



The Washington State Board of Education

An education system where students are engaged in personalized education pathways that prepare them for civic engagement, careers, postsecondary education, and lifelong learning.

COVID-19 Policy Response – Work Session Follow-Up

PREPARED FOR THE JULY 2020 BOARD MEETING

Information item

Materials included in packet:

- COVID-19 Policy Response & Legislative Priorities Memo

Synopsis:

At the June 17, 2020 work session, Board members discussed the long-term impacts of COVID-19 school building closures, related disruptions to learning, and the challenges with reopening schools during the ongoing public health crisis. Board members discussed policy options to support schools in reopening and to facilitate serving students in a more equitable and effective way.

SBE staff will provide a summary of the key takeaways from the June work session along with remaining questions for discussion. SBE staff will also provide an overview of policy proposals for the Board to consider. The Board will have an opportunity to discuss as they are presented in more depth during the meeting.

Memo on COVID-19 Policy Response & Legislative Priorities

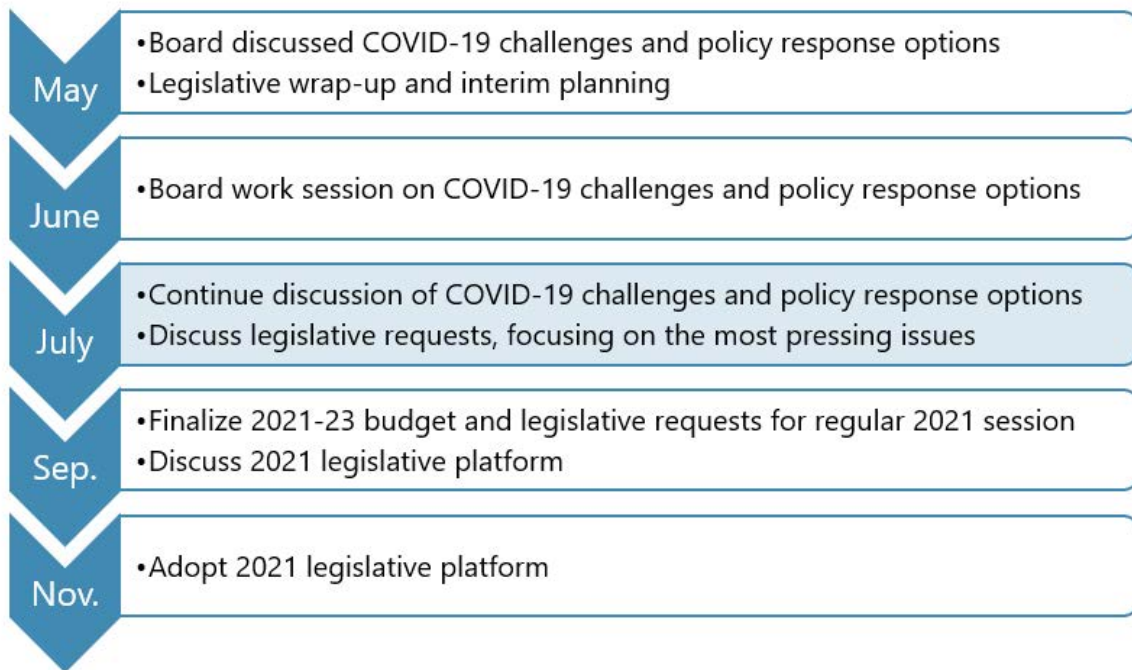
Timeline

Before diving into the legislative priorities, it is helpful to recognize the work leading up to this point and the work to come in the following months. The policy options proposed in this memo build upon discussions that the Board had at the May Board meeting and June work session on COVID-19 challenges and policy response options.

On June 17, 2020, the State Board of Education held a work session to discuss the long-term impacts of COVID-19 school building closures, related disruptions to learning, and the challenges with reopening schools during the ongoing public health crisis. Drawing on lessons from other states and nations, national experts, and the OSPI Reopening Washington Schools 2020-21 Workgroup Report, Board members discussed policy options to support schools in reopening and to facilitate serving students in a more equitable and effective way. The discussion helped identify the top priority policy options for staff to develop into proposals for Board consideration at the July meeting.

The objective of the July discussion is for Board members to provide staff with direction on which proposals to move forward, focusing on the most urgent requests to consider in the event of a special session. Whether there will be a special session and the timing of it remain unknown, but it is speculated that the likely timing would be late summer or early fall. A special session would likely be focused on budgetary matters, but could provide an opportunity to make policy changes that cannot wait for regular session. With this in mind, the July discussion of legislative priorities will focus on pressing matters that schools and students need to know in order to plan for the upcoming school year.

In addition, the Board will preview some of the proposals for regular session, which will be finalized at the September Board meeting. In September, the Board will also discuss the 2021 legislative platform, which the Board will adopt at the November meeting.



Discussion themes serve as foundation for platform

At the May Board meeting and June work session, Board members discussed the impacts of the COVID-19 public health crisis and potential policy changes to our education system that would facilitate serving students in a more equitable and effective way. While the Board has had to focus on some specific policy changes needed in the immediate and near term, Board members are passionate about advocating for broader priorities to transform our education system.

The themes that emerged from the Board’s recent discussions will likely develop into the Board’s 2021 legislative platform, which will include broader advocacy priorities. Additional discussion and refinement of the priorities is needed over the fall, with the legislative platform to be adopted at the November meeting.

The Board’s recent discussions reinforce the Board’s values and priorities as expressed in the [2019 – 2023 Strategic Plan](#). In particular, the Board’s goal of creating an equitable education system that is responsive to the individual needs of students resides at the center of the Board’s reflections on what policy changes are needed in light of the pandemic. The COVID-19 public health crisis has shed light on and has exacerbated long-standing inequities in the education system. The impacts of the coronavirus are compounded by our long history of institutional racism including in our education system. Rather than returning to normal, this dual pandemic presents an opportunity to transform the system into one that serves all students equitably. Several Board members have expressed that the time is ripe for the Board and other state

policymakers to “be bold.” As Member Kallappa put it, “We are at a precipice and the choice right now for me is binary: we are either going to collectively move more toward equity or we are not.”

Exactly which bold changes the Board wants to propose are yet to be determined and will be the subject of ongoing discussions between now and the adoption of the 2021 legislative platform in November. Some examples of priorities for which Board members have expressed support are listed below. These and other proposals could be further developed and considered for potential inclusion on the 2021 legislative platform.

Examples for further development and consideration:

- **Elevate student, family, and community voices in policymaking.** Board members emphasized the importance of consulting with students and families as essential partners in the collective process of policymaking to create an equitable education system. As articulated in the Board’s Strategic Plan, the Board supports promoting programs and policies that enable and encourage meaningful family and community engagement at every level of the education system to ensure schools are responsive to the needs of communities. The Board is actively exploring new and more effective ways of engaging our partners. As we consider how to build this into our practice, we may also consider advocating for building more authentic and meaningful opportunities for community engagement into how state government and the education system do business.
- **Put student and staff well-being at the forefront.** We must recognize and address the fact that students and staff will return to school with trauma created and/or exacerbated by the pandemic. As the Board’s Strategic Plan notes, “Unless students are safe and have ‘felt safety,’ both physically and emotionally, they are at greater risk of not fulfilling their potential within the educational system.”
 - Ensure students and staff return to a safe environment consistent with Department of Health guidelines.
 - Prioritize social-emotional health and safety staff, including school counselors, school nurses, social workers, psychologists, family engagement coordinators, and student and staff safety.
 - Provide school staff with professional development to support mental health, social emotional learning, trauma-informed instruction, Positive Behavior Intervention and Supports (PBIS), and Multi-Tiered System of Supports (MTSS).
 - Revise learning standards to incorporate antiracism.

- **Ensure digital equity to support continuous learning.** The coronavirus crisis has highlighted the need for school districts to be able to shift more nimbly to a more effective version of continuous remote learning. However, school districts will continue to fall short of this objective if digital equity is not guaranteed.
 - Ensure every student has access to broadband internet and an appropriate device for online learning.
 - Provide educator professional development on how to teach effectively using digital platforms.
 - Support students and families in using digital tools and in setting up supportive learning environments at home.
 - Support the development of online instructional modules at the state or regional level that can be shared across districts and implemented quickly when schools need to shift to more intensive remote learning due to a short- or long-term closure or reduced in-person contact time.
- **Build supports and incentives to promote mastery-based learning (MBL).** The state has been on a path towards individualizing student learning and moving toward mastery-based education. The coronavirus situation has highlighted the advantages of MBL as well as perceived barriers and disincentives. State policy already has a definition of a credit that is not linked to seat time, but old models of “seat time” have been hard to overcome. In addition, there are other real and perceived policy barriers such as challenges fitting into existing funding models, which have led to MBL being seen as an alternative rather than the norm. The time is ripe to propel this work forward with a clear policy framework to support implementation of Mastery-Based Learning.
 - The Mastery-based Work Group will be posing recommendations in its December 2020 report to the Legislature, but the work will not be done. The Board may advocate for continuing this work group in addition to the report recommendations.
 - Ensure rules for instructional hours, days, and funding support implementation of mastery-based learning models.

In addition, consistent with its Strategic Plan, the Board will continue to advocate for an equitable funding system prioritized to those most in need. In light of the current financial crisis, we recognize the Legislature will be limited in making sizable ongoing investments towards longer-term needs and will need to focus on immediate needs. Staff recommend the Board

refocus its advocacy related to funding on urging the Legislature to honor its constitutional commitment by **protecting K-12 funding from budget cuts**. If the Legislature determines that K-12 reductions are necessary, the Legislature should keep equity considerations at the forefront and provide school districts with greater flexibility to use limited funding on greatest needs.

Pressing issues

The most pressing issues under the Board's purview that impact planning for next school year include:

- Minimum instructional hours and days requirements
- Graduation pathways requirement
- Credit graduation requirements

We have heard from the field that an early decision on these issues would help tremendously with planning that is underway for the upcoming school year. Because some students will be entering with incompletes and lost instruction, it would be helpful for school districts to understand the full toolkit of options available as they advise students in the fall and determine supports needed for individual students.

The Board can address instructional hours and days through rulemaking under current authority, whereas legislation is required to provide flexibility for the pathways. The credit graduation requirements can be addressed through a combination of rulemaking and legislation.

Rulemaking proposals

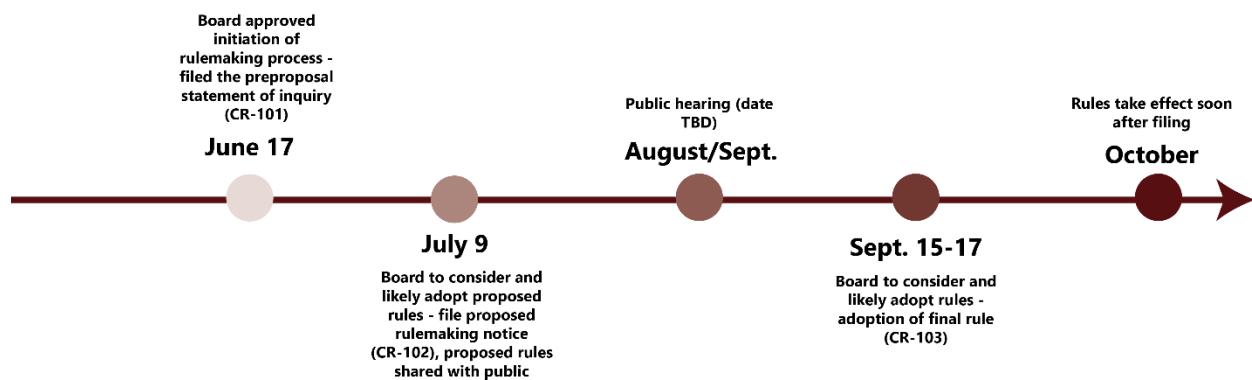
Some issues can be addressed through SBE's existing rulemaking authority. SBE staff will bring forward the following proposals for consideration at the July meeting. See the memos on each topic for additional information.

- **Instructional hours and days:** Counting instructional time that occurs outside of the traditional classroom for the 2020-21 school year (see materials starting on page 49).
- **High school graduation requirements** (see Board Materials starting on page 62):
 - **Mastery-based crediting:** Articulating districts' existing authority in an explicit way to clarify what is allowed and to support districts in offering mastery-based crediting opportunities more widely.

- **Multidisciplinary approaches to meeting subject-area graduation requirements:** Clarifying that a single course may meet more than one subject area graduation requirement.
- **Flexibility for Washington State History requirement:** Extending current ability of principals to waive this requirement in certain circumstances to include students who did not complete a WSH course because of an emergency school closure.
- **Private school online programs:** Allowing private schools to provide online programs to be responsive to COVID-19 public health requirements or community concerns.

The instructional hours and private school rules will be proposed as emergency rules, to take effect immediately following adoption. Staff recommend filing these rules for permanent consideration at the same time, along with the high school graduation requirement rules. The timeline for permanent rulemaking is shown in the figure below.

Figure. Permanent rulemaking timeline



Legislative requests – special session

The Board will consider making legislative requests to address the need for flexibility with the pathway and credit graduation requirements. These are the top priority requests that staff would recommend proposing in the event that there is a special session. In order to be expeditious, the recommended approaches build upon current flexibilities.

Graduation pathways flexibility

Access to graduation pathways has been limited due to school closures and the cancellation of testing. In addition, certain flexibilities that proved essential this year are expiring (EAA with Class of 2020 and CIA with Class of 2021). With the uncertainty surrounding next school year and the potential for ongoing disruptions, it is likely that pathways access will continue to be compromised.

To address this pressing need, staff propose **extending the Expedited Assessment Appeal (EAA) waiver** as the most expeditious approach to pursue if there is a special session. The EAA waiver was used to waive the graduation pathway requirement based on individual circumstances for this year's seniors who had not yet fulfilled the pathways requirement. However, under current law, the Class of 2020 is the last class that may access the EAA. Staff recommend extending the EAA by at least one more year to allow the graduating Class of 2021 to access this option if needed.

Credit graduation requirements flexibility

The impact of school closures, modified schedules, and hybrid learning models will continue to limit some students' ability to complete credit graduation requirements on time. The spring 2020 school closures will cause ongoing student challenges for recovery of credit and content, which may be compounded by the continued need for distance learning options next school year. Statute allows districts to waive up to two flexible credits based on individual student circumstances, but more flexibility will likely be warranted in some cases.

To address this pressing need, the Board will consider requesting legislation to **extend a modified version of the emergency waiver of credit graduation requirements**. Like the emergency waiver program established to address the spring closures, the need for this waiver would be locally determined on an individual student basis, to be used as a last resort only after demonstrating a good faith effort to help the student earn the credit. However, the waiver would have more restrictive parameters on the number and type of credits that can be waived.

Legislative requests – regular session

Strengthen ability to respond in times of emergency

One thing we have learned from the coronavirus crisis is just how ill prepared the education system was to adjust such a large-scale emergency. The State Board of Education was able to

request emergency credit waiver authority to be included as part of the coronavirus response bill that the Legislature passed at the very end of session. But if the emergency declaration had happened just a little later, we would have found ourselves in a situation where we could not have provided the flexibility needed for students graduating this year. This brings to light the need for a more comprehensive, longer term strategy to better respond to the ongoing repercussions of the current crisis as well as future unforeseen emergencies at the state or local level.

The Board will consider requesting ongoing authority to grant necessary waivers of certain graduation requirements to address emergency situations. This would allow the Board to establish through rule an emergency waiver process for granting flexibility of the credits and pathways graduation requirements. Through the rulemaking process, the Board would define the emergency triggers for eligibility, the parameters on flexibility, the application and/or data collection requirements, and the level of waiver/suspension (state, district, school, or individual level).

For example, the State Board could design a process to grant Local Education Agencies authority to administer a waiver to individual students on a case-by-case basis after demonstrating a good faith effort. An application could be required once per local emergency and not at all if the emergency is statewide, although there would still be a notification requirement to meet data needs.

Other pathways options under consideration include:

- Suspend pathways statewide for one or two years. Suspension would create the least administrative burden and could be an effective approach to address a widespread need, freeing up counselors to be able to focus more on addressing students' social emotional needs.
 - In contrast, a pathways waiver, as described above, may be an effective approach in an environment where access to pathways varies by setting. This option would also maintain momentum on pathway implementation and allow students to be recognized when they do complete a pathway.
- Establish a waiver to allow districts to innovate with pathways. This would allow districts to explore alternative options for students to demonstrate career and college readiness in alignment with the student's High School and Beyond Plan.

Create additional graduation pathways

The State Board of Education will consider requesting legislation based on the recommendations from the Second Interim Graduation Pathways Report. In particular, the Board could propose creating additional pathways, including a portfolio or project-based pathway, additional career focused options, and a credit-based pathway. See materials starting on page 62 and the report for additional information.

Forthcoming recommendations

Although not ready for consideration at this time, it is important to keep in mind the following forthcoming recommendations, as they will likely result in corresponding request legislation.

Mastery-based learning workgroup recommendations

The Mastery-Based Learning Work Group, established through E2SHB 1599, was tasked by the Legislature to provide recommendations by December 2020 around the expansion of mastery-based credits and the development of mastery-based pathways to earning a high school diploma.

Charter school report recommendations

Legislation passed last session extended the next report deadline to March 2021, but the Board is planning to draft an earlier report to address certain policy issues raised since the [2019 report](#). That report noted the need for a more comprehensive look at funding challenges faced by charter schools in Washington. In addition, an issue raised more recently is that the authority to approve new charter schools expires in April of 2021, despite the fact that the state will be unlikely to reach the maximum of forty charter public schools at that time. The Board will consider supporting an extension of that timeline. Over the next few months the Board will also be reviewing charter school rules with particular attention to the calculation of the authorizer fee and the process for districts to apply to become authorizers.