

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 November 5, 2009**

Table of Contents

Executive Summary	3
Introduction	3
What an Accountability System Can Achieve	3
The SBE’s Proposal	4
Identification Process of High Achieving Schools and “Challenged” Persistently Low Achieving Schools	4
The Voluntary System	5
The Required System.....	5
Resources and Timeline.....	8
A Call to Action.....	8
Report.....	9
Introduction	9
What an Accountability System Can Achieve.....	9
The Progress of Washington’s School reform and the Need for a Coherent Accountability System	10
The Uneven Landscape of School Improvement.....	12
The Quest for Effective Shared Accountability	12
Core Principles for Shared Accountability	13
Current Status of Voluntary Action in Low Achieving Schools.....	13
Current Status of Required Action in Challenged or Persistently Low Achieving Schools	14
The No Child Left Behind Act	15
Designing a Coherent and Effective School Accountability System	16
Identifying Schools and Districts that Need to Improve	16
Helping Challenged Schools Accelerate Improvement – Schematic.....	19
Resources and Timeline.....	24
State and Federal Actions for 2010	24
Effective Programs for School and District Improvement	25
A Call to Action.....	25
Appendices:.....	26
Appendix A: Proposed Legislation.....	27
Appendix B: Description of Federal Models in New Draft School Improvement Guidelines	28
Appendix C: Implementation Timetable.....	35
Appendix D: Resources Needed for Voluntary and Required Action Districts and State Support	37
Appendix E: List of SBE Systems Performance Accountability (SPA) Work Group members	38
SBE members attend the SPA meetings Appendix F: List of SBE Studies Conducted for Accountability Framework 2007-2009.....	38
Appendix F: List of SBE Studies Conducted for Accountability Framework 2007-2009	39
Appendix G: State Board of Education Members	40

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."¹

In 2009, the Legislature through ESHB 2261 acknowledged the SBE accountability framework to "create a unified system of support for challenged schools."² The Legislature requested the SBE, in consultation with the Office of Superintendent of Public Instruction (OSPI), provide a report by December 1, 2009 that addressed:

- An accountability index to identify schools for recognition and additional support.
- A proposal and timeline for a voluntary system of support for low achieving schools.
- A proposal and timeline for a more formalized comprehensive system of improvement targeted to more "challenged" schools and districts that have not demonstrated significant improvement through the voluntary system.³

This draft proposal, and its accompanying proposed legislation, responds to that legislative directive. We would like to present this draft report to the Legislature in early December and finalize the report at the SBE January 2010 Board meeting. The 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 -- **OSPI data on number of students in persistently low achieving schools and number of schools/districts will be provided here to give magnitude of problem**

Washington's schools have already demonstrated that it is possible to improve student achievement. Over the past decade, schools have learned how to use

¹ RCW 28A.305.130

² RCW 28A.305.225

³ RCW 28A.305.225

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 already 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 U.S. Secretary of Education Duncan are encouraging states to provide the tools and break the barriers to make a dramatic turnaround with the bottom five percent of persistently lowest achieving schools.

That is what this proposal seeks to do. To succeed, this accountability system must provide districts with resources and authority to rise to the challenge; a strong and effective set of services to help them; and broad public support for the work they must do.

Given these conditions, there is no doubt that all our kids can learn, that all students can clear today's higher bar of academic achievement, and that all students can graduate from high school ready for college and careers.

The SBE's Proposal

The SBE has commissioned numerous studies of policy barriers, explored effective models for change, and learned from other states' education reform efforts. The SBE has also worked extensively with educators, parents, and community members across the state as well as national experts in developing its proposals outlined below.

Identification Process of High Achieving Schools and "Challenged" Persistently Low Achieving Schools

The SBE has also developed an Accountability Index that provides a clear and comprehensive measure of student achievement. The Accountability Index will help districts focus on improvement, close the achievement gap, and identify schools that "beat the odds" in helping disadvantaged students. 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. The SBE also plans to work with OSPI for the adoption of this Accountability Index in replacement of the AYP matrix upon NCLB reauthorization or through a U.S. Department of Education waiver.

The SBE believes that its Accountability Index provides a better system than the current federal Adequate Yearly Progress (AYP) matrix. For now, however, the

SBE proposes using federal criteria⁴ as well as state criteria to identify persistently low achieving schools. This will ensure a unified federal/state system of accountability. A brief description of these indicators is as follows:

1. Federal criteria that defines the persistently lowest achieving five percent of Title I and Title I eligible Washington schools in a step of improvement in terms of the absolute performance as well as improvement in performance compared to average state gains in the “all students” category in reading and math state assessments.
2. State criteria that includes, but are not limited to: an examination of schools and their districts in terms of the duration of low achievement over six years and the greatest number of students and schools affected, as well as greater details of low achievement by different student subgroups. Greater details include: extended graduation rates, district capacity in terms of financial and human resources, percent of credits earned by 7th-9th graders to stay on track, local district data on student achievement, perception survey data from the local school board, staff, students, parents and community on student learning.

Following this deeper analysis, districts with “challenged” or persistently low-achieving schools will be notified of their status as Voluntary Action Districts or Required Action Districts.

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

A district will be notified that it is a Required Action District based on the federal and state criteria and must participate in a state legislatively mandated process. A **Required Action District** differs from a Voluntary Action District in two ways: it includes **Title I and non-Title I schools** and has not demonstrated sufficient performance gains in reading and math for all students in **six years**.

⁴ 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.

For Required Action Districts, OSPI will conduct an Academic Performance Audit 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 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 following four federal models or state/local models listed below

Federal Models:

- 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 an educational management organization run school.
- 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.

State Model:

The Innovation Zone, which addresses the key elements of the federal transformation model listed above, but doesn't require specified activities if those activities are not applicable to the audit finding .

Local Model:

The local model must be based on best research proven practices.

The school board in the Required Action District, in collaboration with its staff and community, then develops an implementation plan, budget requirements, and metrics for measuring outcomes. This plan must specify how the district will address the audit findings.

Federal funds will be available for use in Title I and Title I eligible schools. State funds would be needed for non-Title I schools, or funding the state Innovation Zone model. Local funds would be used for the local model.

Required Action Districts must specify the planned interventions. The leading indicators could include measures such as instructional minutes per school, teacher attendance, student achievement outcomes, and high school student enrollment in advanced coursework.

The SBE must approve the Required Action Plan, which then becomes a binding agreement between the school board 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 fidelity to the plan implementation strategy, the evidence of impact on student achievement, and progress monitoring student achievement data.

After three years under Required Action status, OSPI will notify the SBE that a Required Action District is either ready to exit Required Action status or that it is not making sufficient progress, as measured by the metrics of the district's plan, including marked improvements in meeting the federal and state criteria for student achievement 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 or revise its strategies in a new Required Action Plan in collaboration with its staff and community.

The Required Action Program could begin spring 2010 with legislative approval.

Resources and Timeline

There is approximately \$42.5 million in federal school improvement funds that would support a three year cohort of Voluntary and Required Action Districts beginning in 2010. Additional state or Race to the Top competitive grant funds would be needed to fund non-Title I schools or the Innovation Zone state model.

A Call to Action

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. No child's education should hold them hostage from a bright future.

DRAFT

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."⁵

In 2009, the Legislature through ESHB 2261 acknowledged the SBE accountability framework to "create a unified system of support for challenged schools."⁶ The Legislature requested the SBE, in consultation with the Office of Superintendent of Public Instruction (OSPI), provide a report by December 1, 2009 that addressed:

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- A proposal and timeline for a more formalized comprehensive system of improvement. targeted to more "challenged" schools and districts that have not demonstrated significant improvement through the voluntary system.⁷

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What an Accountability System Can Achieve

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

OSPI data on number of students in persistently low achieving schools and number of schools/districts will be provided here to demonstrate magnitude

⁵ RCW 28A.305.130

⁶ RCW 28A.305.225

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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. OSPI has likewise already 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 provide the tools to make a dramatic turnaround with the bottom five percent of their persistently lowest achieving schools.

That is what this proposal seeks to do. To succeed, this accountability system must provide districts with resources and authority to rise to the challenge; a strong and effective set of services to help them; and broad public support for the work they must do.

Given these conditions, there is no doubt that all our kids can learn, that all students can clear today's higher bar of academic achievement, and that all students can graduate from high school ready for college and careers.

The Progress of Washington's School reform and the Need for a Coherent Accountability System

The 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 complex and evolving 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.

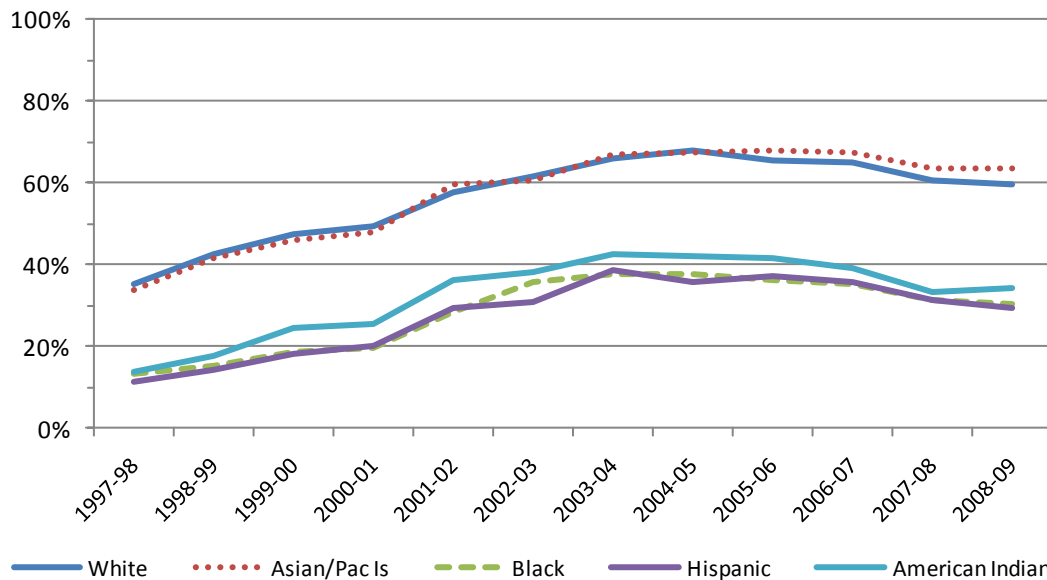
Creating a standards-based system ended the practice of awarding high school diplomas to students with limited basic skills and knowledge. The new standards-based system also raised the overall level of student learning and provided educators with powerful data to analyze trends in student achievement.

Student achievement data also highlighted the achievement gap between white and Asian-American students on the one hand, and (in some cases) African-American, Hispanic, and American Indian students on the other. While student achievement has risen for all groups of students (especially since the advent of

the standards movement), the gap between student groups has not closed, as shown in [Figure 1](#).

Figure One

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



The data generated by standards-based tests presents a clear picture of how our schools are performing. In spite of the good news of overall increases in student achievement, a frustrating and tragic part of the 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 21st 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 cites 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. earning alone would be \$120 billion to \$160 billion higher in 2008 if there was no racial achievement gap.”⁸

The state’s paramount duty is to provide for the education of all students, and to this end, state government provides approximately 70 percent of the funding

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

used in public schools. Thus, the state has both a moral and constitutional responsibility to ensure that every student, in every school, is getting the full benefit of a high quality, personalized education. An accountability system that ensures intervention in persistently low achieving schools is therefore a necessary component of the state's paramount duty.

The Uneven Landscape of School Improvement

In light of the state's paramount duty, OSPI has an obligation to go beyond its monitoring role and provide technical assistance and build the capacity of schools and districts to improve the education of their students. Over the past six years, the OSPI school and district improvement program has evolved, providing focused assistance to interventions that impact student achievement. 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 too often lack the many advantages of their more affluent white peers.)

Data on low achieving schools here

It's clear that low-income students are every bit as smart and capable as others, but too many of them are now sitting in classrooms where they are not getting quality instruction and support. Even some schools and districts with predominantly middle-class students are similarly failing to make the gains in student achievement that are so urgently needed. There are additional needs for resources, including time, funding, training, and effective personnel to create equitable opportunities for all students.

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 examine effective remedies for our challenged schools.

As part of its process for designing such an accountability system, the 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 policy incentives for National Board Certification with CSTP.
- Contracted with the Northwest Regional Educational Laboratory for a policy barriers 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 retain quality staff as the chief barriers to dramatic improvement in student achievement.

- Contracted with Mass Insight, to develop models for school transformation (these have subsequently been adapted to serve as the basis for 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 A) – are built on the foundation of this work.

Core Principles for Shared Accountability

Washington's system for school accountability relies on partnerships with 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 the 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 usually 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.

Current Status of Required Action in Challenged or Persistently Low Achieving Schools

Current state law prevents SBE or the Office of the Superintendent of Public Instruction (OSPI) from requiring challenged districts to participate in a formalized comprehensive system of improvement.⁹

This proposal calls for the legislature to grant that authority.

⁹ RCW 28A.305.225 (4) (b)

Inequitable, incremental, and marginal gains in student achievement are simply not acceptable, particularly when the result is the perpetuation of gross inequalities of opportunity for low-income students and students of color. There is a clear consensus among all stakeholders for public education to be a “great equalizer,” urgent and dramatic action is required to accelerate improvement in Washington’s under-performing schools.

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 improvement goals, as measured by state test results in reading and math, the level of student participation in testing, by 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 uniform 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 fail to show the required level of student achievement, attendance, or graduation *in any one* of these groups. NCLB requires a set of sanctions to be applied if a school or district does not make AYP two years in a row. These sanctions become progressively 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 measures could include replacing staff, implementing new curricula, extending the school day or year, closing the school, or converting it to a charter school. When faced with these choices, most schools (including those in Washington) select the NCLB “other” option, one that focuses on an array of different technical assistance strategies, from professional development to coaches to instructional trainers. None of these measures have yet been required until recently; the new proposed federal guidelines for school improvement may change the landscape. These new draft guidelines provide a much stronger 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:

- An 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 NCLB itself.

If waivers from or changes to NCLB are not forthcoming, SBE will rely on the proposed 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 was developed to meet that demand. [Figure 2](#) 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 more fair 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 any existing achievement gaps, SBE proposes using 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>.)

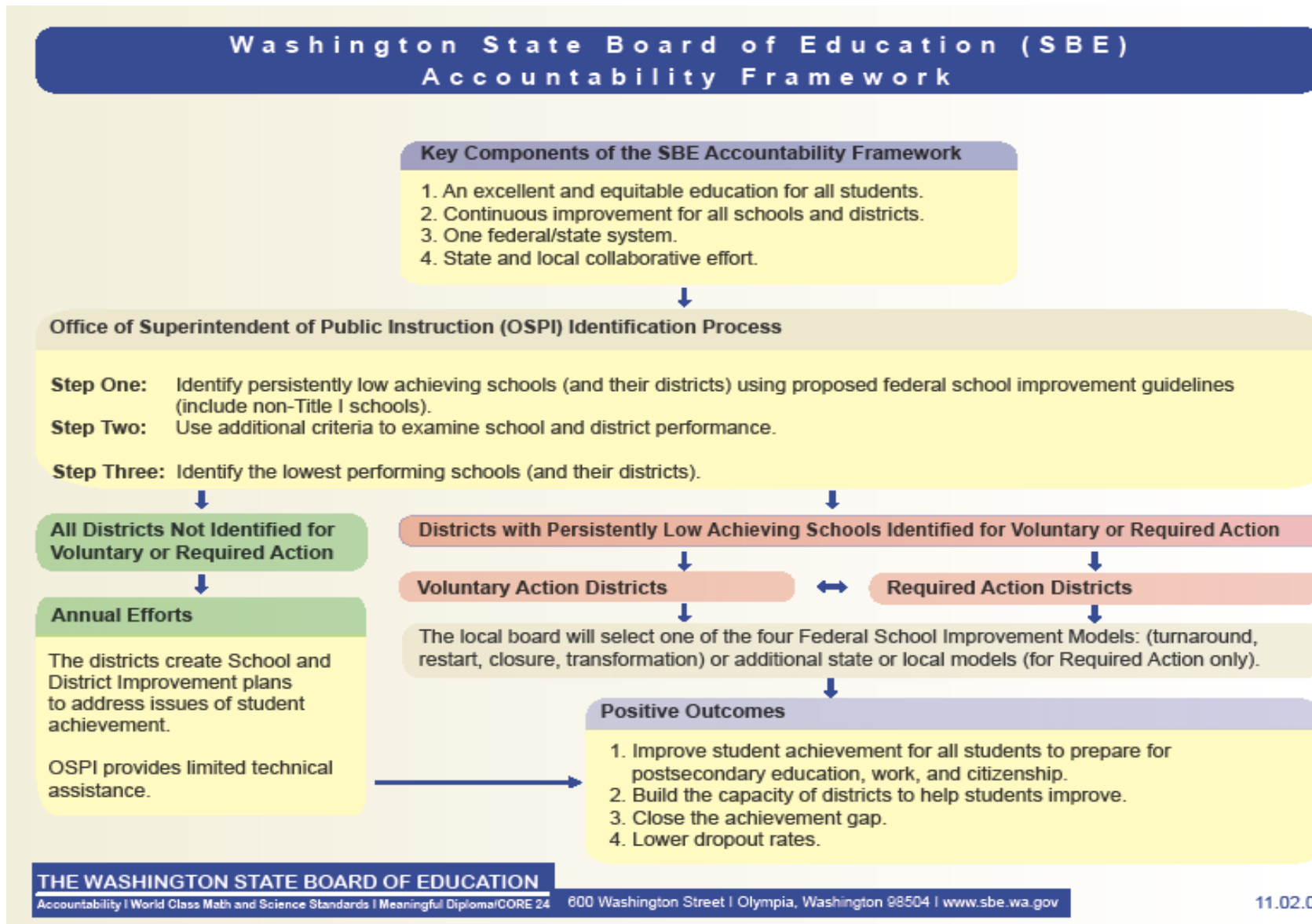
As this Accountability Index was being refined, the federal Department of Education issued new rules for how states should identify the lowest-performing Title I schools in a step of improvement, coupling those new rules with an announcement that federal aid to improve struggling schools will double 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 low-performing Title I-eligible schools. The primary metric will be measuring the "all students" category of performance in each school for reading and math 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 1: 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 students in reading and math.
- Tier II: Equally low-achieving Title I-eligible middle and high schools but 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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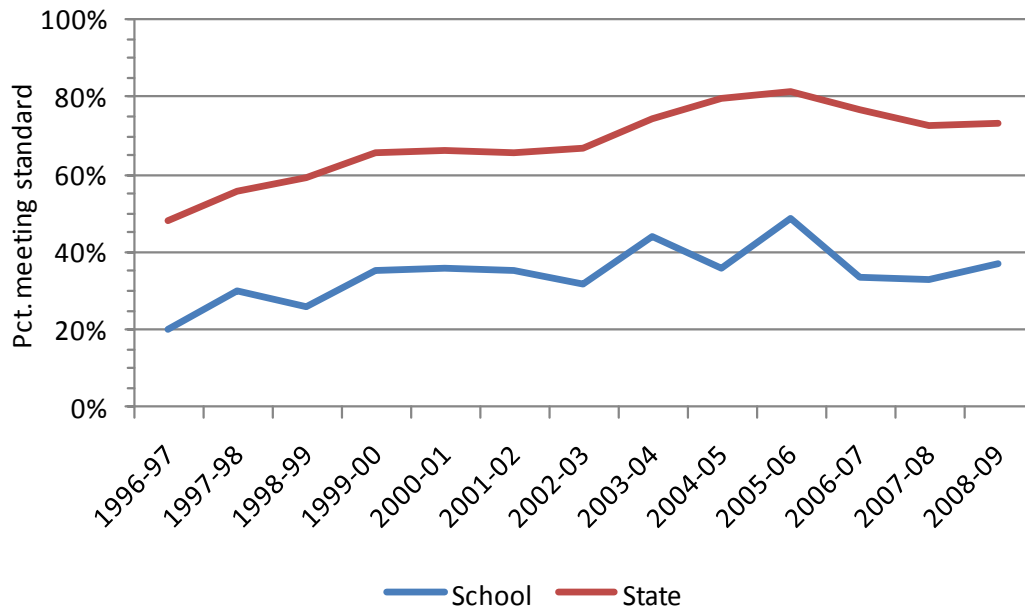
Helping Challenged Schools Accelerate Improvement – Schematic



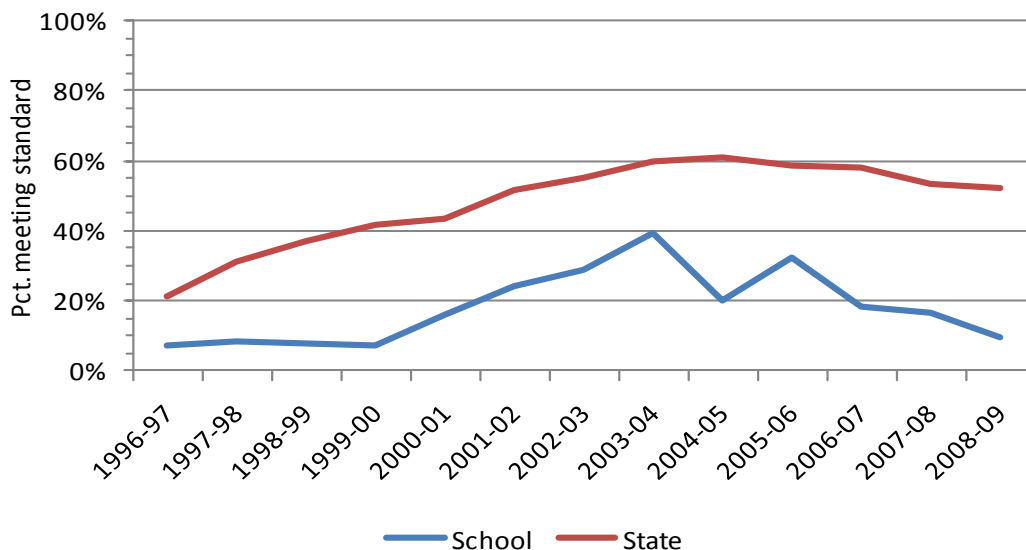
After identifying the lowest achieving five percent of all Title I schools that are in a step of improvement, corrective action or restructuring, OSPI will select the lowest achieving schools and their districts for further analysis, using additional state criteria.

Figure 3 & 4: 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 is illustrated below:

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. Examples of the criteria that will be used (others may be included):

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

- Six years of performance data on state assessments for elementary, middle, and high schools.
- Feeder school patterns to determine if there is a progression that continues to have low achievement from elementary through high school.
- Number of students and schools in the district with consistently 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.
- District capacity in terms of financial and human resources.
- Perception data from local school board, staff, students, parents and community members on student achievement.
- Local district data on student achievement.

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 “challenged” or persistently low-achieving schools will be notified of their status as Voluntary Action Districts or Required Action Districts.

- 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 *four years* (plus additional state-defined criteria).
- A Required Action District is defined as one that includes Title I and non-Title I schools that have extremely low overall student achievement and have not demonstrated sufficient performance gains in reading and math for all students in *six years*, plus additional state-defined criteria.

All districts identified as Required Action Districts will be invited to participate as Voluntary Action Districts. If a Required Action District chooses not to participate, it may move into Required Action status as defined above. 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 within three months.

For Voluntary Action Districts, OSPI will conduct an external district needs assessment. The district will select a federal model for school improvement based on the final school improvement guidelines. OSPI will focus on building the district's capacity to improve its low-performing schools.

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

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 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 the four required federal models listed or a state/local model:

Four federal models:

- 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.

State model “The Innovation Zone”

The SBE Innovation Zone which addresses the key elements of the federal transformation model listed above but doesn’t require specified activities if those activities are not applicable to the audit findings.

Local model

A local model that is based on research proven practices>

The school board in the Required Action District, will collaborate with its staff and community to develop an implementation plan, budget requirements, and metrics for measuring outcomes. This Required Action Plan must specify how the district will address the audit findings.

Federal funds will be available for use in Title I and Title I-eligible schools. State funds would be needed for non-Title I schools or if the district chooses to use the state Innovation Zone model. No state funds would be available for districts that choose a local model. OSPI will provide a list of education management organizations and technical assistance providers that can aid districts.

Required Action Districts must specify the planned interventions. The leading indicators could include measures such as instructional minutes per school, teacher attendance, student achievement outcomes, and middle and high school student enrollment in advanced coursework.

The SBE, in consultation with OSPI, must approve the Required Action Plan, which then becomes 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 the 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 marked 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 or revise its strategies in a new Required Action Plan in collaboration with its staff and community.

Resources and Timeline

There is approximately \$42.5 million in federal school improvement funding that would be available to fund a beginning three year cohort of Voluntary and Required Action Districts in 2010. Additional state or Race to the Top funds would be needed to fund non-Title I schools or the Innovation Zone state model.

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, the SBE will propose a bill to the Washington legislature that incorporates the elements of the Required Action framework outlined above. This will allow the state 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 audit findings as subjects of mandatory bargaining. These items must be acted upon those contract provisions in an expeditious manner. The bill will also include a provision to allow school districts to contract with education management organizations to provide assistance with any model selected. The potential for withholding state or federal funds will be considered if the local school board is unable to create a plan that meets the audit requirements.

The federal government is expected to provide the 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 new school improvement guidelines, the federal 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.

The SBE proposes to go beyond this new federal guidance in two important ways.

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

The state model the SBE proposes is called the Innovation Zone. This is a model for school transformation that incorporates many of the ideas in the federal 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 is more flexible and less prescriptive; however, no federal funds are available through this model.

The SBE would also like to provide flexibility 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

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. No child's education should hold them hostage from a bright future.

Appendices:

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

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Appendix A: Proposed Legislation

Material Pending. . .

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

[Federal Register: August 26, 2009 (Volume 74, Number 164)]
[Notices]
[Page 43101-43114]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr26au09-38]

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.

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. (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; and
 - 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; and
 - 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; or
 - 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; and
 - 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; or
 - 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, including 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; or
 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; and
 - 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; or
 - 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 in staffing, calendars/time, and budgeting) to implement fully a comprehensive approach to substantially improve student achievement outcomes; and
 - 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; or
 - 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;
5. Modify its practices, if necessary, to enable it to implement the interventions fully and effectively;
6. 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>State</p> <ol style="list-style-type: none"> 1. SBE lays out the details of its Accountability Framework with stakeholders. 2. OSPI and SBE identify persistently low achieving schools to determine Voluntary and Required Action Districts. 3. SBE completes the report and SBE/OSPI send a joint bill to the legislature on the Accountability Framework. 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). 	<p>State</p> <ol style="list-style-type: none"> 1. Legislature acts upon the SBE proposed Accountability bill. <p>District</p> <ol style="list-style-type: none"> 1. Districts selected for Voluntary or Required Action (pending legislative approval). 	<p>State</p> <ol style="list-style-type: none"> 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. 1. If necessary, Washington will submit a round 2 application including a request for funding state models and non Title I schools funding under Required Action. <p>District</p> <ol style="list-style-type: none"> 1. Voluntary Action Districts begin work on evaluation and pre-work to receiving addition state assistance. 	<p>State</p> <ol style="list-style-type: none"> 2. SBE will determine the designation of Required Action Districts. 3. Required Action Districts will have an OSPI Audit. <p>District</p> <ol style="list-style-type: none"> 1. Required Action Districts may appeal designation to SBE within one month of recommendation.
Fall 2010	Winter 2011	Spring 2011	Summer 2011
<p>State</p> <ol style="list-style-type: none"> 1. SBE and OSPI will submit a request for fiscal year 2011-2013 funding for state support to Voluntary and Required Action Districts. 	<p>State</p> <ol style="list-style-type: none"> 1. OSPI provides a list of resources and assistance to Required Action Districts. 2. Legislature acts on budget request for state funding for accountability pieces. <p>District</p> <p>Required Action District's local school board creates the Required Action Plan for SBE approval.</p>		

Fall 2011	Winter 2012	Spring 2012	Summer 2012
			<p>State</p> <ol style="list-style-type: none"> OSPI may conduct an additional audit to review why there's a lack of progress. <p>District</p> <ol style="list-style-type: none"> 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. Required Action Districts must demonstrate improvement based on federal and state criteria as well as their own metrics. Local Board must supply remedy for insufficient progress.
Fall 2012	Winter 2013	Spring 2013	Summer 2013
			<p>State</p> <ol style="list-style-type: none"> OSPI will recommend to SBE that Required Action Districts, if successful, no longer be designated Required Action Districts. SBE will review and take appropriate action. <p>District</p> <ol style="list-style-type: none"> 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.

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

Materials Pending. Note: Majority of funding for this support will come from the Federal School Improvement funding, which is estimated to be \$42.5 million over three years, which is double the amount that OSPI currently receives for its federal school improvement program.

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

Past and Present SPA Members

Kristina Mayer, SBE Lead

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

Past members

SBE members attend the SPA meetings

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

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.

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.

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

SBE Staff. "Recent Actions and Research for Consideration Under SBE Accountability Framework." June 2009.

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

Appendix G: 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)