the ESEA. The second phase of the state’s accountability program is intended to be implemented in 2012 and will address those districts with non-Title I schools identified as persistently low achieving using state and local models for improvement.

*SUPERINTENDENT OF PUBLIC INSTRUCTION IDENTIFIES PERSISTENTLY LOW ACHIEVING SCHOOLS*

**NEW SECTION.** The superintendent of public instruction shall, by March 1 of each year, identify all public schools in the state that are persistently low achieving schools. A persistently low achieving school means a school that, during the past five consecutive years, has not:

- (1) Met standard in the “all students group” in terms of proficiency on the state’s assessments in both reading and mathematics in all grades tested; and
- (2) Made progress on the state’s assessment in reading and mathematics in the “all students” category for all grades’ tested. A school has not made progress if its gains on the

state's assessments in reading and mathematics in the "all students" category is less than the average gains of schools in the state on those assessments;

*SUPERINTENDENT OF PUBLIC INSTRUCTION RECOMMENDS TO THE STATE BOARD OF EDUCATION WHETHER A PERSISTENTLY LOW ACHIEVING SCHOOL BE DESIGNATED AS A REQUIRED ACTION DISTRICT*

**NEW SECTION.** (1) The superintendent of public instruction shall recommend to the state board of education, by April 1 of each year, whether a school district with a school or schools designated as persistently low achieving should be designated as a required action district. A school district shall be recommended for designation if it falls within one of the following tiers.

(a) Tier I: The school is in the lowest five percent of those schools identified as persistently low achieving schools and is a Title I school in improvement, corrective action, or restructuring in the State; or the district has a school that is one of the five persistently low achieving schools that is a Title I school in improvement, corrective action, or restructuring in the State, whichever number of schools is greatest;

(b) Tier II: The school is a middle or high school that is in the lowest five percent of those schools identified as persistently low achieving schools that is eligible for, but does not receive, Title I, Part A funds; or

(c) Tier III: The school is in the lowest sixth to tenth percentile of those schools identified as persistently low achieving, and is a Title I school in improvement, corrective action, or restructuring in the State; or is eligible for, but does not receive, Title I funds and is in school improvement, corrective action, or restructuring in the state, if the district meets the following criteria; and

(2) The following criteria are met:

(a) The school in the district identified as persistently low achieving is at least twenty percentage points below the state results in both reading and mathematics on the state assessment, without adjusting for a margin of error, in at least three of the past five years,

including the past two years; or the school's average percent meeting standard over the past five years was at least twenty percentage points below the state average.

(b) Thirty percent or more of the students enrolled within the district are in a school or schools identified by the superintendent as persistently low achieving.

(c) The extended graduation rate for high school students at a persistently low achieving school within a district is less than sixty percent over a five year period.

(d) The school designated as persistently low achieving within the district is an elementary or middle school that has been feeding students into a high school that is designated as a persistently low performing school;

(e) The school district has schools designated as persistently low achieving in any subgroup (e.g., racial, ELL, special education), compared to the state average for all subgroups, with consistently wide disparities in student performance between subgroups.

(f) Over [identify percentage] of a school district's English language learner students (ELL) have stayed in the state transitional bilingual program longer than five years; and less than [identify percentage] of ELL students are on track to meet standard in the state assessment in reading and mathematics when they exit the program.

(g) Fifty percent of the school districts high school students have failed to receive credit for at least half of the credits required for completion in the ninth grade.

(h) Other data used by a school district to measure student achievement indicates that students at the school designated as a persistently low performing school are underperforming on assessments in reading and mathematics.

(3) The superintendent's recommendation to the state board of education that a school district be designated as a required action district shall be in writing and include any necessary documentation to support the superintendent's recommendation. The district shall be served with a copy of the superintendent's recommendation. Service shall be effective upon deposit in the United States mail postage prepaid.

*A SCHOOL DISTRICT CAN REQUEST RECONSIDERATION OF THE SUPERINTENDENT'S RECOMMENDATION FOR DESIGNATION AS A REQUIRED ACTION DISTRICT*

**NEW SECTION.** (1) A school district may file a written request with the superintendent for reconsideration of the recommendation to the state board of education for the district's designation as a required action district. A request for reconsideration must be in writing, served on the superintendent of public instruction within 10 days of service of the notice of the superintendent's recommendation.

(2) The superintendent shall provide a written response to the school district after review of its request for reconsideration. A copy of the school district's request for reconsideration and the superintendent's response shall be provided by the superintendent to the state board of education.

*STATE BOARD OF EDUCATION DESIGNATES A SCHOOL DISTRICT AS A REQUIRED ACTION DISTRICT*

**NEW SECTION.** (1) The state board of education shall, by May 1 of each year, designate a school district as a required action district based on the recommendation of the superintendent of public instruction.

(2) The superintendent of public instruction shall notify a school district in writing that it has been designated by the state board of education as a required action district.

*SCHOOL DISTRICT DESIGNATED AS A REQUIRED ACTION DISTRICT MUST CONDUCT AN ACADEMIC PERFORMANCE AUDIT*

**NEW SECTION.** (1) Within fifteen days after the state board of education's designation of a school district as a required action district, the superintendent of public instruction shall appoint a review team to conduct an academic performance audit of the district of each persistently low performing school to determine the cause for the school's low performance and lack of progress. The review team shall consist of persons under contract with the superintendent who have expertise in comprehensive school and district reform and shall not include staff from the agency, the school district that is the subject of the audit, or members or staff of the state board of education or the school district that is the subject of the audit.

(2) The academic performance audit shall focus on issues at both the school district and the school building level and assess the reasons for student performance being persistently low achieving at a school so designated. The review shall include, at a minimum, an evaluation of the following:

(a) the strengths and weaknesses of current leadership in the district, as well as the school or schools within the district that have been identified as persistently low achieving; and whether new leadership is required at the district or school level.

(b) the quality of the school district's existing school improvement plans for a school or schools in the district identified as persistently low achieving.

(c) the existing human resources policies within the school district, including how employees of the district are evaluated, hired, compensated, assigned, trained, and replaced and the extent to which any of these policies are interfering with the ability of the school district to improve student achievement;

(d) the extent to which the school districts instruction and curriculum in math and reading is aligned to the state standards.

(e) the school districts use of data to inform instructional practice.

(f) the quality and use off a school district's instructional time, including the amount of the instructional time;

(g) the school districts allocation of existing federal, state and local resources to target the lowest performing schools in the district.

(h) the school districts development of family and community partnerships within the district; and

(i) identification of the federal intervention model under the ESEA that will be most effective in improving academic achievement at the school.

(3) The academic performance audit shall be completed within three months of a school districts designation as a required action district by the state board of education. The

superintendent of public instruction shall provide a school district with a copy of the audit upon completion.

*THE LOCAL SCHOOL BOARD IS REQUIRED TO SUBMIT A REQUIRED ACTION PLAN TO THE STATE BOARD OF EDUCATION FOR APPROVAL IMPLEMENTING ONE OF THE FOUR FEDERAL INTERVENTION MODELS*

**NEW SECTION.** (1) Within three months of receipt of a final academic performance audit, the local school board of a school district designated as a required action district shall submit a required action plan to the state board of education for approval. A required action plan must be developed in collaboration with representatives of the local school community, i.e., employees of the district including administrators, teachers, and other staff, parents; unions representing any employees within the district, and any other interested persons.

(2) A required action plan must include all of the following:

(a) Implementation of one of the four federal intervention models required for the receipt of school improvement grants under the American Recovery and Reinvestment Act of 2009 and Title I of the Elementary and Secondary Education Act of 1965 [cite federal regulation]. The intervention model selected must be adequate to address the concerns raised in the academic performance audit and be intended to improve student performance to allow for a school district to be removed from the list of districts designated as a required action district by the state board of education within three years of implementation of the plan;

(b) Submittal of an application for a federal School Improvement Grant to the superintendent of public instruction;

(c) A budget that provides for adequate resources to implement the federal model selected any other requirements of the plan;

(d) A description of the changes in the district's or schools existing policies, structures, agreements, processes, and practices that are necessary to ensure significant achievement gains for all students enrolled in the school.

(e) Identification of the metrics that the school district will use in assessing student achievement at a school identified as a persistently low achieving school. At a minimum, these metrics must include the specific interventions to be implemented; the leading indicators such as instructional minutes per school year; attendance of teachers and students; and student achievement outcomes, such as assessment data and student enrollment in advanced coursework at high schools by subgroups.

(3) If a school board considers it necessary to alter the provisions of a contract or collective bargaining agreement applicable to administrators, principals, teachers or staff at a persistently low achieving school, the school board shall request that any applicable union bargain or reopen the bargaining of the relevant collective bargaining agreement to facilitate such achievement for the affected school only. The bargaining shall be conducted in good faith and completed not later than 40 days from the date on which the school board requests the parties to bargain. Upon completion of negotiations, the school board and union shall enter into an amendment to an existing collective bargaining agreement that shall allow for the district to implement an approved required action plan at a school identified in the district as persistently low achieving.

(4) If the local school board and union are unable to come to an agreement on the terms of a required action plan or amendments to an existing collective bargaining agreement that allows for implementation of a required action plan, the school board and union shall agree to submit to mediation in an effort to resolve any disagreements.

(5) [Section to be added on additional impasse options.]

*THE SCHOOL BOARD IS REQUIRED TO SUBMIT A SCHOOL DISTRICTS REQUIRED ACTION PLAN TO THE STATE BOARD OF EDUCATION FOR APPROVAL*

**NEW SECTION.** A required action plan developed by a school district shall be submitted to the state board of education for approval. The state board of education shall approve a plan proposed by a school district only if it meets the requirements set forth in this [chapter]. If the state board of education does not approve a proposed plan, it shall notify the local school board in writing. The local school board shall submit a new plan to the state board of education for approval within 40 days of notification that its plan was rejected.

*FAILURE OF SCHOOL BOARD TO SUBMIT REQUIRED ACTION PLAN OR TO RECEIVE THE STATE BOARD OF EDUCATION'S APPROVAL OF A PLAN*

**New Section:** The superintendent of public instruction may take the following action if a school board fails to submit a timely required action plan to the state board of education for approval, or submits a plan that is not approved by the state board of education:

(1) Withhold all, or a portion, of the Title I Part A funds [federal citation] the school district is entitled to receive until the district submits a required action plan that is approved by the state board of education.

(2) Require the school board in consultation with the superintendent of public instruction to submit a plan to the state board of education that reallocates the districts Title I funds. The state board of education shall review the plan, make any changes it feels necessary, and require the school district to implement as approved by the board.

*SCHOOL DISTRICT IMPLEMENTS REQUIRED ACTION PLAN, SUBMITS QUARTERLY REPORTS TO SUPERINTENDENT OF PUBLIC INSTRUCTION AND STATE BOARD OF EDUCATION*

**NEW SECTION.** A local school board shall implement the required action plan upon approval by the state board of education. The school board shall submit quarterly reports to the superintendent and state board of education regarding its progress in meeting the student achievement goals set forth in the required action plan.

*SCHOOL DISTRICT SATISFACTORILY COMPLETES REQUIRED ACTION PLAN AND THE SUPERINTENDENT OF PUBLIC INSTRUCTION RECOMMENDS TO THE STATE BOARD OF EDUCATION THAT THE SCHOOL DISTRICT NO LONGER BE DESIGNATED AS A REQUIRED ACTION DISTRICT*

**NEW SECTION.** (1) The superintendent shall provide an annual report to the state board of education regarding the progress made by all school districts designated as required action districts.

(2) The superintendent shall notify a school district that it is no longer designated as a required action district once it no longer meets the criteria for such designation as set forth in [identify sections).

*DEFINITIONS*

(This section will need to be added.)