

January 9-10, 2013

AGENDA

Wednesday, January 9, 2013

8:00 a.m. Call to Order

Pledge of Allegiance
Administration of the oath of office for new Board members:
Agenda Overview
Announcements

Consent Agenda

The purpose of the Consent Agenda is to act upon routine matters in an expeditious manner. Items placed on the Consent Agenda are determined by the Chair, in cooperation with the Executive Director, and are those that are considered common to the operation of the Board and normally require no special Board discussion or debate. A Board member; however, may request that any item on the Consent Agenda be removed and inserted at an appropriate place on the regular agenda. Items on the Consent Agenda for this meeting include:

- Approval of Minutes from the November 09, 2012 Meeting (**Action Item**)

8:15 a.m. Strategic Plan Dashboard Update

Mr. Aaron Wyatt, Director of Communications and Partnerships

8:30 a.m. Data Presentation – Current Achievement Index and Graduation Rates

Ms. Emily Persky, Research Analyst

**9:00 a.m. Review AAW and Staff Recommendations for Revised Index
- Discussion of AAW input**

- Discussion of staff recommendations

Mr. Aaron Wyatt, Director of Communications and Partnerships

Ms. Sarah Rich, Policy Director

10:30 a.m. Break

10:45 a.m. I-1240 and Quality Charter School Authorizing

Mr. Alex Medler, National Association of Charter School Authorizers

12:00 p.m. Lunch & Teacher of the Year Recognition

Mr. Jeff Charbonneau

Zillah High School, Zillah School District

12:45 p.m. Public Comment

- 1:00 p.m. Discussion of Proposed Draft Rules – Section 209 (Charter Schools)**
Mr. Ben Rarick, Executive Director
Mr. Jack Archer, Sr. Policy Analyst
Ms. Colleen Warren, Assistant Attorney General
- 2:00 p.m. Consideration of State Board of Education Position Statement –
Modifications to the State Assessment System to Support Career and
College Readiness for All Students**
Assessment Committee Lead Members:
Tre' Maxie, Connie Fletcher, Kevin Lavery, Matthew Spencer
Staff: Linda Drake, Sr. Policy Analyst
- 3:30 p.m. Achievement Index Revision
Preparation for February AAW Meeting**
Ms. Sarah Rich, Policy Director
Mr. Richard J. Wenning, RJW Advisors
- 5:00 p.m. Adjourn**

Thursday, January 10, 2013

- 8:00 a.m. Student Presentation**
Mr. Matthew Spencer, Student Board Member
- 8:15 a.m. Update and Review of State Board Legislative Priorities**
1. Governor's Budget Proposal – Review
2. OSPI Legislative Update/SBE Legislative Agenda Discussion
Mr. Randy Dorn, Superintendent of Public Instruction
Mr. Ben Rarick, executive Director
Mr. Jack Archer, Sr. Policy Analyst
- 10:00 a.m. Break**
- 10:15 a.m. Achievement Index Discussion**
Ms. Sarah Rich, Policy Director
- 11:30 a.m. Joint Task Force on Education Funding – Update**
Mr. Ben Rarick, Executive Director
- 12:00 p.m. Lunch & Farewell to Amy Bragdon and Dr. Bernal Baca**
- 12:30 p.m. Public Comment**

12:45 p.m. Business Items

- Proposed Rules to Section 209, I-1240 for CR102 (*Action Item*)
- CR 101 for additional I-1240 Rules (*Action Item*)
- Revised Index Motion (*Action Item*)
- Letter to the AAW on Revised Index – Part III (*Action Item*)
- State Assessment System Motion (*Action Item*)
- Private School Approvals (*Action Item*)
- Legislative priorities (*Action Item*)
- Special Board Meeting Dates (*Action Item*)

2:00 p.m. Adjourn

(Meetings on Capital Campus for the Duration of the Day)

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Strategic Plan Dashboard	
As Related To:	<input checked="" type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input checked="" type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input checked="" type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input checked="" type="checkbox"/> Advocacy	<input checked="" type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	None	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input type="checkbox"/> Memo <input checked="" type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	Board members will review the current work on the 2012–2014 Strategic Plan Goals.	

Strategic Plan - Dashboard

Aaron Wyatt, Communications

Goal of Today's Strategic Plan Segment

1. Review total progress towards SBE's strategic plan goals.
2. Highlight products from last two months relative to strategic plan.

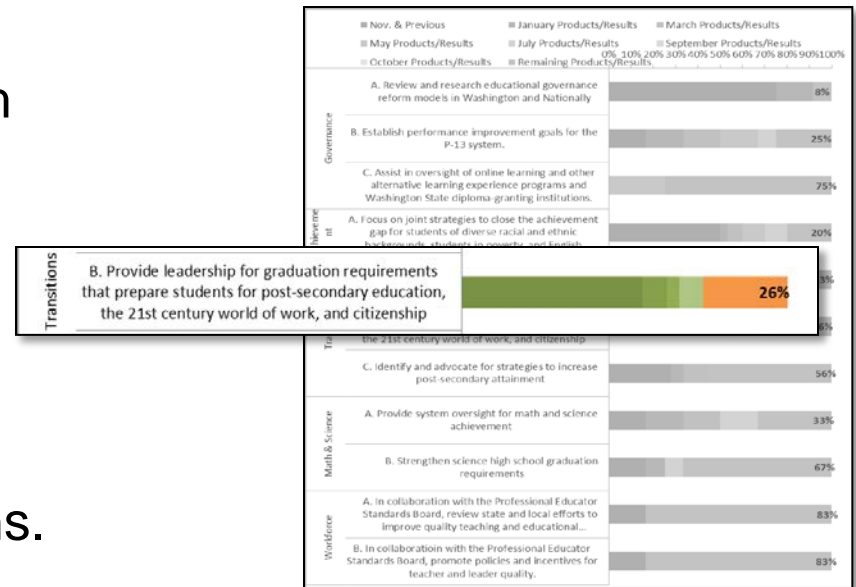
Two-Month Strategic Plan Review

Bar Chart:

January products reflective of work with The Achievement Index, the AAW, assessments, charters, and legislative priorities

Executive Summary Highlights:

- Goal One Governance -Presentations.
- Goal Two Accountability – AAW.
- Goal Three Achievement Gap – Subgroup and ELL on the A.I.
- Goal Four Oversight – Charter rules.
- Goal Five Readiness – Assessment paper and presentation for January.



Discussion and Review

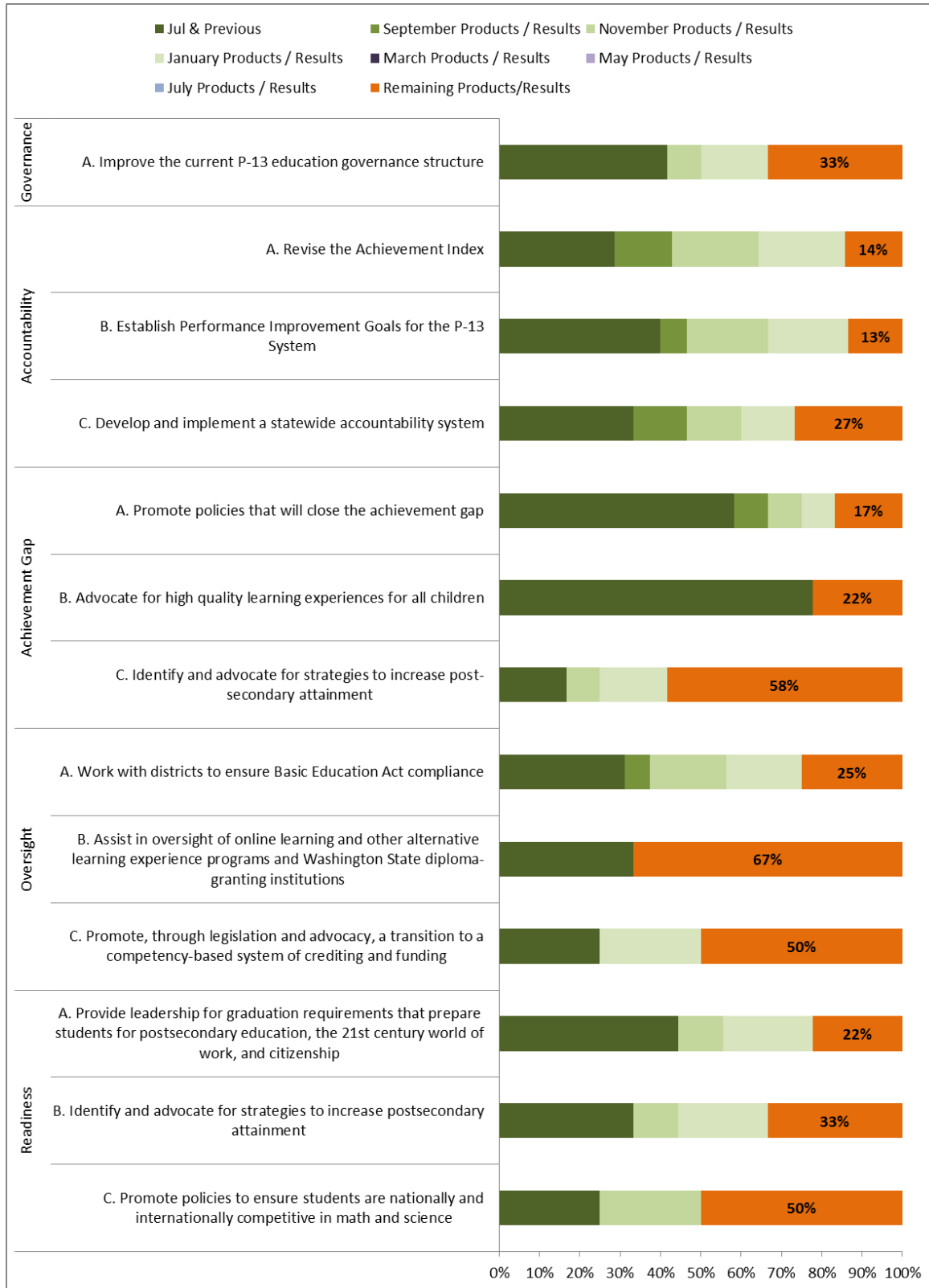
Proposed strategic plan discussion topics:

1. Are we realizing our strategic plan goals?

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Annual Chart



The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

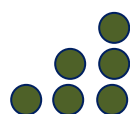
Dashboard Two-Month Executive Summary


Goal	Recent Work
Effective and accountable P-13 governance	<ul style="list-style-type: none"> OSPI discussions on 2013 Session. Presentations to the QEC, Joint Task Force on Education Funding, and Task Force on Education Accountability. Continued coordination with OSPI on the development of the Achievement Index. Attended Washington Student Achievement Council retreat / meeting. Letter to the Washington Student Achievement Council.
	Past: Correspondence ^{i ii} ; Research ^{iii iv v vi vii viii ix}
Comprehensive statewide K-12 recognition and accountability	<ul style="list-style-type: none"> Presentations to the Washington State School Directors Association, ESDs, Washington Educational Research Association (on the Index). Meetings with the Achievement Index Technical Advisory Committee and the Steering Committee. December 12 AAW meeting. December recorded webinar.
	Past: Correspondence ; Research
Closing the achievement gap	<ul style="list-style-type: none"> Discussions with Members and AAW on options for displaying sub group data on the revised Achievement Index. Discussions on the use of ELL and former ELL in the revised Achievement Index. Work on alignment with ELL federal accountability requirements and the revised Achievement Index.
	Past: Presentations ^{x xi xii xiii} ; Research ^{xiv} , Publications ^{xv}
Strategic oversight of the K-12 system	<ul style="list-style-type: none"> Development of Assessment paper for the January meeting. Charter schools rules development.
	Past: Collaboration ^{xvi} ; Research ^{xvii}
Career and college readiness for all students	<ul style="list-style-type: none"> Discussion of career and college readiness indicators during the December 12 AAW meeting Development of graduation requirements phase in option.
	Past: Collaboration ^{xviii} ; Presentations ^{xix xx xxi xxii xxiii xxiv xxv}

Strategic Plan Products and Assignments

Goal One: P-13 Governance				
A.	Improve the current P-13 education governance structure. <i>Commitment:</i> ●	Staff	Due	Progress
I.	Seek avenues for collaboration between SBE, WTECB, OSA, OSPI, PESB, QEC, and Legislative Task Forces, to foster coordinated solutions to issues impacting student learning.	Ben / Aaron	Ongoing	▲▲▲
II.	Engage the Office of Student Achievement to discuss governance and make recommendations for clarifying roles and responsibilities and streamlining the system.	Ben	Ongoing	▲▲▲

Goal Two: Accountability				
A.	Revise the Achievement Index. <i>Commitment:</i> ●●●	Staff	Due	Progress
I.	Engage with stakeholders in the design, development, and implementation of a Revised Achievement Index.	Aaron / Sarah / Emily	2013.06	▲▲▲
II.	Develop an Achievement Index that includes student growth data and meets with approval by the USED.	Sarah / Ben	2013.09	▲▲▲
B.	Establish performance improvement goals for the P-13 system. <i>Commitment:</i> ●●			
I.	Assist in the development of revised Annual Measurable Objectives (AMO's) that align with the revised Achievement Index.	Sarah / Ben	2013.09	▲▲▲
II.	Identify key performance indicators to track the performance of the education system against the strategies of the SBE Strategic Plan.	Emily / Ben	Ongoing	▲▲▲
C.	Develop and implement a statewide accountability system. <i>Commitment:</i> ●●			
I.	Engage with stakeholders in the design, development, and implementation of a statewide accountability system framework which includes state-funded supports for struggling schools and districts.	Aaron / Sarah	Ongoing	▲▲▲
II.	Advocate for legislation and funding to support a robust and student-focused accountability system.	Ben / Jack	Ongoing	▲▲▲

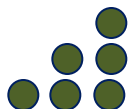



 ● = minimal amount of effort (e.g. phone call/emails)
 ●● = medium (part time staff analysis)
 ●●● = substantial (full time one staff equivalent)
 Total staff resources available = 18





 ▲ = project / product initiated
 ▲▲ = project / product in progress
 ▲▲▲ = project/ product completed

Goal Three: Achievement Gap			
A. Promote policies that will close the achievement gap. <i>Commitment:</i> ●	Staff	Due	Progress
I. Promote and support best practices that will close the achievement gap.	Linda / Ben	Ongoing	▲▲△
II. Analyze student outcome data disaggregated by race, ethnicity, native language, gender, and income to ascertain the size and causes of achievement and opportunity gaps impacting our students.	Emily / Linda	Ongoing	▲▲△
B. Advocate for high quality early learning experiences for all children. <i>Commitment:</i> ●			
I. Advocate to the legislature for state funding of all-day Kindergarten, reduced K-3 class sizes as directed in HB 2776, and increased access to high quality early learning.	Ben / Jack	2013.01	▲▲△
II. Promote early prevention and intervention for pre-K through 3rd grade at-risk students.	Ben	Ongoing	▲▲△
C. Promote policies for an effective teacher workforce. <i>Commitment:</i> ●			
I. In collaboration with the PESB, review state and local efforts to improve quality teaching and education leadership for all students.	Linda / Ben	November (annually)	▲▲△
II. Advocate for new state policies to assist districts in enhancing their teacher and leader quality that will improve student performance.	Ben / Jack	Ongoing	△△△

Goal Four: Oversight			
A. Work with districts to ensure Basic Education Act Compliance <i>Commitment:</i> ●	Staff	Due	Progress
I. Strengthen Basic Education Compliance, improving administration while ensuring students' educational entitlements have been satisfied.	Jack / Staff	2013.06	▲▲△
II. Put into rule clear and effective criteria for waivers from the 180-day school year.	Jack / Staff	2013.11	▲▲▲
B. Assist in oversight of online learning and other alternative learning experience programs and Washington State diploma-granting institutions. <i>Commitment:</i> ●			
I. Examine policy issues related to the oversight of online learning for high school credits.	Linda	2013.02	▲△△
II. Clarify state policy toward approval of online private schools and make any needed SBE rule changes.	Linda	2014.01	▲△△
C. Promote, through legislation and advocacy, a transition to a competency-based system of crediting and funding. <i>Commitment:</i> ●			
I. Seek legislation to provide full funding to alternative learning education (ALE) programs employing blended models of instruction, which utilize the combined benefits of face-to-face instruction and innovative models of virtual education.	Ben / Jack	2013.02	▲△△

Goal Five: Career and College Readiness			
A. Provide leadership for graduation requirements that prepare students for postsecondary education, the 21 st century world of work, and citizenship. <i>Commitment:</i> ●●	Staff	Due	Progress
I. Advocate for the implementation of Washington career and college-ready graduation requirements.	Linda / Jack	2013.06.01	▲▲▲
II. Advocate for the implementation of school reforms outlined in HB 2261 and HB 2776.	Ben	Ongoing	▲▲▲
B. Identify and advocate for strategies to increase postsecondary attainment and citizenship. <i>Commitment:</i> ●			
I. In partnership with stakeholders, assess current state strategies, and develop others if needed, to improve students' participation and success in postsecondary education through coordinated college- and career-readiness strategies.	Linda	Ongoing	▲▲▲
II. Convene stakeholders to discuss implementation of Common Core standards, Smarter/Balanced assessments, and implications for current state graduation requirements.	Ben / Linda		▲▲▲
C. Promote policies to ensure students are nationally and internationally competitive in math and science. <i>Commitment:</i> ●			
I. Research and communicate effective policy strategies within Washington and in other states that have seen improvements in math and science achievement.	Linda	2013.06	▲▲▲
II. Develop phase in plan of science graduation requirements for Legislature's consideration.	Ben / Jack		▲▲▲

 = minimal amount of effort (e.g. phone call/emails)
 = medium (part time staff analysis)
 = substantial (full time one staff equivalent)
 Total staff resources available = 18

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- ⁱ 2010.09-10: Selected University of Washington graduation student to conduct literature reviews and case studies.
- ⁱ 2010.09-10: Correspondence with the University of Washington Evans School, School of Education.
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- ⁱⁱ 2010.09-10: Correspondence with the University of Washington Evans School, School of Education.
- ^{iv} 2011.02.23 Research Brief for Governance Work Session.
- ^v 2011.04.20. Structural Barriers Report, Ideas for Governance Options, Jesse's Case Studies
- ^{vii} 2011.02.23 Research Brief for Governance Work Session.
- ^{viii} 2011.04.20. Structural Barriers Report, Ideas for Governance Options, Jesse's Case Studies
- ^{ix} 2010.11-12: Completed Education Plans and Incorporated Feedback.
- ^x 2010.09-10: Presentation to the Race and Pedagogy conference.
- ^{xi} 2012.03.15 Presentations from Required Action Schools
- ^{xii} 2010.09-10: Presentations: Youth Academy, QEC,AWSP Board, AWSP Rep. Council, WASA, Excellent Schools Now Coalition, King County Vocation Administrators, WSSDA regional meeting (Yakima), WSSDA Leg. Conference, WSSDA State Conference.
- ^{xiii} 2011.04.19: Presentations to the PTA and the Regional Curriculum Leaders Consortium in Bremerton.
- ^{xiv} 2010.09-10: Completed a research summary on getting more students college bound, the Crownhill Elementary case study, and the Mercer Middle School case study.
- ^{xv} 2012.09 Native American Mascot Resolution
- ^{xvi} 2010.09-10: Meetings with PESB, DEL, Governor's office, QEC, OSPI, HECB, Stakeholders.
- ^{xvii} 2010.11-12: Completed Education Plans and Incorporated Feedback.
- ^{xviii} 2010.09-10: Staff participation in STEM plan meetings.
- ^{xix} 2010.09-10: Presentations: Youth Academy, QEC,AWSP Board, AWSP Rep. Council, WASA, Excellent Schools Now Coalition, King County Vocation Administrators, WSSDA regional meeting (Yakima), WSSDA Leg. Conference, WSSDA State Conference.
- ^{xx} 2011.04.19: Presentations to the PTA and the Regional Curriculum Leaders Consortium in Bremerton.
- ^{xxi} 2012.05.10 Common Core Standards Assessments Presentations during the May meeting
- ^{xxii} 2012.01.10 Green River CC math transcript system
- ^{xxiii} 2012.06.15: Bar Association Presentation on Graduation Requirements
- ^{xxiv} 2010.09-10: Math presentation in the September Board meeting.
- ^{xxv} 2012.03.10 STEM Presentation to SBE

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Title:	Data Review	
As Related To:	<input type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	1. How might the 2011-12 Achievement Index data inform our work to revise the achievement and accountability system? 2. What are possible implications of recent changes to the graduation calculation methodology for the revised Achievement Index?	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input checked="" type="checkbox"/> PowerPoint	
Synopsis:	<p>A review of timely and topical P-20 continuum data is regularly presented to the Board at every meeting for their review.</p> <p>This presentation provides an overview of school performance in the current Index as well as recent nationwide changes to the calculation and reporting of graduation rates. The most recent USED release of states' graduation rate data reflects graduation rates that have, for the first time, been calculated using the same standardized methodology. The new standardized data allows us to compare and rank states' graduation rates. Washington's 2010-11 "4-year Actual Adjusted Cohort rate" was 76%, which ranked 32nd in the nation.</p>	

DATA REVIEW

JANUARY 2013 BOARD MEETING

**Current Achievement Index Data &
2010-11 Graduation Rates**

*Ms. Emily Persky
Research Analyst*

Policy Focus

Revising the Achievement Index

- What does statewide school performance look like in the current Index?
- How might cohort and/or extended graduation rate calculations be included in the index?

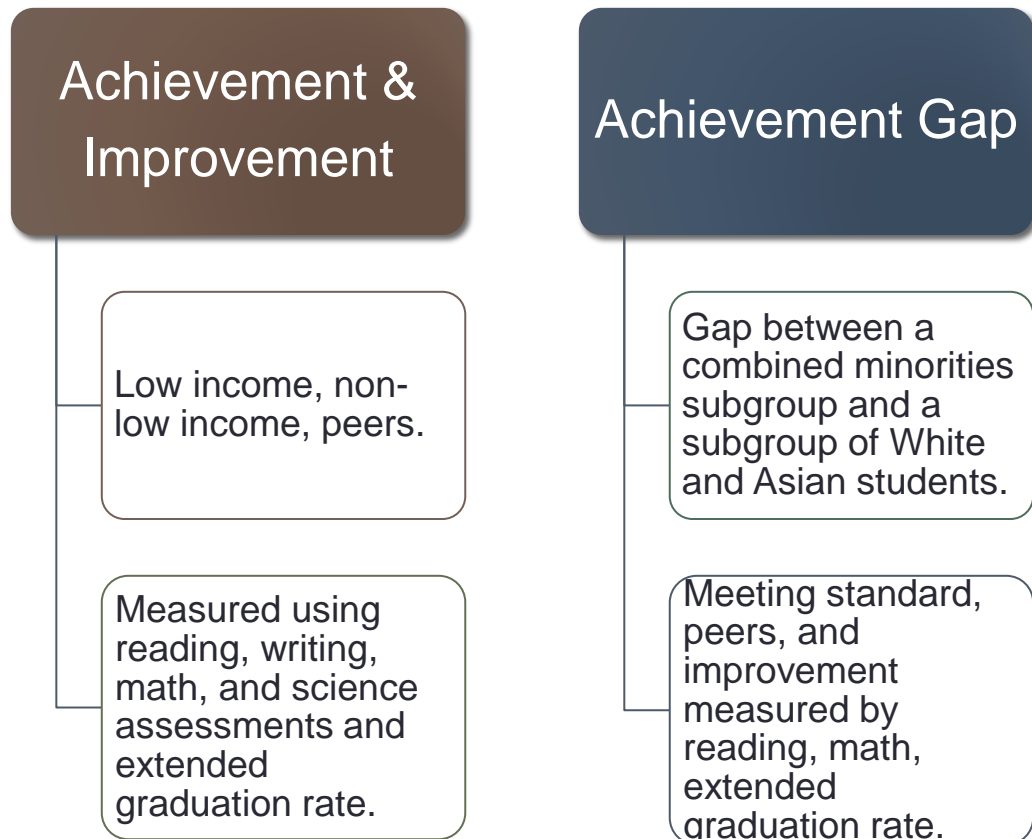
2007-2012 Achievement Index Data Rollup

- Review the change in exemplary, very good, good, fair, and struggling schools over the last 5 years.
- See trends for elementary, middle, high, and comprehensive* schools.

*Comprehensive schools combine elementary, middle, and/or high school grades.

Brief Index Overview

The current Index assigns a composite score which corresponds to a rating. The composite score is based on the following:

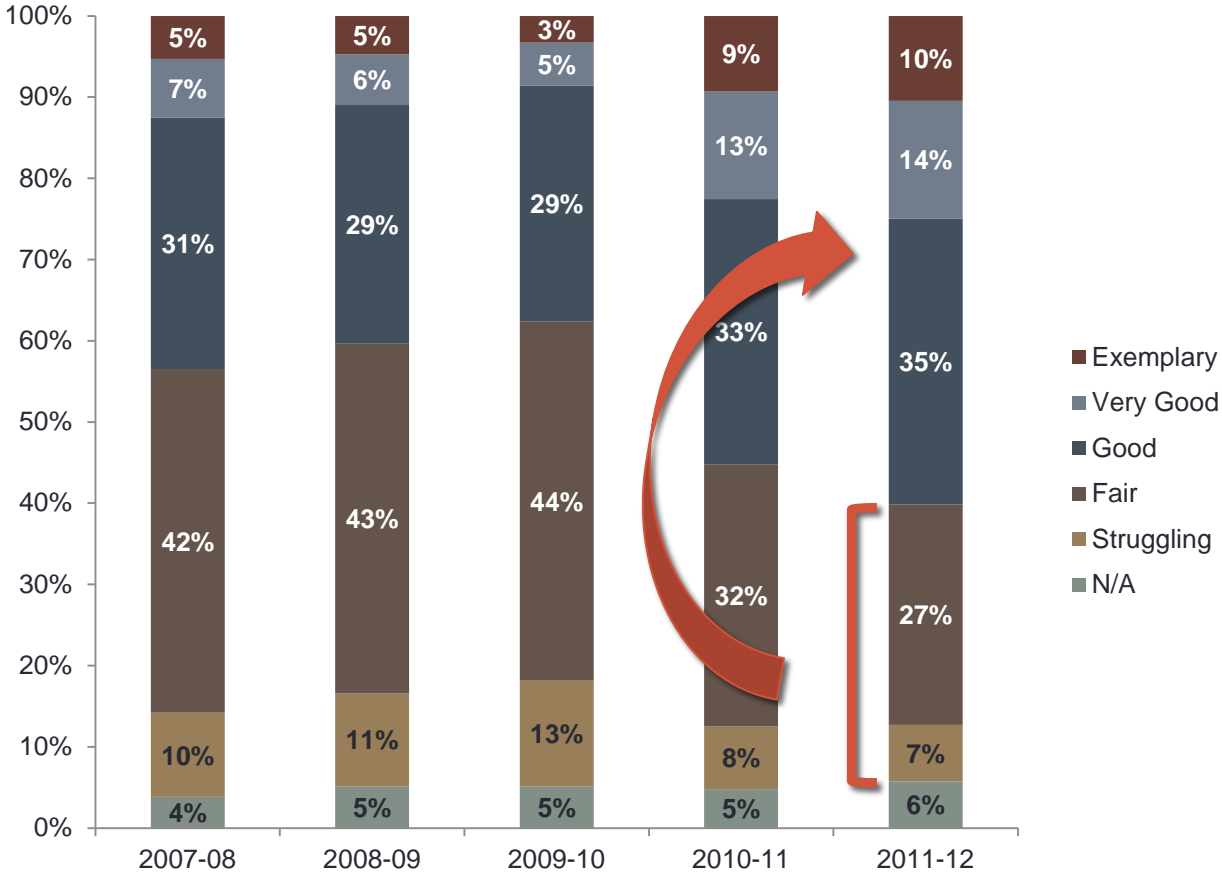


All Schools

Analysis & Detail

The overall number of schools rated struggling and fair has decreased since 2007-08 while the number of very good and exemplary schools has more than doubled.

Rating	All % change
Struggling	-30%
Fair	-33%
Good	19%
Very Good	109%
Exemplary	106%

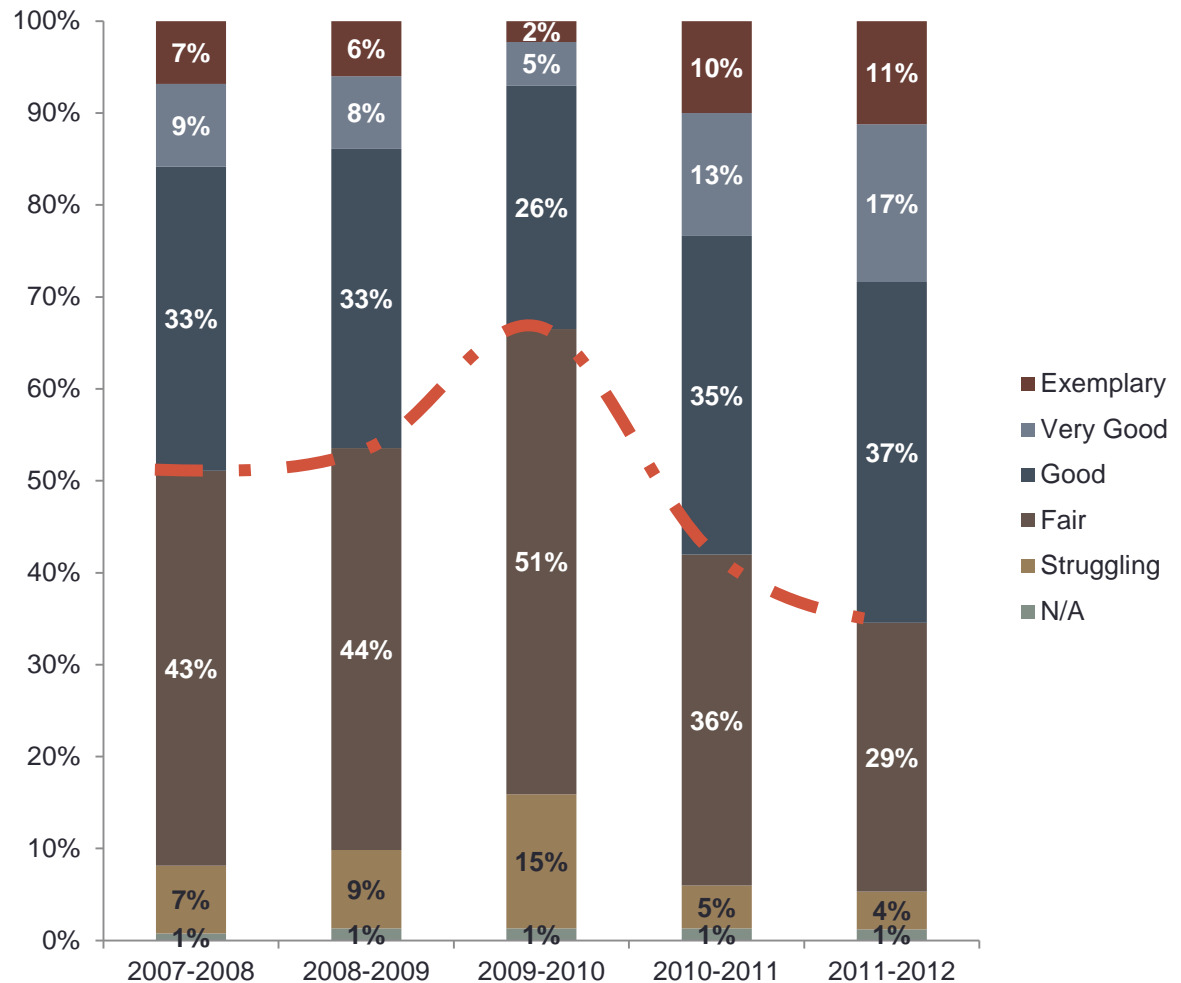


Elementary Schools

Analysis & Detail

In 2009-10 there was a small spike in the percent of schools rated fair and struggling.

Rating	All 5 yr. % change	Elementary 5 yr. % change
Struggling	-30%	-44%
Fair	-33%	-31%
Good	19%	14%
Very Good	109%	94%
Exemplary	106%	67%



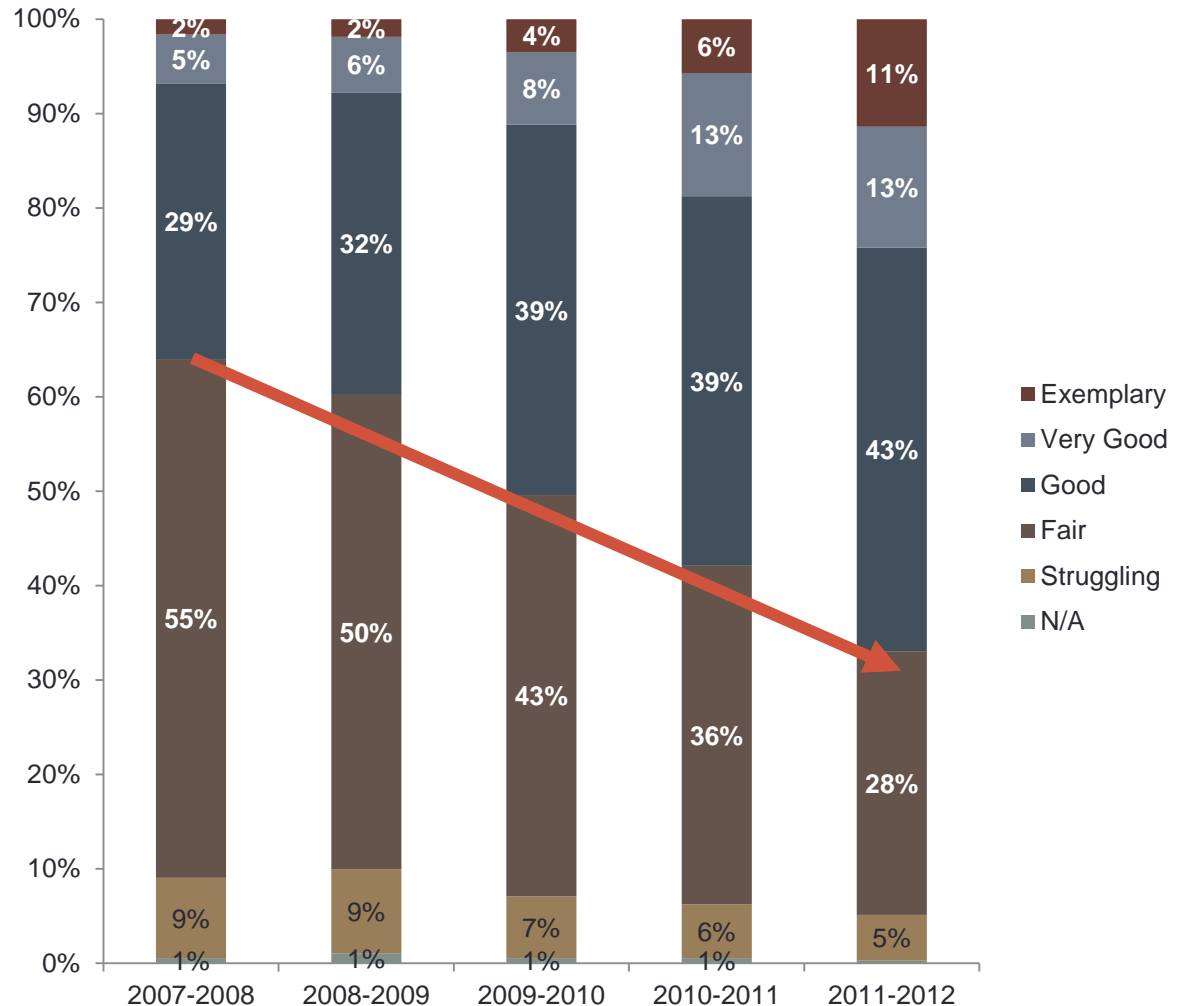
Analysis & Detail

Middle schools have the most linear decrease in struggling and fair schools, and corresponding increase in good, very good, and exemplary schools.

The 5 year percent change in exemplary middle schools looks extreme, but the number of exemplary middle schools is relatively small; increased from 6 to 40.

Rating	All 5 yr. % change	Middle 5 yr. % change
Struggling	-30%	-45%
Fair	-33%	-51%
Good	19%	42%
Very Good	109%	127%
Exemplary	106%	567%

Middle Schools

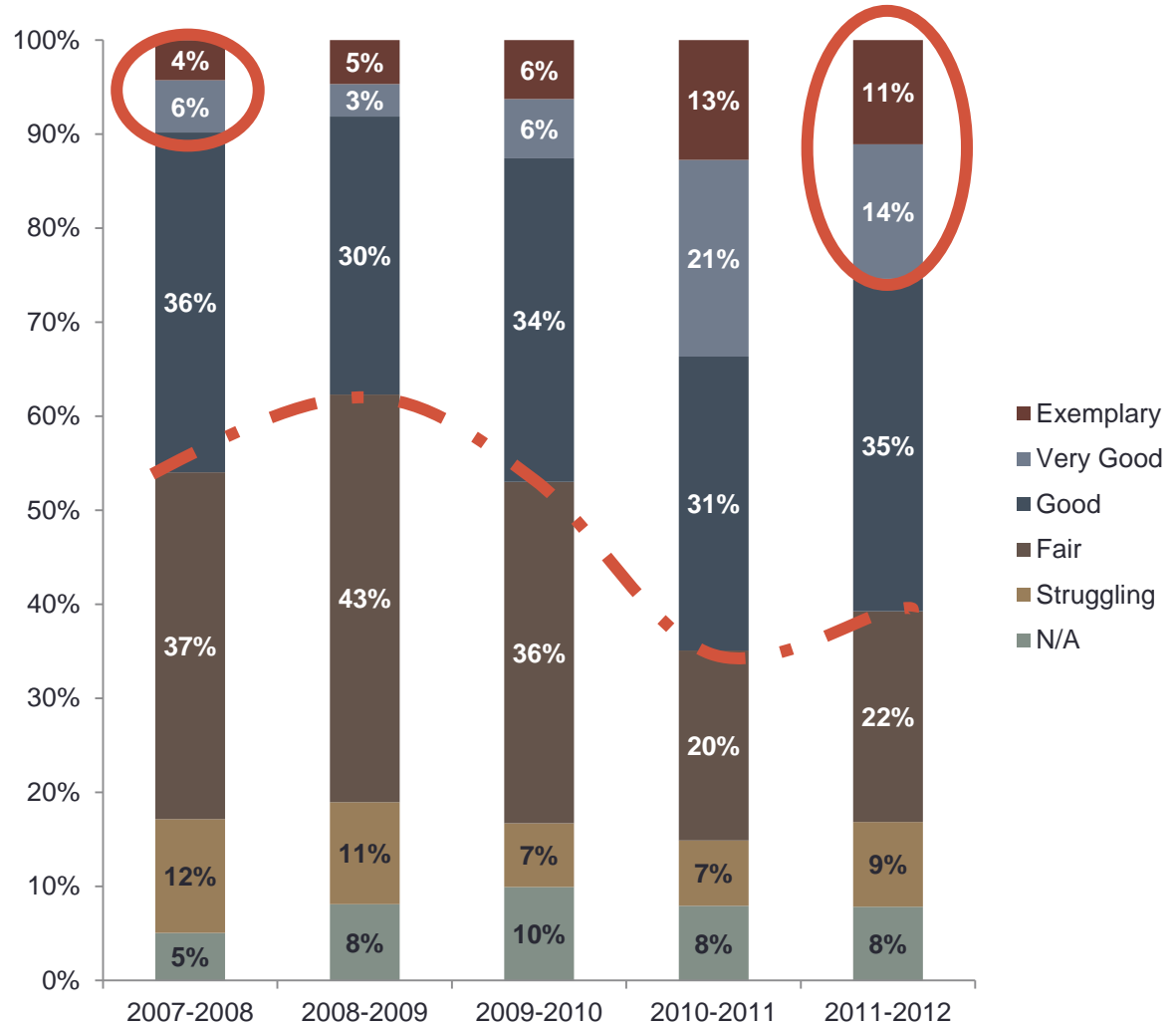


Analysis & Detail

Although there is a decreasing trend in the percent of struggling and fair schools, these numbers fluctuate more for high schools. The number of very good and exemplary high schools increased in excess of 70 percentage points more than for all very good and exemplary schools.

Rating	All 5 yr. % change	High 5 yr. % change
Struggling	-30%	-19%
Fair	-33%	-34%
Good	19%	7%
Very Good	109%	182%
Exemplary	106%	182%

High Schools

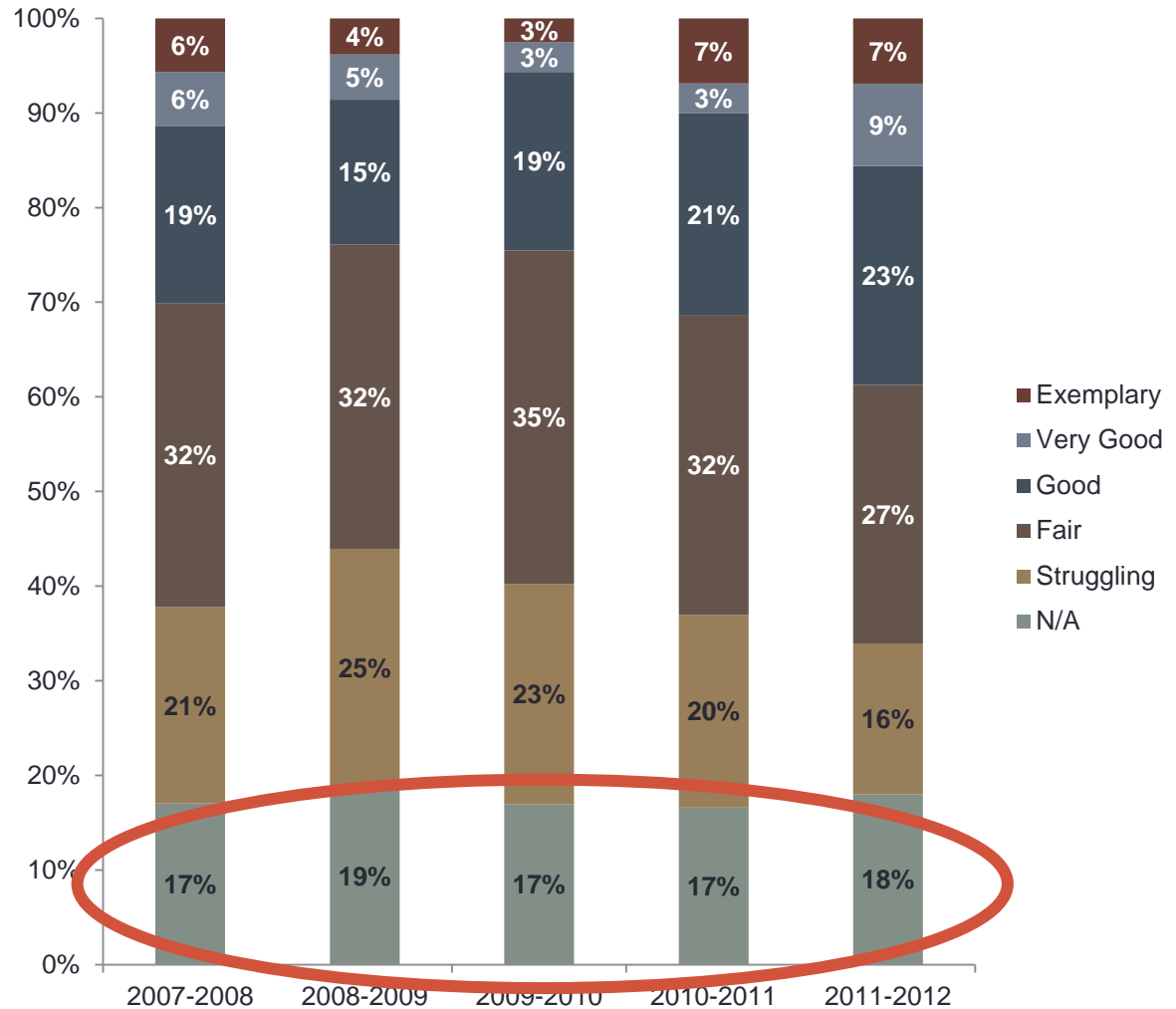


Comprehensive Schools

Analysis & Detail

The numbers are fairly consistent. The percent of comprehensive schools where a rating is not applicable is higher due to the number of schools with an “N size” of students smaller than 20.

Rating	All 5 yr. %change	Comprehensive 5 yr. %change
N/A	57%	18%
Struggling	-30%	-15%
Fair	-33%	-5%
Good	19%	38%
Very Good	109%	71%
Exemplary	106%	35%



Achievement Index – Key Takeaways

- School ratings are improving.
- This analysis doesn't identify the specific reasons for improved ratings, but they are likely due, in part, to significantly higher school ratings for math and science achievement.
 - Note: this is a school based analysis that does not correspond with statewide student achievement on a particular assessment.
- School ratings may be impacted over time from awarding additional points for improvement.
 - This can both inflate and deflate a composite score.

Questions?

Old vs. New Graduation Rates

Old Graduation Rates

- Reported nationally 2009-10 and earlier.
- Non-standard calculation methodology.
- Not comparable nationally.
- Washington used estimates to calculate the graduation rates – did not use SSID numbers.
 - On-time (4 years).
 - Extended (4-7 years).

New Graduation Rates

- Reported nationally beginning 2010-11.
- Standardized calculation methodology.
- Comparable nationally.
- All states use student level data. Washington is tracking SSID numbers.
 - 4-yr actual adjusted cohort rate
 - 5-yr actual adjusted cohort rate

Comparing Rates

- WA did two different calculations for 2009-10, one using the old and the other using the new methodology.
- Our 4-yr adjusted cohort rate (new) increased, and our extended rate (old) dropped.

4 Years		
Year	On-time (old state measure)	4-Yr Actual Adjusted (new fed measure)
2009-10	76.5%	75.4%
2010-11	75.0%	76.6%
Change	-1.5 % pts.	+1.2 % pts.

5+ Years		
Year	Extended (old state measure)	5-Year Actual Adjusted (new fed measure)
2009-10	82.6%	78.2%
2010-11	81.0%	n/a*
Change	-1.6 % pts.	n/a*

2010-11 4 yr. Actual Adjusted Cohort Rates

- Washington ranked 32nd in the nation.
 - 31 states had higher graduation rates than WA.

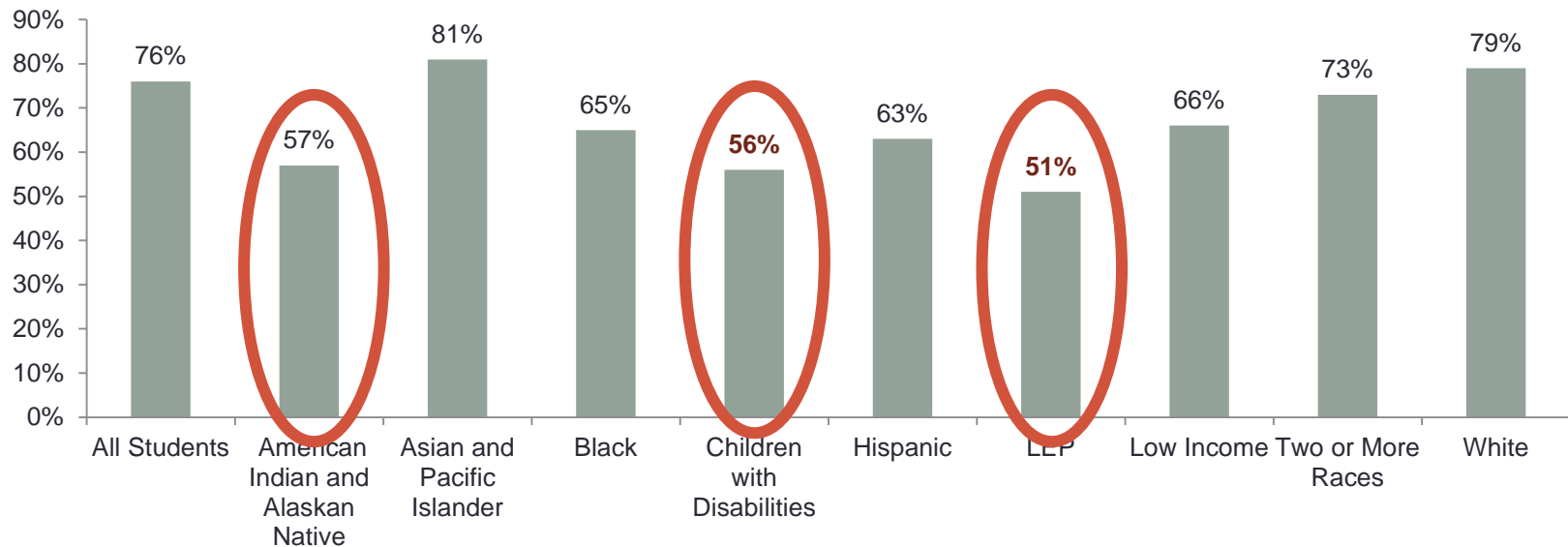
Global Challenge States	Graduation Rate	Median Income*
Massachusetts	83%	\$62,809 (5 th)
New Jersey	83%	\$65,072 (3 rd)
Connecticut	83%	\$67,165 (2 nd)
Maryland	83%	\$67,469 (1 st)
Virginia	82%	\$62,776 (6 th)
North Carolina	78%	\$44,787 (41 st)
Minnesota	77%	\$56,869 (12 th)
Washington (8 th)	76%	\$59,370 (10 th)
California	76%	\$56,074 (14 th)
Colorado	74%	\$59,803 (8 th)

Median Household Income (In 2011 Inflation-adjusted Dollars) by State Ranked from Highest to Lowest Using 3-Year Average: 2009-2011 Source: U.S. Census Bureau, Current Population Survey, 2010, 2011, and 2012 Annual Social and Economic Supplements.

Achievement & Opportunity Gaps

- The widest opportunity gaps nationwide are for students with disabilities and English Language Learners (ELLs).
- This is true in Washington, where the ELL and students with disabilities subgroup rates are followed closely by American Indian and Alaskan Native students.

4-year Actual Adjusted Cohort Grad Rate – WA 2010-11



Understanding graduation rates for the Index

- 4, 5, 6, and 7 year graduation rates measure different cohorts of students
- It is possible for a 6-yr. rate to be higher than a 7-yr. rate, and a 4-yr rate higher than a 5 yr. rate.

Example: High School A's Grad. Rates

Cohort Graduation Rates						
2006	2007	2008	2009	2010	2011	2012
			9th grade			4 yr. 75%
		9th grade			4 yr. 75%	5 yr. 76%
	9th grade			4 yr. 74%	5 yr. 76%	6 yr. 77%
9th grade			4 yr. 70%	5 yr. 71%	6 yr. 71%	7 yr. 71%

Questions?

Graduation Rates - Key Takeaways

- Old rates used estimates and varied by state.
- New rates use student level data and are nationally comparable.
- 4, 5, 6, and 7 year graduation rates measure different cohorts of students.

Policy Questions

Achievement Index Data

- How might the 2007-2012 Achievement Index data inform our work to revise the achievement and accountability system?

Graduation Rates

- What are possible implications of recent changes to the graduation calculation methodology for the revised Achievement Index?
 - If the revised Index includes anything beyond a 4 year graduation rate, how will it be included?

Provisional Data File: SY2010-11 Four-Year Regulatory Adjusted Cohort Graduation Rates

	All Students	Major Racial and Ethnic Groups							Special Populations			Asian/Pacific Islander Detail ²	
		American Indian / Alaska Native or Native American	Asian / Pacific Islander ¹	Black (not Hispanic) or African American	Hispanic / Latino	Multicultural or Multiethnic or Multiracial	White (not Hispanic) or Caucasian	Children with disabilities (IDEA)	Limited English proficient (LEP) Students	Economically Disadvantaged Students	Asian	Native Hawaiian / Other Pacific Islander or Pacific Islander	
ALABAMA	72%	80%	77%	63%	66%	-	78%	30%	36%	62%	-	-	
ALASKA	68%	51%	74%	63%	62%	65%	75%	40%	41%	56%	79%	59%	
ARIZONA	78%	62%	87%	74%	72%	-	85%	67%	25%	73%	-	-	
ARKANSAS	81%	85%	75%	73%	77%	82%	84%	75%	76%	75%	80%	51%	
BUREAU OF INDIAN EDUCATION	61%	61%	-	-	-	-	-	56%	51%	61%	-	-	
CALIFORNIA	76%	68%	89%	63%	70%	65%	85%	59%	60%	70%	90%	74%	
COLORADO	74%	52%	81%	65%	60%	-	81%	53%	53%	62%	81%	-	
CONNECTICUT	83%	72%	92%	71%	64%	-	89%	61%	59%	62%	-	-	
DELAWARE	78%	78%	90%	73%	71%	93%	82%	56%	65%	71%	‡	‡	
DISTRICT OF COLUMBIA	59%	‡	‡	58%	55%	-	85%	39%	53%	58%	‡	‡	
FLORIDA	71%	70%	86%	59%	69%	-	76%	44%	53%	60%	86%	-	
GEORGIA	67%	68%	79%	60%	58%	69%	76%	30%	32%	59%	-	-	
HAWAII	80%	60%	81%	77%	79%	-	78%	59%	60%	75%	-	-	
IDAHO	‡	‡	‡	‡	‡	‡	‡	‡	‡	‡	‡	‡	
ILLINOIS	84%	78%	92%	74%	77%	81%	89%	66%	68%	75%	92%	96%	
INDIANA	86%	76%	88%	75%	81%	80%	88%	65%	73%	79%	89%	80%	
IOWA	88%	79%	88%	73%	75%	82%	90%	70%	70%	78%	89%	82%	
KANSAS	83%	72%	88%	72%	73%	81%	86%	73%	70%	73%	88%	79%	
KENTUCKY	‡	‡	‡	‡	‡	‡	‡	‡	‡	‡	‡	‡	
LOUISIANA	71%	71%	84%	64%	70%	80%	77%	29%	43%	64%	‡	≥80%	
MAINE	84%	82%	90%	77%	87%	86%	84%	66%	78%	73%	‡	‡	
MARYLAND	83%	74%	93%	76%	72%	91%	89%	57%	54%	74%	93%	88%	
MASSACHUSETTS	83%	76%	88%	71%	62%	81%	89%	66%	56%	70%	88%	81%	
MICHIGAN	74%	62%	85%	57%	63%	69%	80%	52%	62%	63%	87%	52%	
MINNESOTA	77%	42%	72%	49%	51%	-	84%	56%	52%	58%	-	-	
MISSISSIPPI	75%	76%	89%	68%	75%	-	82%	23%	67%	69%	89%	-	
MISSOURI	81%	77%	87%	66%	75%	92%	85%	68%	62%	74%	87%	81%	
MONTANA	82%	63%	88%	81%	78%	-	85%	69%	57%	71%	90%	80%	
NEBRASKA	86%	64%	83%	70%	74%	-	90%	70%	52%	78%	83%	-	
NEVADA	62%	52%	74%	43%	53%	80%	71%	23%	29%	53%	73%	80%	
NEW HAMPSHIRE	86%	78%	87%	73%	73%	86%	87%	69%	73%	72%	‡	‡	
NEW JERSEY	83%	87%	93%	69%	73%	84%	90%	73%	68%	71%	93%	88%	
NEW MEXICO	63%	56%	78%	60%	59%	-	73%	47%	56%	56%	-	-	
NEW YORK	77%	64%	86%	64%	63%	79%	86%	48%	46%	69%	-	-	
NORTH CAROLINA	78%	70%	87%	72%	69%	77%	83%	57%	48%	71%	-	-	
NORTH DAKOTA	86%	62%	88%	74%	76%	-	90%	67%	61%	76%	88%	-	
OHIO	80%	71%	88%	59%	66%	71%	85%	67%	53%	65%	-	-	
OKLAHOMA	-	-	-	-	-	-	-	-	-	-	-	-	
OREGON	68%	52%	78%	54%	58%	73%	70%	42%	52%	61%	79%	69%	
PENNSYLVANIA	83%	77%	88%	65%	65%	75%	88%	71%	63%	71%	-	-	
PUERTO RICO	‡	‡	‡	‡	‡	‡	‡	‡	‡	‡	‡	‡	
RHODE ISLAND	77%	66%	75%	67%	67%	77%	82%	58%	68%	66%	75%	76%	
SOUTH CAROLINA	74%	67%	84%	70%	69%	-	77%	39%	62%	67%	-	-	
SOUTH DAKOTA	83%	49%	45%	73%	73%	87%	88%	84%	82%	86%	84%	63%	
TENNESSEE	86%	89%	91%	78%	79%	-	89%	67%	71%	80%	91%	91%	
TEXAS	86%	87%	95%	81%	82%	92%	92%	77%	58%	84%	95%	88%	
UTAH	76%	57%	72%	61%	57%	-	80%	59%	45%	65%	72%	69%	
VERMONT	87%	-	-	-	-	-	-	69%	82%	77%	-	-	
VIRGINIA	82%	-	-	73%	71%	-	86%	47%	55%	70%	-	-	
WASHINGTON	76%	57%	81%	65%	63%	73%	79%	56%	51%	66%	‡	‡	
WEST VIRGINIA	76%	‡	91%	72%	71%	‡	77%	57%	79%	68%	-	-	
WISCONSIN	87%	75%	89%	64%	72%	-	91%	67%	66%	74%	-	-	
WYOMING	80%	51%	87%	58%	74%	77%	82%	57%	62%	66%	91%	73%	

¹ The Asian/Pacific Islander column represents either the value reported by the state to the Department of Education for the major racial and ethnic group "Asian/Pacific Islander" or an aggregation of values reported by the state for the major racial and ethnic groups "Asian," "Native Hawaiian/Other Pacific Islander or Pacific Islander," and "Filipino." Values reported in the Asian/Pacific Islander column which represent the U. S. Department of Education aggregation of other values reported by the state have been presented in Italic type. (California is the only state currently using the major racial and ethnic group "Filipino.")

² Disaggregated reporting for Adjusted Cohort Graduation Rates is done according to the provisions outlined within each state's Accountability Workbook. Accordingly, not every state uses major racial and ethnic groups which enable further disaggregation of Asian American/Pacific Islander (AAPI) populations.

Please refer to the enclosure, "Four-Year Regulatory Adjusted Cohort Graduation Rate, School Year 2010-11, Provisional Release: Data Notes" for an explanation of the symbols in this chart.

Four-Year Regulatory Adjusted Cohort Graduation Rate School Year 2010-11

Provisional Release: Data Notes

Source:

- State submissions to the U.S. Department of Education’s *EDFacts* Reporting System: File Specification 150, Data Group 695 (rates) and File Specification 151, Data Group 696 (cohort counts¹). Details about the file structure can be found at the following location: <http://www2.ed.gov/about/inits/ed/edfacts/sy-10-11-nonxml.html>.
- State-level graduation rate data have been and will continue to be included as a required component of each state’s Consolidated State Performance Report (CSPR). Up to and including the 2010-11 school year, graduation rate data were lagged in the CSPR (e.g., the 2010-11 CSPR contains 2009-10 graduation rate data). Starting with the CSPR on the 2011-12 school year, the adjusted cohort graduation rate data have been aligned, so that the school year 2011-12 CSPR will contain school year 2011-12 adjusted cohort graduation rates. The 2010-11 data are being made available through this special release because they will not be included in the 2011-12 CSPR.
- Data were extracted from the *EDFacts* Data Warehouse on September 20, 2012, and reflect the most recent submissions of data as of September 19, 2012.

Cohort Graduation Rate Definition and Calculation:

- The four-year adjusted cohort graduation rate is the number of students who graduate in four years with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class. From the beginning of 9th grade (or the earliest high school grade), students who are entering that grade for the first time form a cohort that is “adjusted” by adding any students who subsequently transfer into the cohort and subtracting any students who subsequently transfer out, emigrate to another country, or die.
- The following formula provides an example of how the four-year adjusted cohort graduation rate would be calculated for the cohort entering 9th grade for the first time in the 2008-09 school year and graduating by the end of the 2011-12 school year:

Number of cohort members who earned a regular high school diploma by the
end of the 2011-12 school year

Number of first-time 9th graders in fall 2008 (starting cohort) plus students
who transferred in, minus students who transferred out, emigrated, or died
during school years 2008-09, 2009-10, 2010-11, and 2011-12

¹ Cohort counts from Data Group 696 were used to determine privacy protection needs and, in some cases, to allow for the aggregation across sub-categories for reporting by larger categories that had not been explicitly reported by the State educational agency. The cohort counts are not included as part of this release.

- Some states have proposed to the Secretary and been approved to calculate five- or six-year adjusted cohort graduation rates, which allow these states to count as graduates students who take longer than four years to graduate. This file includes only the four-year graduation rates.
- Although the regulatory adjusted cohort rates are more comparable across states than were rates submitted in previous years under the Elementary and Secondary Education Act of 1965 (ESEA) as amended, there are still some differences in how states have calculated their rates. These differences include: how students are identified for inclusion in certain subgroups, how the beginning of the cohort is defined, whether summer school students are included, and which diplomas count as a regular high school diploma.
- Detailed information on the adjusted cohort graduation rate can be found in the Department’s 2008 High School Graduation Rate Non-Regulatory Guidance: <http://www2.ed.gov/policy/elsec/guid/hsgrguidance.pdf>.

Interpreting the Data File:

- Reporting by race/ethnicity: Under the ESEA, a State educational agency (SEA) has the flexibility to determine the major racial/ethnic groups it will use for reporting on components of its accountability determinations, which include graduation rates. The subgroups that an SEA uses are approved through its Accountability Workbook. As a result, there is some variation in how SEAs report data by race/ethnicity. The absence of a racial/ethnic subgroup for a state may mean that the state is not required to report on that subgroup under its approved accountability plan.
- Asian/Pacific Islander Subgroup and Asian/Pacific Islander Detail: Because of the flexibility allowed for subgroup reporting, some SEAs report on Asian and Pacific Islander students in combination, and some SEAs split students into “Asian” and “Native Hawaiian or Other Pacific Islander” subgroups. The “Asian/Pacific Islander” column in the main table displays either the value that an SEA reported for “Asian/Pacific Islander” or the aggregation of the “Asian” and “Native Hawaiian or Other Pacific Islander” subgroups. Some SEAs (the SEAs for Colorado, Florida, Mississippi, Nebraska, and North Dakota) reported graduation rates only for the subgroup of “Asian” students, so, for those states, the column includes the graduation rates only for Asian students. The Detail table shows the breakout of those categories when the SEA reported those categories separately.
- Notations:

Symbol	Description
‡	Reporting standards not met: Data have been suppressed due to a small number of students in the category, complementary suppression has been applied to protect another small count, or the data have been redacted due

	to anomalies.
-	Data were not reported to the Department in time for inclusion in the file, or the category is not used by the SEA.
≥ N	Data were top coded to protect a student count falling within a certain range of values.
†	Not applicable: Data are not expected to be reported by the SEA for SY2010-11.

State Specific Notes:

- Idaho, Kentucky, and Puerto Rico have received “timeline extensions” from the Department, pursuant to which they are not yet required to use an adjusted cohort graduation rate that meets the regulatory requirements. Accordingly, they will not submit data based on the regulatory requirements for 2010-11. Instead, they will submit data based on their previously approved methodology.
- Oklahoma has a pending request for a timeline extension.
- The Bureau of Indian Education (BIE) reports all students it serves as “American Indian,” even though some non-Indian students are educated in BIE schools.
- California includes a category for Filipino students. The reported graduation rate for that subgroup is 89 percent. Students reported in the Filipino category were included within the aggregation performed by the Department to report California’s data for that subgroup within the “Asian/Pacific Islander” column.

Comparability to Other Graduation Rates:

- For school years prior to 2010-11, graduation rates reported to *EDFacts* and used in public reporting were not required to be calculated using the regulatory adjusted cohort graduation rate. States used any one of a number of methodologies, including a “leaver rate,” a “completer rate,” an average freshman graduation rate, or a non-regulatory cohort rate. Comparisons should not be made to data from prior school years without knowledge of the prior-year methodology.
- The Department’s National Center for Education Statistics (NCES) calculates an Average Freshman Graduation Rate (AFGR). The AFGR is an estimate of the percentage of an entering freshman class graduating within four years. For 2009–10, it equals the total number of diploma recipients in 2009–10 divided by the average membership of the 8th-grade class in 2005–06, the 9th-grade class in 2006–07, and the 10th-grade class in 2007–08. Ungraded students were allocated to individual grades proportionally to the reported enrollments by grade. The adjusted cohort rate may differ from the AFGR for the following reasons:

- AFGR may be lower than the cohort rate due to net out-migration: The AFGR does not account for out-migration after the initial cohort size is set, whereas the adjusted cohort rate does account for such cohort size changes directly. If a state experienced a net out-migration of high school students over the period of time during which a specific graduating class was progressing through high school, this would result in the denominator for AFGR being too large, as the denominator is set at the beginning point of a cohort's progression through high school and is frozen at that number. Diploma counts for the rate are not taken until four years later and would fall in proportion to out-migration. Thus, while the numerator would be correctly adjusted downward for out-migration, the denominator of AFGR would not. Too large of a denominator deflates the graduation rate.
- AFGR may be higher than the cohort rate due to net in-migration: This is the reverse situation from that described above. In the event of net in-migration of high school students over the period of time during which a specific cohort was progressing through high school, the AFGR's cohort size would not increase—resulting in the denominator for AFGR being too small. However, the diploma count would reflect the additional graduates among the students transferring into the state. Thus, while the denominator would not adjust upward to account for the incoming new cohort members, the numerator would be allowed to increase to account for graduates among the additional cohort members. Too small of a denominator inflates the graduation rate.
- AFGR may be higher than the cohort rate due to the inclusion of 5+-year graduates in the numerator, but not the denominator, of AFGR: As defined in the Title I regulations, the adjusted cohort rate assigns graduates who take longer than four years to graduate to their initial cohort. The AFGR does not have a means of adjusting for students who take longer than four years to graduate. As such, students taking $n+1$, $n+2$, etc., years to graduate (where $n = 4$) are included in the “year n ” graduate count for AFGR and inflate the numerator of the rate. However, they are not counted in the AFGR denominator for the n -year cohort. For example, AFGR for 2009-10 has graduates from the class of 2010, plus graduates from the class of 2009, plus graduates from the class of 2008 mixed into the numerator. The denominator, however, is designed to reflect only the class of 2009-10 when it first started 9th grade in 2006-07.
- Averaging enrollments in grades 8-10 may inflate AFGR over the adjusted cohort rate. The AFGR cohort is smaller than the cohort in the adjusted cohort rate due to treatment of 9th-grade dropouts: In particular, the net effect of the 3-year averaging is to reduce the contribution of 9th-grade dropouts, which deflates or underestimates the number of first time freshmen used in the denominator of AFGR. This would then inflate the AFGR relative to the adjusted cohort rate.

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	AAW and Staff Recommendations for Revised Index	
As Related To:	<input type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input checked="" type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input checked="" type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input checked="" type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input checked="" type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	<p>The Board will consider approving the following staff recommendations for inclusion in a revised Index:</p> <ol style="list-style-type: none"> Incorporation of the following into a career- and college- ready performance indicator: <ol style="list-style-type: none"> The percent of students who either pass a dual credit course or receive an industry certification. The percent of students who perform at a career and college-ready level on the 11th grade Common Core State Standards assessment. The percent of students who graduated within four years with credit given for five-, six-, or seven-year graduation rates. Disaggregated data based on the current eleven federal student subgroups. Targets: <ol style="list-style-type: none"> Criterion-based targets for proficiency (grades 3-8 Measurement of Student Performance tests, High School Proficiency Exams, and End of Course Exams) and graduation rates, in alignment with the current Index. Norm-based targets for the percent of students earning high school credit in dual credit coursework or receiving industry credentials, and the percent of students meeting career- and college-ready performance levels on the 11th grade Common Core State Standards. Possibly transition to criterion-based targets in the longer term. Norm-based and criterion-based targets for student growth: median growth and growth-to-standard. <p>Staff recommend devoting further study to English Language Learner data.</p>	
Possible Board Action:	<input type="checkbox"/> Review <input type="checkbox"/> Adopt <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input checked="" type="checkbox"/> PowerPoint	
Synopsis:	<p>The Achievement and Accountability Workgroup (AAW) reviewed four key questions at the December 2012 meeting:</p> <ul style="list-style-type: none"> What specific subindicators should be included to measure college and career readiness? Which of these should be reported but not used in an Index calculation? Should the revised Index include language acquisition data (currently Washington English Language Proficiency Assessment)? Should the Index include a subgroup of former English Language Learners? Which subindicators should be norm-referenced and which should be criterion-referenced? How should the Index incorporate subgroup data to ensure that gaps are visible to the greatest extent possible? <p>The AAW input is summarized in the December AAW Feedback Report. Staff recommendations are also provided and will be discussed in detail at the Board meeting.</p>	

REVISED ACHIEVEMENT INDEX INDICATORS

Policy Consideration

The Board will consider approving the following staff recommendations for inclusion in a revised Index:

1. Incorporation of the following into a career- and college- ready performance indicator:
 - a) The percent of students who either pass a dual credit course or receive an industry certification.
 - b) The percent of students who perform at a career and college ready level on the 11th grade Common Core State Standards assessment.
 - c) The percent of students who graduated within four years with credit given for five-, six-, or seven-year graduation rates.
2. Disaggregated data based on the current eleven federal student subgroups.
3. Targets:
 - a) Criterion-based targets for proficiency (grades 3-8 Measurement of Student Performance tests, High School Proficiency Exams, and End of Course Exams) and graduation rates, in alignment with the current Index.
 - b) Norm-based targets for the percent of students earning high school credit in dual credit coursework or receiving industry credentials, and the percent of students meeting career- and college- ready performance levels on the 11th grade Common Core State Standards. Possibly transition to criterion-based targets in the longer term.
 - c) Norm-based and criterion-based targets for student growth: median growth, and growth-to-standard.

Staff recommend devoting further study to English Language Learner data.

Summary

Performance indicators are major accountability measures aligned with the goals of the system. As an example, the current Index is primarily an “academic proficiency” -based Index, looking mostly at objective levels of student performance on state assessments.

Washington’s Elementary and Secondary Act flexibility waiver will require the revised Index to include student growth measures and data disaggregated by student subgroups. It also provides an opportunity to incorporate other measures of career and college readiness.

With assistance from the Achievement and Accountability Workgroup (AAW), SBE and OSPI will revise the Achievement Index and incorporate the required changes including additional indicators to better support a statewide accountability framework.

During this discussion, members will review AAW input and staff recommendations on performance indicators for the revised Index, including the following:

- What specific sub-indicators should be included to measure college and career readiness? Which of these should be reported but not used in an Index calculation?

- Should the revised Index include language acquisition data (currently Washington English Language Proficiency Assessment)? Should the Index include a subgroup of former English Language Learners?
- Which sub-indicators should be norm-referenced and which should be criterion-referenced?

The AAW weighed in on each question. Their feedback along with staff recommendations are summarized in the table below.

Discussion Topics	AAW Feedback	Staff Recommendations
Career & College Readiness (CCR) Indicators	Mixed: In addition to graduation rate, most want percent students meeting CCR standard on SBAC and earning credit in dual enrollment coursework or earning an industry certificate.	Include: <ol style="list-style-type: none"> % of students who either pass a dual credit course or receive an industry certification. % of students meeting CCR standard on SBAC. % of students who graduated within 4 years with bonus for 5-, 6-, or 7-year graduation rates.
Subgroups	Mixed: Most want to use the federal subgroups PLUS former ELL.	Disaggregated data based on the current eleven federal student subgroups.
English Language Learners (ELL)	Unanimous: Add English language acquisition data to the Index.	Recommend further study and work with stakeholders.
Performance Targets	Mixed: Most want targets to be both norm and criterion referenced, some want targets to be only criterion referenced.	Targets: <ol style="list-style-type: none"> Criterion-based targets for proficiency (grades 3-8 Measurement of Student Performance tests, High School Proficiency Exams, and End of Course Exams) and graduation rates, in alignment with the current Index. Norm-based targets for the percent of students earning high school credit in dual credit coursework or receiving industry credentials, and the percent of students meeting career- and college- ready performance levels on the 11th grade Common Core State Standards. Possibly transition to criterion-based targets in the longer term. Norm-based and criterion-based targets for student growth (both median growth and growth-to-standard).

Background

In 2012 and 2013, SBE and OSPI will develop a revised Achievement Index. To better inform this work, the AAW, comprised of 22 representatives from a wide variety of stakeholders, will be meeting multiple times in 2013 to provide feedback to SBE on Index principles and design. The second AAW meeting was held in Renton, Washington, on December 12. Board members were briefed on that meeting via a recorded webinar posted on December 19.

Workgroup members' discussions focused primarily on Achievement Index design options related to the following:

- Subindicators for career and college readiness, in addition to graduation rates which are required.
- Student subgroups and ways to address hidden gaps.
- Accountability challenges specific to the English Language Learner subgroup.
- Target setting.

For each AAW meeting, SBE staff will produce a feedback report summarizing AAW member's discussions. Available on the SBE website three weeks after the AAW session date, the feedback report will assist the Board as they progress to the final approval and adoption of the revised Index.

Action

Consider a motion to approve the staff recommendation noted in the "Policy Consideration" section on page one.

Achievement & Accountability Workgroup (AAW) Recommendations to the State Board of Education Feedback Report from the December 12, 2012, Meeting

Overview

Upon completion of each AAW meeting, SBE staff will generate a report of the members' discussions.. Each member had the opportunity to review and contribute to this report prior to publication.

Executive Summary

AAW members provided input on the following Index questions:

Discussion Topics	Feedback
Career & College Readiness (CCR) Indicators	Mixed: In addition to graduation rate, most want percent students meeting CCR standard on SBAC and earning credit in dual enrollment coursework or earning an industry certificate.
Subgroups	Mixed – most want to use the federal subgroups PLUS new subgroups: former ELL and former Special Education.
English Language Learners (ELL)	Unanimous: Add English language acquisition data to the Index.
Performance Targets	Mixed: Most want targets to be both norm and criterion referenced, some want targets to be only criterion referenced.

Question 1: What performance indicators should be included in the revised Achievement Index to measure Career & College Readiness (CCR)?

Options:

- A. 4 and 5 year graduation rates.
- B. 4, 5, 6, and 7 year graduation rates.
- C. Percent of students passing the Smarter Balanced Assessment Consortium (SBAC) assessments aligned to the Common Core Standards at a CCR level.¹
- D. Percent of students earning at least one high school credit in dual credit courses.
- E. Percent of students earning high school credit in dual credit courses OR receiving an industry certificate.
- F. Postsecondary remediation rates.
- G. 7th and 8th grade drop out data.

Recommendation:

There was general agreement among the AAW that the Index should include as sub-indicators of CCR the percent of students who passed the SBAC at a CCR level and the percent of students who earn high school credit in dual credit courses or receive an industry certificate. The members discussed graduation rates at length, and there was no consensus on whether or not to include graduation rates beyond 5 years.

¹ USED requires states' accountability systems to include four year graduation rates and the percent of students passing SBAC at a CCR level.

The AAW reached consensus that postsecondary remediation rates should not be included as accountability measures for schools for a variety of reasons. Members pointed out the lack of alignment between high school academic standards and higher education placement tests, and they were also concerned about the redundancy of measuring both postsecondary remediation rates and the percent of students passing at SBAC at a CCR level. In theory, the SBAC 11th grade test results should be the definitive indication that remedial coursework will be required in the future. Incorporating remediation rates in the Index might essentially amount to measuring the same factor twice.

Additional Considerations & Questions:

- Members discussed the distinction between school and system accountability. A suggestion was made to include systemic performance indicators for legislative funding of K-12 education, while others saw value in including indicators purely for the purpose of setting system-wide goals and monitoring system performance, without regard to identifying individual low performing schools. Accordingly, some workgroup members were interested in defining accountability for the K-12 system (rather than schools) that might include Kindergarten readiness, K-12 indicators, and post-secondary indicators. It was suggested by a few committee members that WAKids, 3rd grade reading, and 8th grade math assessments should be considered as CCR “dipsticks” on the P-20 continuum.
- College remediation, enrollment, and/or completion rates could be included as a K-12 system accountability measure, along with the percent of students who secure a family wage job.
- Members favorably discussed career readiness tests such as ACT WorkKeys, but acknowledged the associated costs as a practical constraint.

Question 2: Should the revised Index include English language acquisition data (Washington English Language Proficiency Assessment) in addition to content proficiency (MSP, HSPE) data?

Options:

- A. Do not add English language acquisition data to the Index.
- B. Add English language acquisition, currently measured by WELPA, as an accountability measure.

Recommendation:

The AAW unanimously supported including English language acquisition for English Language Learners as an accountability measure. Measuring language acquisition in addition to content proficiency could mitigate the impacts of testing ELLs in English when they are at a beginning level of language acquisition. However, members acknowledged that including language acquisition data results in creating a more complex Achievement Index.

USED is already requiring states to measure ELL proficiency and growth in the content areas of reading, math, writing, and science using MSP assessments. Choosing to include English language acquisition data requires decisions about how to measure language acquisition growth and proficiency in a revised Index.

In order to prevent conflicting state and federal accountability systems, it would be necessary to review Washington’s current Title III funding accountability measures for ELLs and determine whether those measures should be included in their current form, or if they should also be revised.

In the current ESEA framework, Washington's first Title III accountability measure is the percent of students whose WELPA score increased by one scale score point. For accountability purposes, progress is different than growth, which the Index will measure with student growth percentiles. The second Title III accountability measure is the percent of ELLs who attain English language proficiency, which is defined as scoring a level four on the WELPA.

Additional Considerations & Questions:

- Is the WELPA a valid assessment of English language proficiency?
- The state should consider offering assessments in students' native languages, perhaps in the five most prevalent foreign languages.

Question 3: How should subgroups be (dis)aggregated for the purpose of accountability in the revised Index?

Options:

- A. Use federal subgroups only. No change to current system.
- B. Use federal subgroups PLUS add new subgroups: former ELL and former Special Education.
- C. "Super overall" combining all at-risk race/ethnicity.
- D. "Super as needed" combining at-risk race/ethnicity.
- E. "Super as needed" combining all at-risk race/ethnicity, income, ELL, Special Education.
- F. Federal subgroups plus greater disaggregation than current.

Recommendation:

The majority of AAW members supported using the federally required subgroups with the addition of two new subgroups: former ELL and former Special Education. The group discussed at length the distinction between reporting disaggregated data and using disaggregated data for accountability purposes and the trade-offs associated with both further disaggregation as well as creating "super" combined subgroups.

Some AAW members who initially advocated for further disaggregation ultimately preferred to use the federal subgroups plus former ELL and former Special Education for accountability; however, there was broad stakeholder agreement that data needs to be further disaggregated and made more readily available for reporting purposes.

Several AAW members preferred to use super subgroups combining racial/ethnic subgroups on an as needed basis for schools with small minority "N size." Although this would include more students for accountability purposes, AAW members acknowledged that this option would create additional complexity.

Additional Considerations & Questions:

- If we adopt a "super as needed" approach, how would the Index deal with schools that experience fluctuations in their minority populations' N size?
- How long after exiting will former ELLs and Special Education students be tracked?
- Instead of creating a former ELL subgroup, ELLs should remain in the ELL subgroup after they have transitioned.
- The N size should be further reduced (was 30, now 20).
- Federal subgroups will create a system in which students are counted more than once.

- The non-low income subgroup should be carried forward into the revised Index.
- Some AAW members did not like using the term “at-risk” in this context.

Question 4: Should performance targets be criterion or norm referenced, or both?

Options:

- A. Proficiency – Criterion or both
- B. Growth – Criterion or both
- C. Graduation Rates (CCR) – Criterion or both
- D. Other CCR Indicators – Criterion or both

Recommendation

All AAW members want the Index to include criterion referenced performance targets, but frequent changes to assessments and our assessment system caused many AAW members to support using criterion and norm referenced performance targets as a provision measure. AAW members agreed that most targets should be criterion referenced but that in normed data should be taken into consideration as we transition to new assessments.

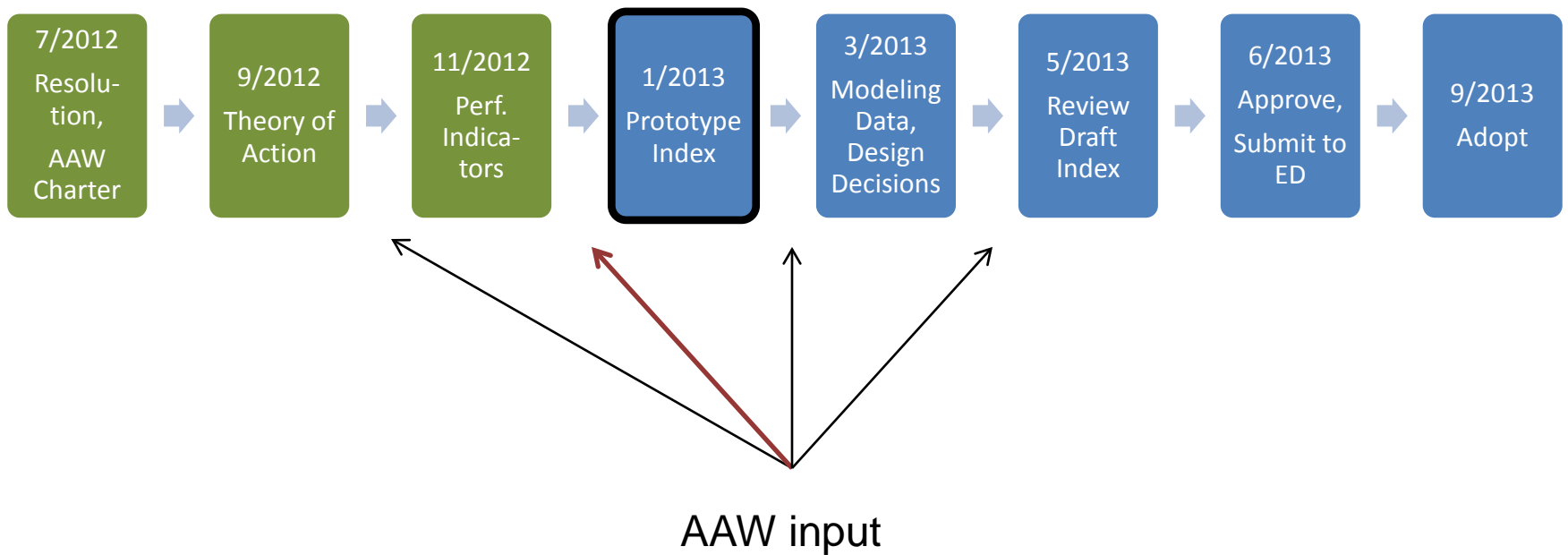
Additional Considerations & Questions:

- The Index should only use criterion referenced performance targets when there is a clear standard. There may not be a clear standard for some of the other CCR indicators.

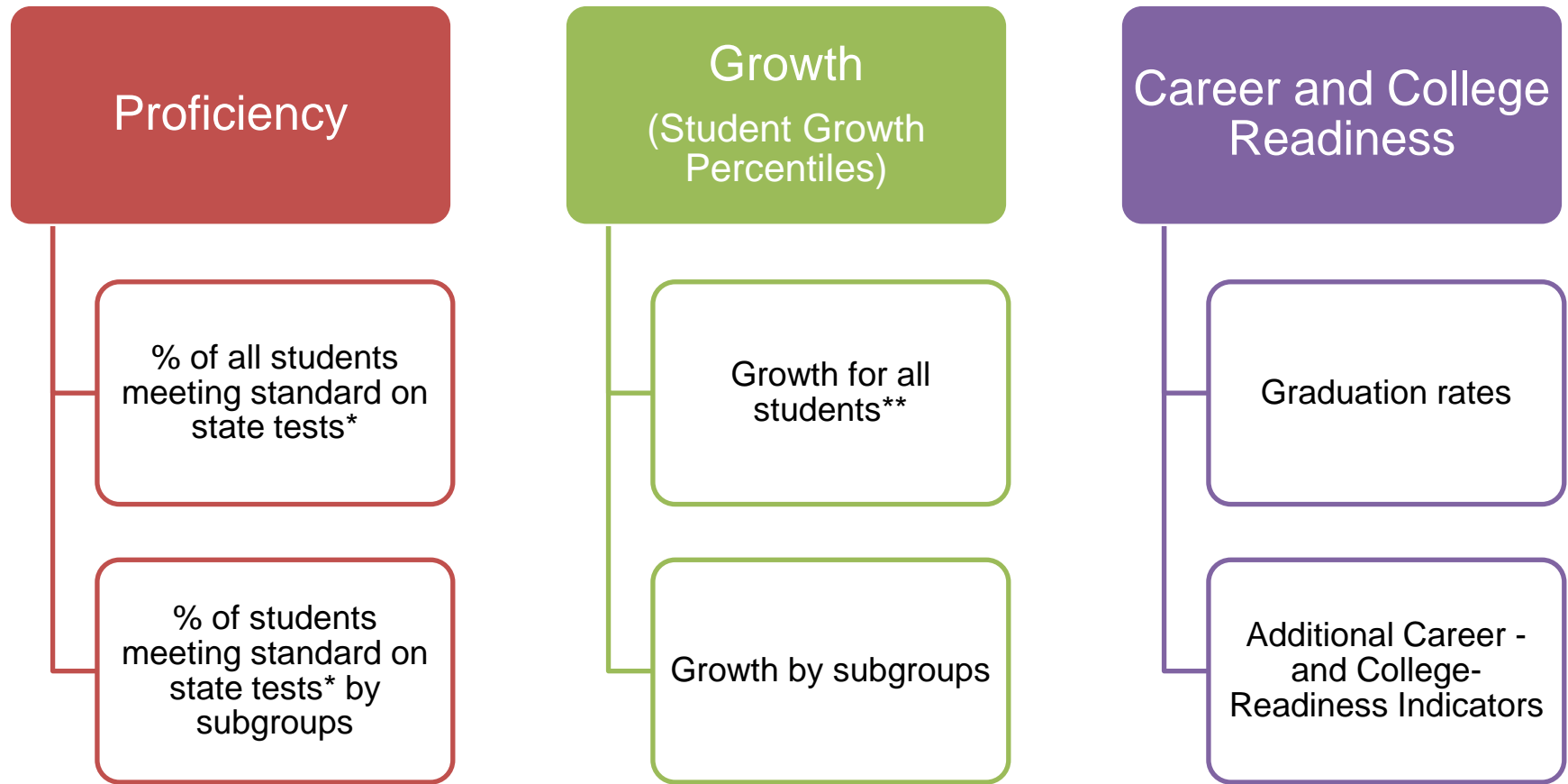
Review of AAW Input and Staff Recommendations for a Revised Index

Aaron Wyatt, Communications and Partnerships Director
Sarah Rich, Policy Director
January 2013 State Board of Education

Index Revision Timeline



Performance Indicators as of November Board Meeting



*Reading, Writing, Math, Science

**Student Growth Percentiles will be calculated in Reading and Math

AAW Questions for December

Career and College Readiness

What specific sub-indicators should be included to measure college and career readiness?

Which of these should be reported but not used in an Index calculation?

English Language Learners

Should the revised Index include language acquisition data (currently Washington English Language Proficiency Assessment)?

Should the Index include a subgroup of former English Language Learners?

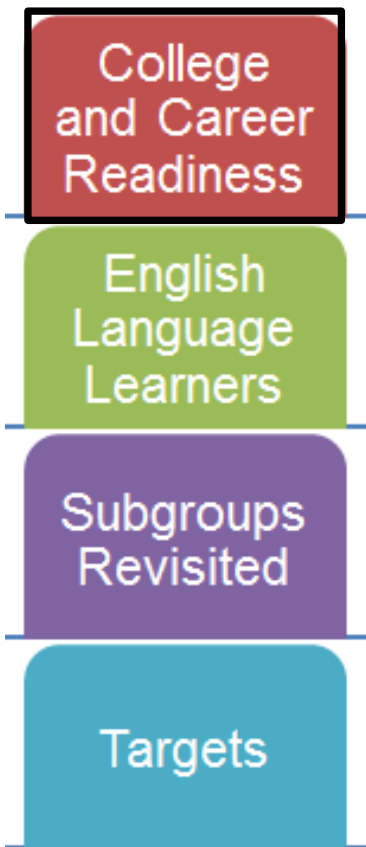
Subgroups Revisited

What is the best way to include subgroups?

Targets

Which sub-indicators should be norm-referenced and which should be criterion-referenced?

Career and College Readiness Options



Option A:	Option B:	Option C:	Option D: Design Your Own
4- and 5-year graduation rates ¹	4- and 5-year grad rates ¹	4-, 5-, 6- and 7- year grad rates	4-, 5- year grad rates
% of students passing Smarter Balanced Assessment Consortium assessments aligned to the Common Core Standards at a college/career ready level			
% of students earning at least one high school credit in dual credit courses ²	% of students earning at least one high school credit in dual credit courses ²	% of students earning high school credit in dual credit courses ² <u>OR</u> receiving an industry certificate	← “Launch Year Coursework”
	Post-high school remediation rates	Post-high school remediation rates	
		7 th and 8 th grade drop out data	

¹This reflects current Index and commitment in Washington’s ESEA Flexibility application

²Dual credit includes Tech Prep, Advanced Placement, Running Start, College in the High School, International Baccalaureate

Career and College Readiness Options – AAW Input

	Option A:	Option B:	Option C:	
College and Career Readiness	4- and 5-year graduation rates ¹	4- and 5-year graduation rates ¹	4-, 5-, 6- and 7- year graduation rates	
English Language Learners	% of students passing Smarter Balanced Assessment Consortium assessments aligned to the Common Core Standards at a college/career ready level			
Subgroups Revisited	% of students earning at least one high school credit in dual credit courses ²	% of students earning at least one high school credit in dual credit courses ²	% of students earning high school credit in dual credit courses ² <u>OR</u> receiving an industry certificate	“Launch Year Coursework”
Targets		Post-high school remediation rates	Post-high school remediation rates	
			7 th and 8 th grade drop out data	

This reflects current Index and commitment in Washington’s ESEA Flexibility application

²Dual credit includes Tech Prep, Advanced Placement, Running Start, College in the High School, International Baccalaureate

Career and College Readiness Options – Staff Recommendations

	Option A:	Option B:	Option C:	
College and Career Readiness	4- and 5-year graduation rates ¹	4- and 5-year graduation rates ¹	4-, 5-, 6- and 7- year graduation rates	
	% of students passing Smarter Balanced Assessment Consortium assessments aligned to the Common Core Standards at a college/career ready level			
English Language Learners	% of students earning at least one high school credit in dual credit courses ²	% of students earning at least one high school credit in dual credit courses ²	% of students earning high school credit in dual credit courses ² <u>OR</u> receiving an industry certificate	← “Launch Year Coursework”
Subgroups Revisited		Post-high school remediation rates	Post-high school remediation rates	
Targets			7 th and 8 th grade drop out data	

This reflects current Index and commitment in Washington’s ESEA Flexibility application

²Dual credit includes Tech Prep, Advanced Placement, Running Start, College in the High School, International Baccalaureate

Career and College Readiness Options – Discussion

College and Career Readiness

English Language Learners

Subgroups Revisited

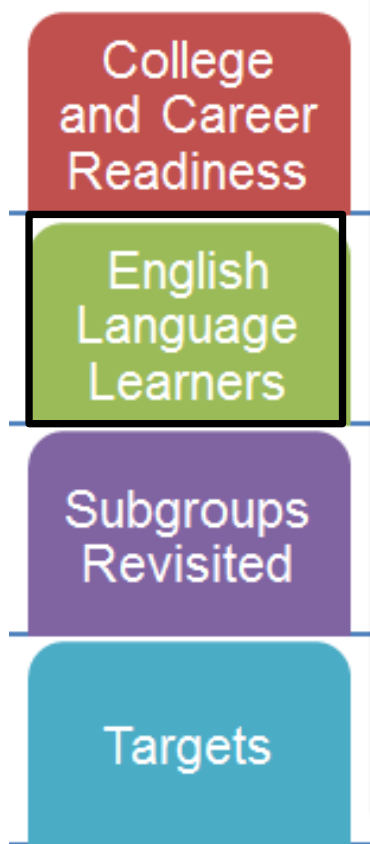
Targets

Option A:	Option B:	Option C:	
4- and 5-year graduation rates ¹	4- and 5-year graduation rates ¹	4-, 5-, 6- and 7- year graduation rates	
% of students passing Smarter Balanced Assessment Consortium assessments aligned to the Common Core Standards at a college/career ready level			
% of students earning at least one high school credit in dual credit courses ²	% of students earning at least one high school credit in dual credit courses ²	% of students earning high school credit in dual credit courses ² <u>OR</u> receiving an industry certificate	← “Launch Year Coursework”
	Post-high school remediation rates	Post-high school remediation rates	
		7 th and 8 th grade drop out data	

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²Dual credit includes Tech Prep, Advanced Placement, Running Start, College in the High School, International Baccalaureate

Strengthening Accountability for ELLs: Options



Options	Comments
A. Do not add data about English acquisition to the Index	Simplicity. Student Growth Percentiles will already begin to address the problems with current proficiency-based accountability.
B. Add English language acquisition (currently WA English Language Proficiency Assessment) to the Index.	May be fairer; creates accountability for the rate of English acquisition. Would require some definition of 'adequate' rate of language acquisition. Adds significant complexity.
C. Create and report former ELL subgroup (not a mutually exclusive option)	Ensures accountability for performance of students who have exited from ELL subgroup; adds significant complexity.
D. Other	

Strengthening Accountability for ELLs – AAW Input

Options	Comments
<div data-bbox="92 458 413 654" style="background-color: #c00000; color: white; padding: 5px; text-align: center; border-radius: 10px;">College and Career Readiness</div> <div data-bbox="92 658 413 868" style="background-color: #92d050; padding: 5px; text-align: center; border: 2px solid black; border-radius: 10px;">English Language Learners</div> <div data-bbox="92 872 413 1082" style="background-color: #800080; color: white; padding: 5px; text-align: center; border-radius: 10px;">Subgroups Revisited</div> <div data-bbox="92 1086 413 1296" style="background-color: #00b0f0; color: white; padding: 5px; text-align: center; border-radius: 10px;">Targets</div> <p data-bbox="454 382 956 535">A. Do not add data about English acquisition to the Index</p>	<p data-bbox="1078 382 1767 592">Simplicity. Student Growth Percentiles will already begin to address the problems with current proficiency-based accountability.</p>
<p data-bbox="454 666 1023 876">B. Add English language acquisition (currently WA English Language Proficiency Assessment) to the Index.</p>	<p data-bbox="1078 666 1796 992">May be fairer; creates accountability for the rate of English acquisition. Would require some definition of ‘adequate’ rate of language acquisition. Adds significant complexity.</p>
<p data-bbox="454 1028 1033 1180">C. Create and report former ELL subgroup (not a mutually exclusive option)</p>	<p data-bbox="1078 1028 1767 1238">Ensures accountability for performance of students who have exited from ELL subgroup; adds significant complexity.</p>
<p data-bbox="454 1278 627 1312">D. Other</p>	

Strengthening Accountability for ELLs – Staff Recommendation

Options	Comments
<div data-bbox="88 458 417 654" style="background-color: #c0392b; color: white; padding: 10px; border-radius: 10px; text-align: center;">College and Career Readiness</div> <div data-bbox="88 658 417 868" style="background-color: #27ae60; color: white; padding: 10px; border: 2px solid black; border-radius: 10px; text-align: center;">English Language Learners</div> <div data-bbox="88 872 417 1082" style="background-color: #6a3d9a; color: white; padding: 10px; border-radius: 10px; text-align: center;">Subgroups Revisited</div> <div data-bbox="88 1086 417 1296" style="background-color: #1abc9c; color: white; padding: 10px; border-radius: 10px; text-align: center;">Targets</div>	<p>A. Do not add data about English acquisition to the Index</p> <p>Simplicity. Student Growth Percentiles will already begin to address the problems with current proficiency-based accountability.</p>
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<p>C. Create and report former ELL subgroup (not a mutually exclusive option)</p>	<p>Ensures accountability for performance of students who have exited from ELL subgroup; adds significant complexity.</p>
<p>D. Other</p>	

Strengthening Accountability for ELLs – Discussion

	Options	Comments
College and Career Readiness	A. Do not add data about English acquisition to the Index	Simplicity. Student Growth Percentiles will already begin to address the problems with current proficiency-based accountability.
English Language Learners	B. Add English language acquisition (currently WA English Language Proficiency Assessment) to the Index.	May be fairer; creates accountability for the rate of English acquisition. Would require some definition of 'adequate' rate of language acquisition. Adds significant complexity.
Subgroups Revisited	C. Create and report former ELL subgroup (not a mutually exclusive option)	Ensures accountability for performance of students who have exited from ELL subgroup; adds significant complexity.
Targets	D. Other	

Subgroup Options

Options	+/-
A. Use federal subgroups only. No change to current system.	Full disaggregation by existing subgroups. Some stakeholders want additional disaggregation.
B. Use federal subgroups PLUS add new subgroups: former ELL and former SpEd.	Transparent performance for former ELLs and for students with disabilities, although to some degree this is already accomplished when OSPI includes students who exited for two years. Adds more complexity.
C. "Super overall" combining all at-risk race/ethnicity, income, ELL, SpEd.	Simpler system. Masks different performance among subgroups unnecessarily. No clear interventions can be identified.
D. "Super as needed" combining at-risk race/ethnicity.	Makes gaps visible. Creates volatility and complexity.
E. "Super as needed" combining all at-risk race/ethnicity, income, ELL, SpEd.	Could conflate on race and other student characteristics; no clear interventions can be identified. Creates volatility and complexity.
F. Federal subgroups plus – greater disaggregation than current.	More data will be suppressed because already low N subgroups will be split. Of all options, the most complexity.

College and Career Readiness

English Language Learners

Subgroups Revisited

Targets

Subgroup Options – AAW Input

	Options	+/-
College and Career Readiness	A. Use federal subgroups only. No change to current system.	Full disaggregation by existing subgroups. Some stakeholders want additional disaggregation.
	B. Use federal subgroups PLUS add new subgroups: former ELL and former SpEd.	Transparent performance for former ELLs and for students with disabilities, although to some degree this is already accomplished when OSPI includes students who exited for two years. Adds more complexity.
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Subgroup Options – Staff Recommendations

	Options	+/-
College and Career Readiness	A. Use federal subgroups only. No change to current system.	Full disaggregation by existing subgroups. Some stakeholders want additional disaggregation.
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Subgroup Options – Discussion

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	E. “Super as needed” combining all at-risk race/ethnicity, income, ELL, SpEd.	Could conflate on race and other student characteristics; no clear interventions can be identified. Creates volatility and complexity.
Targets	F. Federal subgroups plus – greater disaggregation than current.	More data will be suppressed because already low N subgroups will be split. Of all options, the most complexity.

Targets: Criterion or Norm Referenced for Each Performance Indicator

	Performance Indicator	Criterion referenced	Norm referenced
College and Career Readiness	Proficiency	“90% of our students met standard on the math assessment, so we got the highest possible rating.”	“65% of our students met standard on the math assessment. Since this is above the state average we got a high rating.”
	Growth	“Our students grow enough to reach proficiency within three years. Therefore, we got a high rating.”	“The median student in our school grew at the 70 th percentile. This is better than average growth, so we got a high rating.”
English Language Learners			
Subgroups Revisited	Career and College Readiness 1. Grad Rates	“95% of our school’s students graduated, so we got the highest possible rating.”	“Our school’s graduation rate is far better than the state average, so we got the highest possible rating.”
	2. Other indicators (Example)	“65% of our students earned credit in a dual credit course, so we got a high rating.”	“Our school has more students earning credit in dual credit courses than average, so we earned a high rating.”
Targets			

Targets: Criterion or Norm Referenced – AAW Input

	Performance Indicator	Criterion referenced	Norm referenced	Both
College and Career Readiness	Proficiency	X		X
	Growth	X		X
English Language Learners	Career and College Readiness (CCR) 1. Grad Rates	X		X
	2. Other CCR indicators	X		X
Subgroups Revisited				
Targets				

Targets: Criterion or Norm Referenced – Staff Recommendation

	Performance Indicator	Criterion referenced	Norm referenced	Both
College and Career Readiness	Proficiency	Stay consistent with current Index		Normed for reporting and award purposes
	Growth			Median Growth (norm) and Growth to Standard (criterion)*
English Language Learners	Career and College Readiness (CCR) 1. Grad Rates	Stay consistent with current Index		
	2. % of students at career and college ready level on 11 th grade tests		consider scoring below, at, and above average	
Subgroups Revisited	3. % of students in dual credit/industry credentials			
	Targets			

*median growth will be available right away, but growth to standard (also called adequate growth) may require a phase-in period.

Targets: Criterion or Norm Referenced – Discussion

	Performance Indicator	Criterion referenced	Norm referenced	Both
College and Career Readiness	Proficiency	Stay consistent with current Index		Normed for reporting and award purposes
	Growth			Median Growth (norm) and Growth to Standard (criterion)*
English Language Learners	Career and College Readiness (CCR) 1. Grad Rates	Stay consistent with current Index		
	2. % of students at career and college ready level on 11 th grade tests		consider scoring below, at, and above average	
Subgroups Revisited	3. % of students in dual credit/industry credentials			
	Targets			

*median growth will be available right away, but growth to standard (also called adequate growth) may require a phase-in period.

Summary

Discussion Topics	AAW Feedback	Staff Recommendations
Career & College Readiness (CCR) Indicators	Mixed: In addition to graduation rate, most want percent students meeting CCR standard on SBAC and earning credit in dual enrollment coursework or earning an industry certificate.	Include: a) % of students who either pass a dual credit course or receive an industry certification. b) % of students meeting CCR standard on SBAC. c) % of students who graduated within 4 years with bonus for 5-, 6-, or 7-year graduation rates.

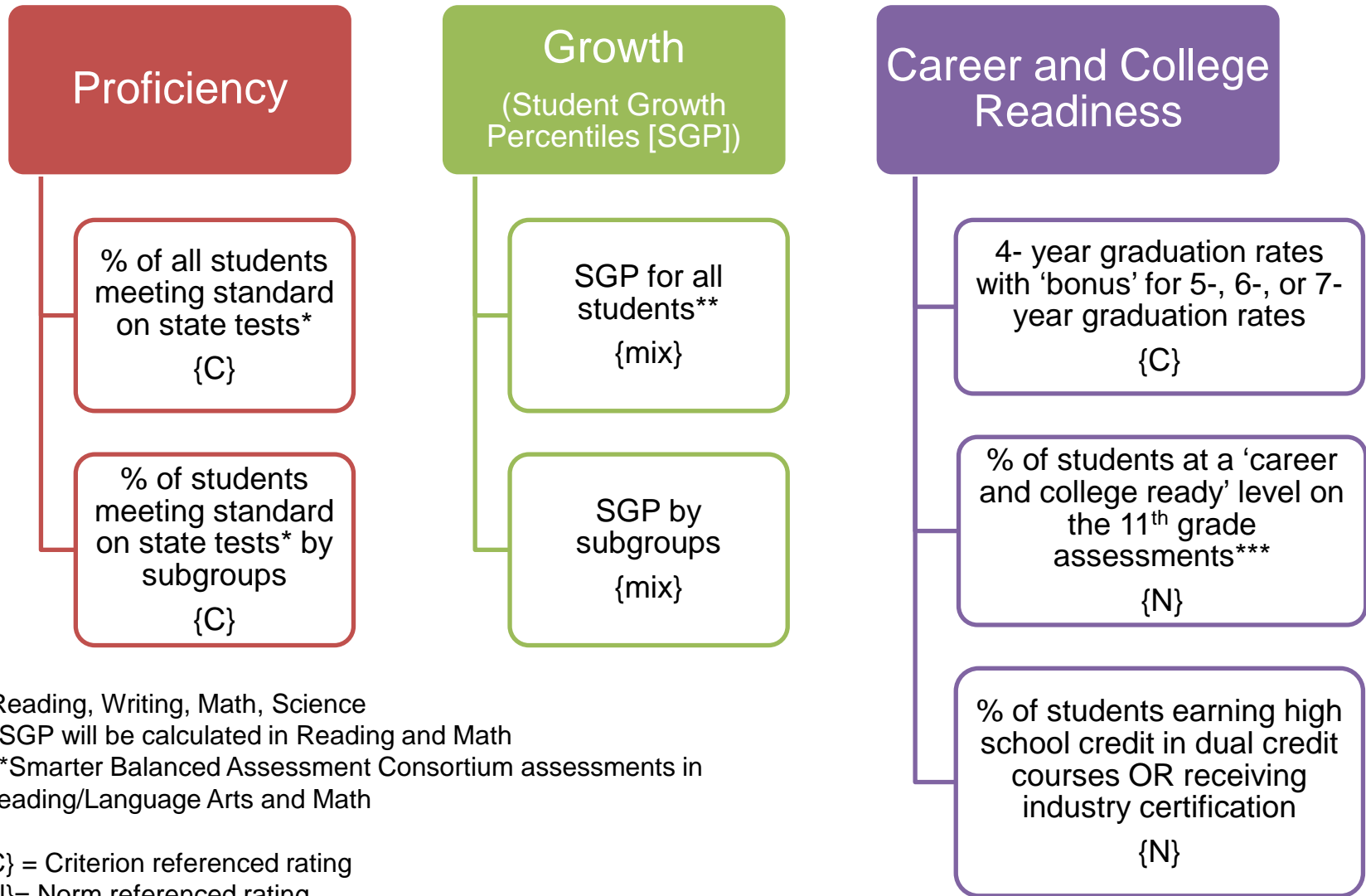
Summary

Discussion Topics	AAW Feedback	Staff Recommendations
Subgroups	Mixed: Most want to use the federal subgroups PLUS new subgroups: former ELL and former Special Education.	Disaggregated data based on the current eleven federal student subgroups.
English Language Learners (ELL)	Unanimous: Add English language acquisition data to the Index.	Further study.

Summary

Discussion Topics	AAW Feedback	Staff Recommendations
Performance Targets	Mixed: Most want targets to be both norm and criterion referenced, some want targets to be only criterion referenced.	<p>Proficiency and graduation rates: criterion-based targets.</p> <p>% of students earning dual credit or receiving industry certifications: norm-based targets.</p> <p>% of students meeting CCR on SBAC: norm-based targets.</p> <p>Student growth percentiles: norm-based targets and a phase-in timeline for growth-to-standard data (also called 'adequate growth').</p>

Prototype Index as Recommended by Staff



*Reading, Writing, Math, Science

**SGP will be calculated in Reading and Math

***Smarter Balanced Assessment Consortium assessments in Reading/Language Arts and Math

{C} = Criterion referenced rating

{N}= Norm referenced rating

Questions and Discussion

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	I-1240 and Quality Charter School Authorizing	
As Related To:	<input checked="" type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	A representative of a nationally recognized organization with expertise in requirements for quality authorizing of charter schools will present to the Board. Members will hear perspectives on Washington's charter school law, in relation to other states' laws, that will help inform decisions SBE will make on approval of authorizers, oversight of authorizers, and other responsibilities assigned by I-1240.	
Possible Board Action:	<input type="checkbox"/> Review <input type="checkbox"/> Adopt <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Other	
Materials Included in Packet:	<input type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input checked="" type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	<p>Mr. Alex Medler, Vice President of Policy and Advocacy at the National Association of Charter School Authorizers (NACSA), will address remarks to the Board on best practices for charter school authorizing, provide NACSA perspective on Washington's charter school law, and discuss how the SBE can carry out duties under I-1240 in a way as to promote best outcomes for students.</p> <p>The National Association of Charter School Authorizers is a non-profit, membership-based organization, founded in 2000, whose stated mission is "to achieve the establishment and operation of quality charter schools through responsible oversight in the public interest." Its members, consisting mainly of school districts, state education agencies, and higher education institutions, oversee more than half of the nation's nearly 5,000 charter schools. It has a ten-member Board of Directors including such recognized education leaders as James Peyser, Partner at New Schools Venture Fund and former chair of the Massachusetts State Board of Education, and Hannah Skandera, New Mexico Secretary of Education.</p> <p>NACSA has published a series of policy guides on such topics as charter school performance accountability, charter school contracts, the charter school application process, and authorizer funding. Its flagship publication <i>Principles & Standards for Quality Charter School Authorizing</i>, a set of guidelines to best practices in charter authorizing, has been written into state laws and rules and influenced federal legislation.</p> <p>In your packet is a letter to Mr. Medler from Executive Director Ben Rarick asking him to address certain questions of interest to SBE in his remarks. There will be opportunity for questions and discussion at the end of Mr. Medler's presentation.</p>	

**National Association of Charter School Authorizers:
Presentation to the
Washington State Board of Education**

January 9, 2013

**Alex Medler Ph.D.
VP Policy and Advocacy
alexm@qualitycharters.org**



About NACSA

- Not-for-profit, membership association
- **Mission:** To improve student achievement through responsible charter school oversight in the public interest

Today's Outline

- Lessons learned
- Washington's law in context
- Reasons for closure
- NACSA's *One Million Lives* Campaign

Lessons Learned

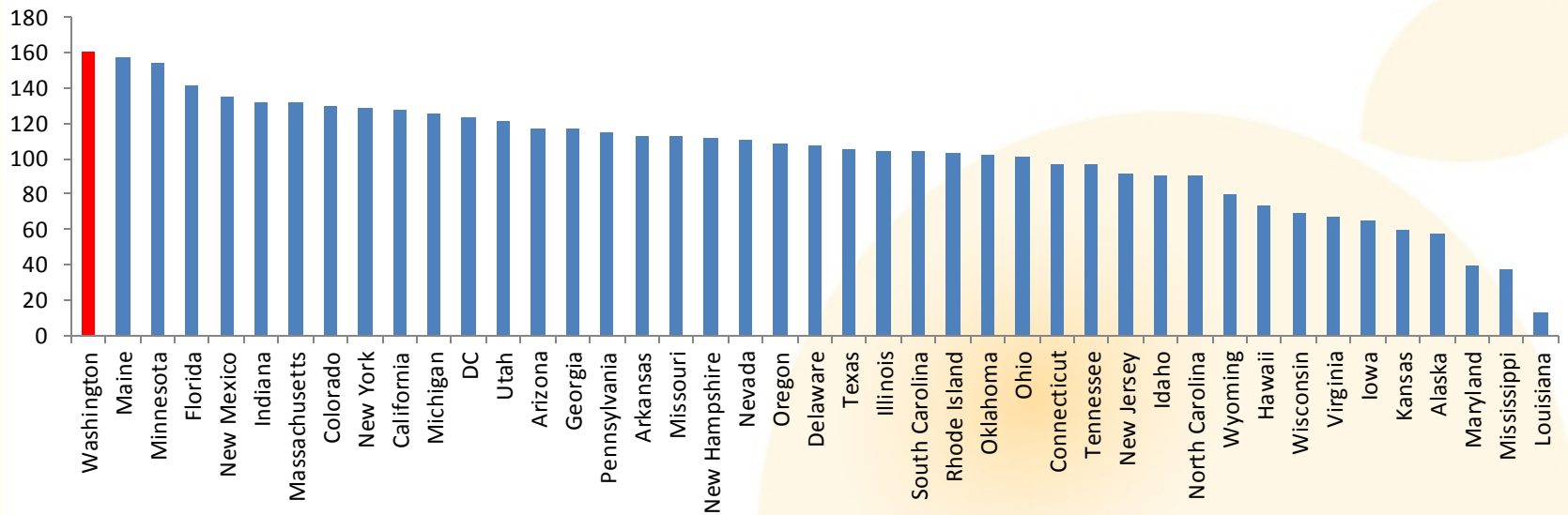
Lessons Learned

- Not a panacea or an apocalypse
- Quality and authorizing matter
- Districts will authorize charter schools
- Roles and responsibilities change
 - Goals and obligations do not
- People want good choices
 - But “wanting and choosing” aren’t what make them good
- Good people will work very hard and amaze you
 - Sometimes even the best fail

Washington's Law in Context:

National Alliance for Public Charter Schools' Model Law and NACSA Gap Analysis

National Alliance for Public Charter Schools' State Law Ranking (2013 Update Pending)

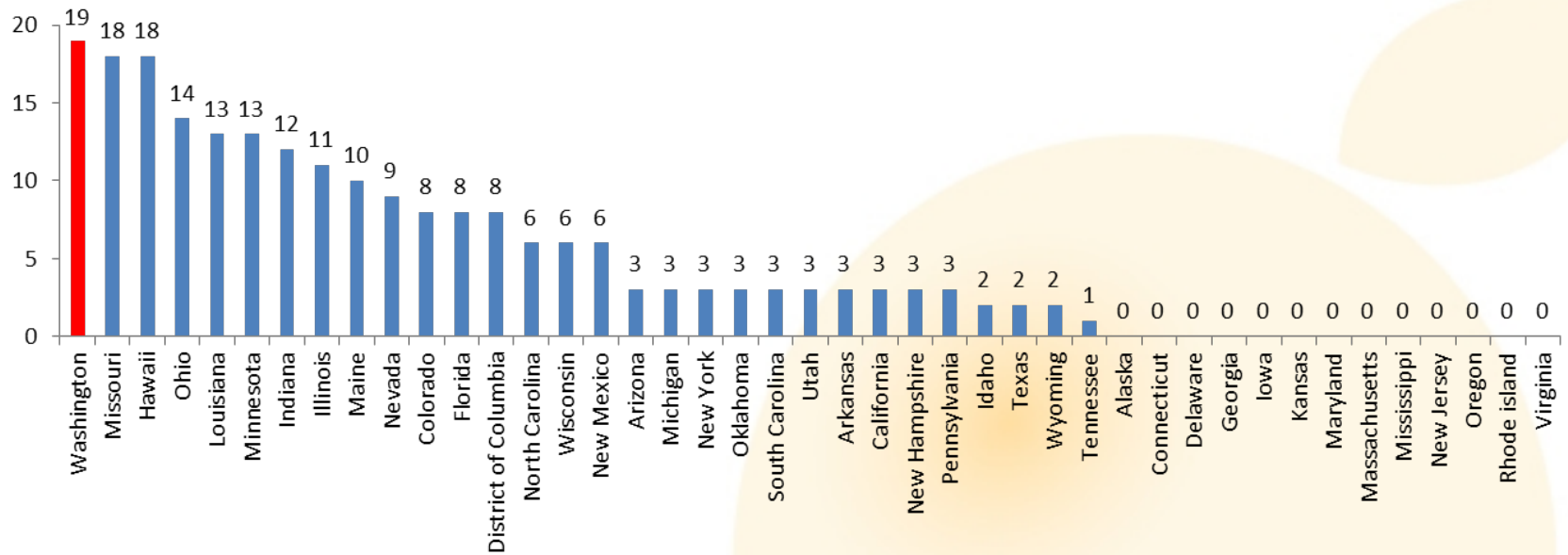


NACSA's Four Policy Initiatives:

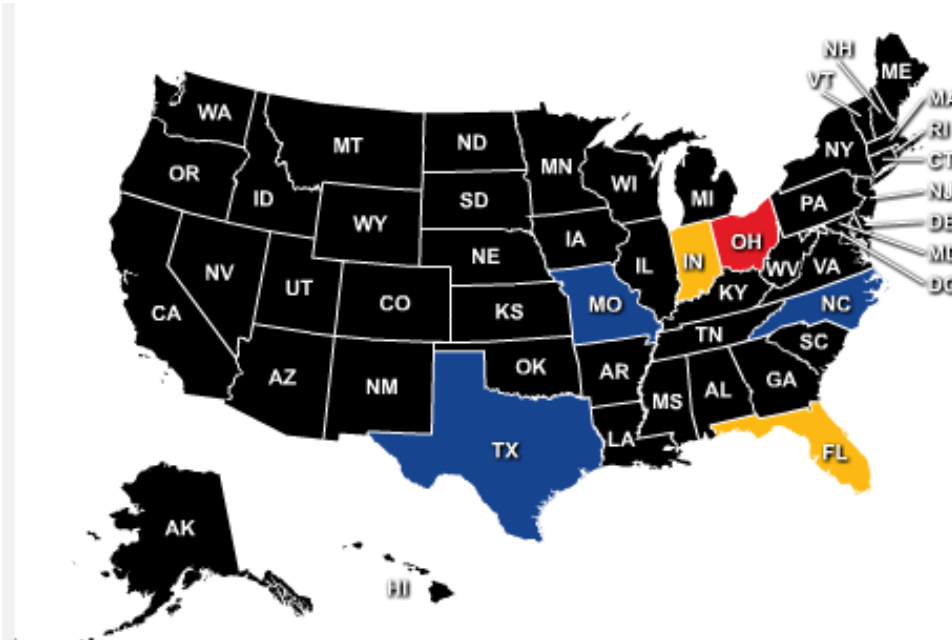
(Described in the One Million Lives Campaign)

- 1. Establish minimum performance expectations and default closure**
- 2. Empower authorizers to close schools at renewal that fail to meet expectations**
- 3. Endorse authorizer standards and sanctions**
- 4. Establish alternative authorizers**

NACSA: Authorizer/Accountability Policy Analysis



1. States with Minimum Performance Expectations and Closure Provisions

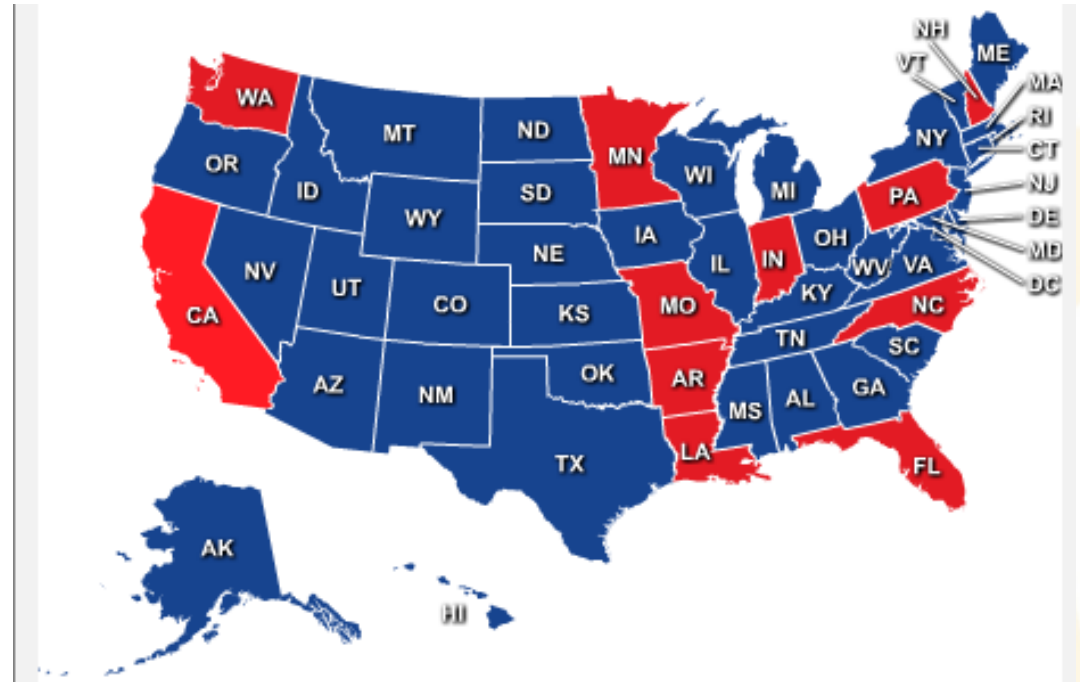


States with automatic closure criteria	States that require action by the authorizer or state	States with have nonspecific closure language
Ohio	Florida Indiana	Missouri North Carolina Texas Washington*

*Provides for state-defined terms for non-renewal as part of renewal process by authorizer.

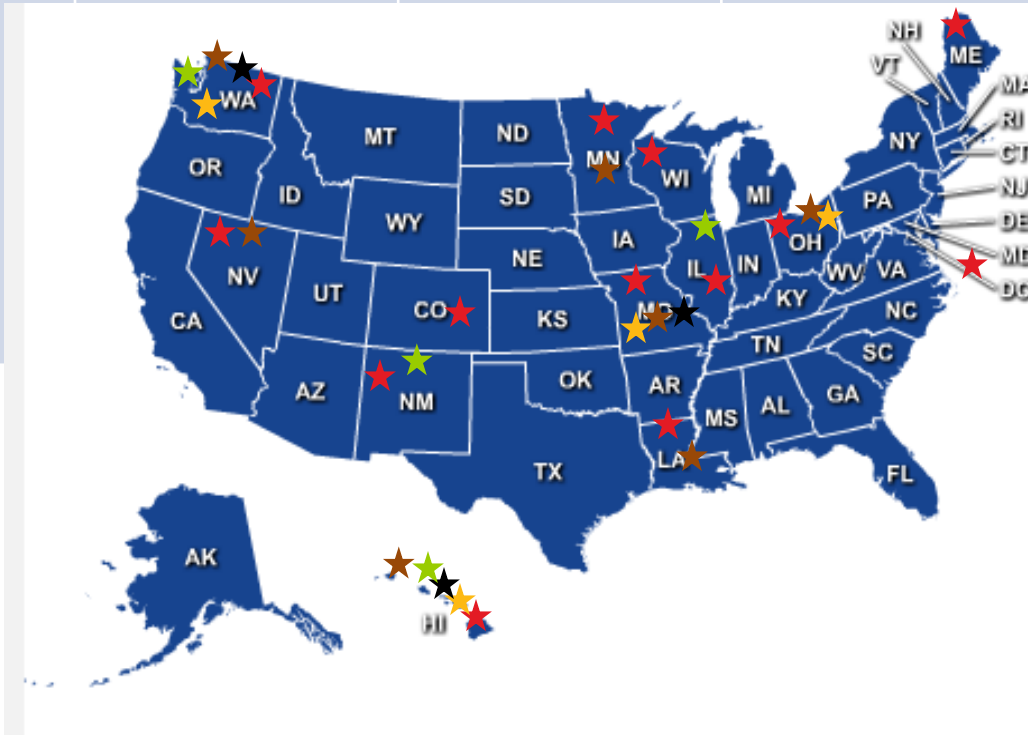
2. States with bright line standards for renewal

- Arkansas
- California
- DC
- Florida
- Indiana
- Louisiana
- Minnesota
- Missouri
- New Hampshire
- North Carolina
- Pennsylvania
- Washington



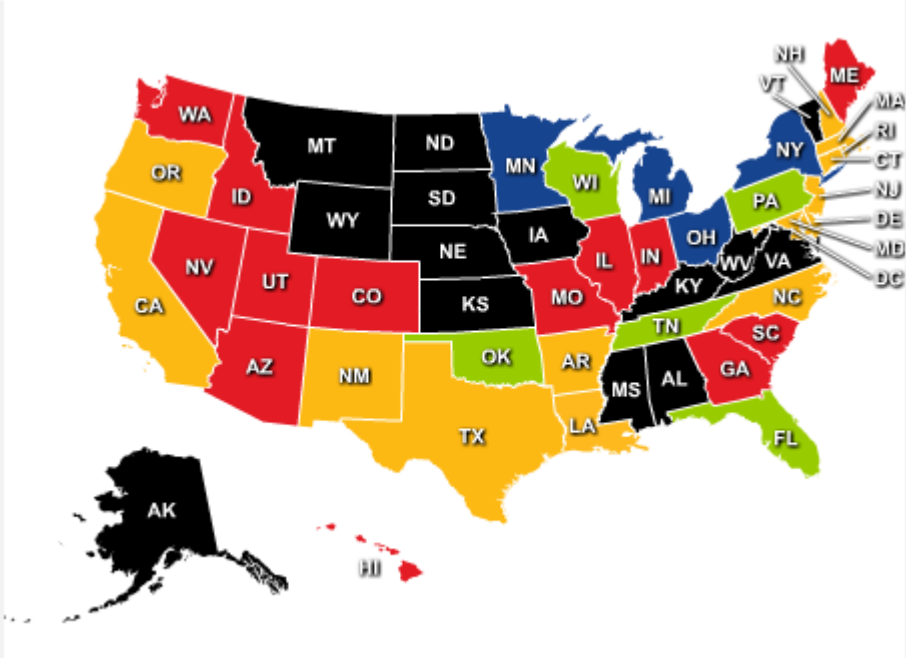
3. States with Authorizer Standards

Established authorizer standards	Evaluate authorizers on standards	Authorizers submit an annual report on authorizing	Authorizers submit an annual report on their schools	Sanctions for failing authorizers
Colorado DC Hawaii Illinois Louisiana Maine Minnesota Missouri Nevada New Mexico Ohio Washington Wisconsin	Hawaii Missouri Ohio Washington	Hawaii Missouri Washington	Hawaii Illinois New Mexico Washington	Hawaii Louisiana Minnesota Missouri Nevada Ohio Washington



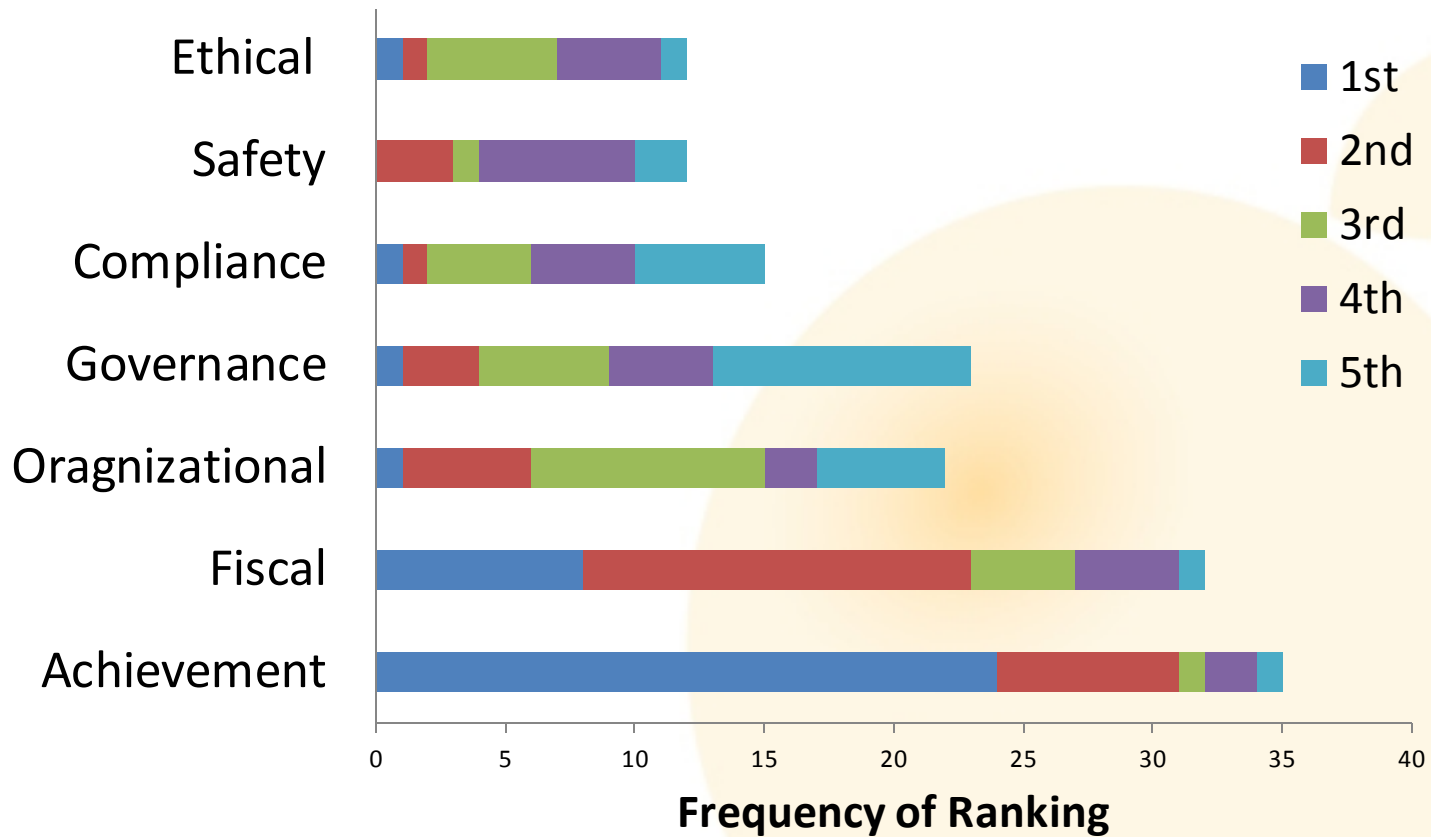
4. States with Alternative Authorizers

States with Independent Charter Boards		States with Alternative statewide authorizers	States with SEA as only statewide authorizer	States with limited jurisdiction statewide authorizers	States with no statewide authorizing (or any law at all)	
Arizona Colorado DC Georgia Hawaii Idaho Illinois	Indiana Maine Missouri Nevada South Carolina Utah Washington	Michigan Minnesota New York Ohio	Arkansas California Connecticut Delaware Louisiana Maryland Massachusetts	New Hampshire New Jersey New Mexico North Carolina Oregon Rhode Island Texas	Florida Oklahoma Pennsylvania Tennessee Wisconsin	Alaska Kansas Iowa Virginia Wyoming

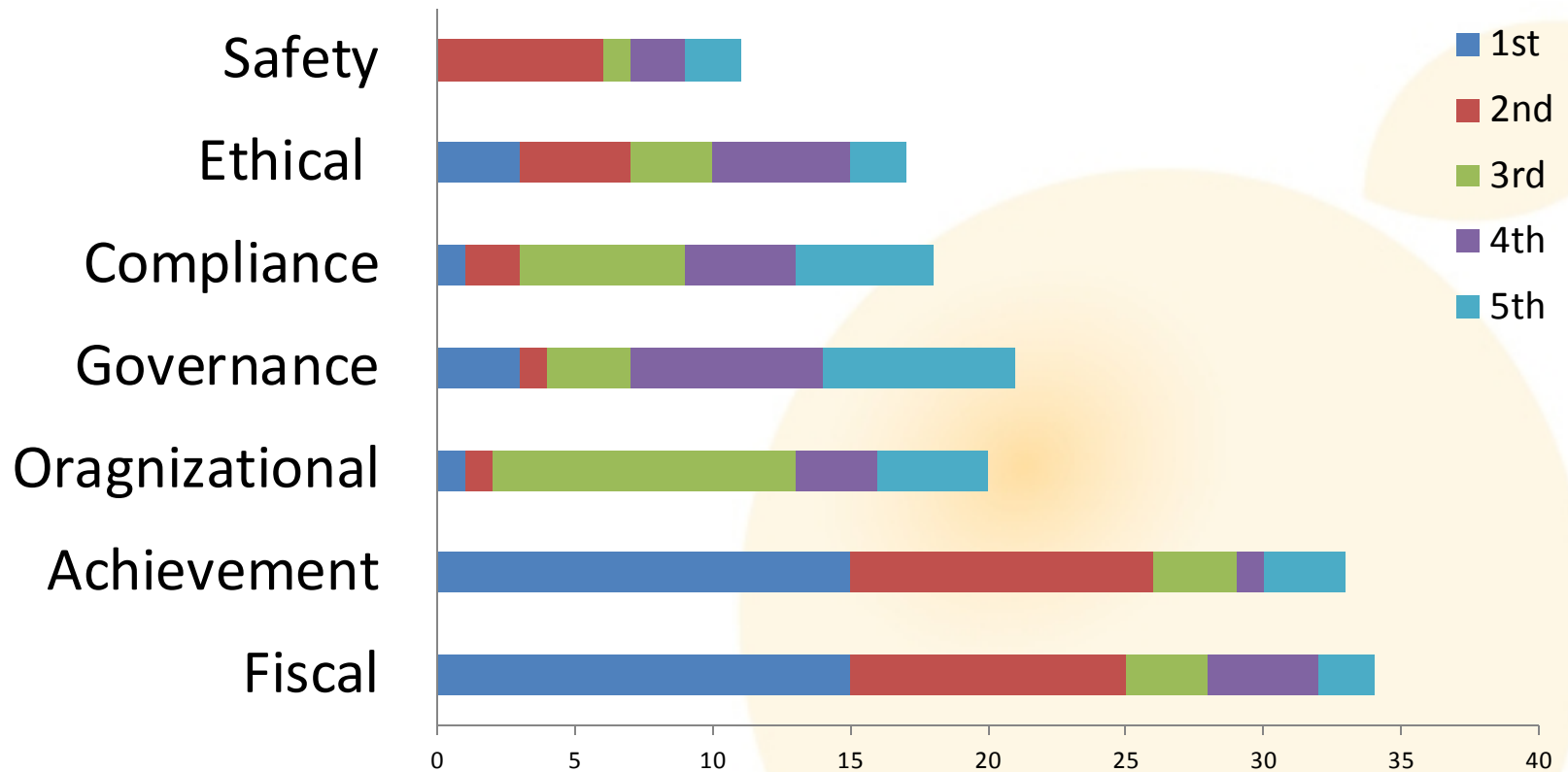


Charter School Closures

Reasons Large Authorizers Close During Renewal

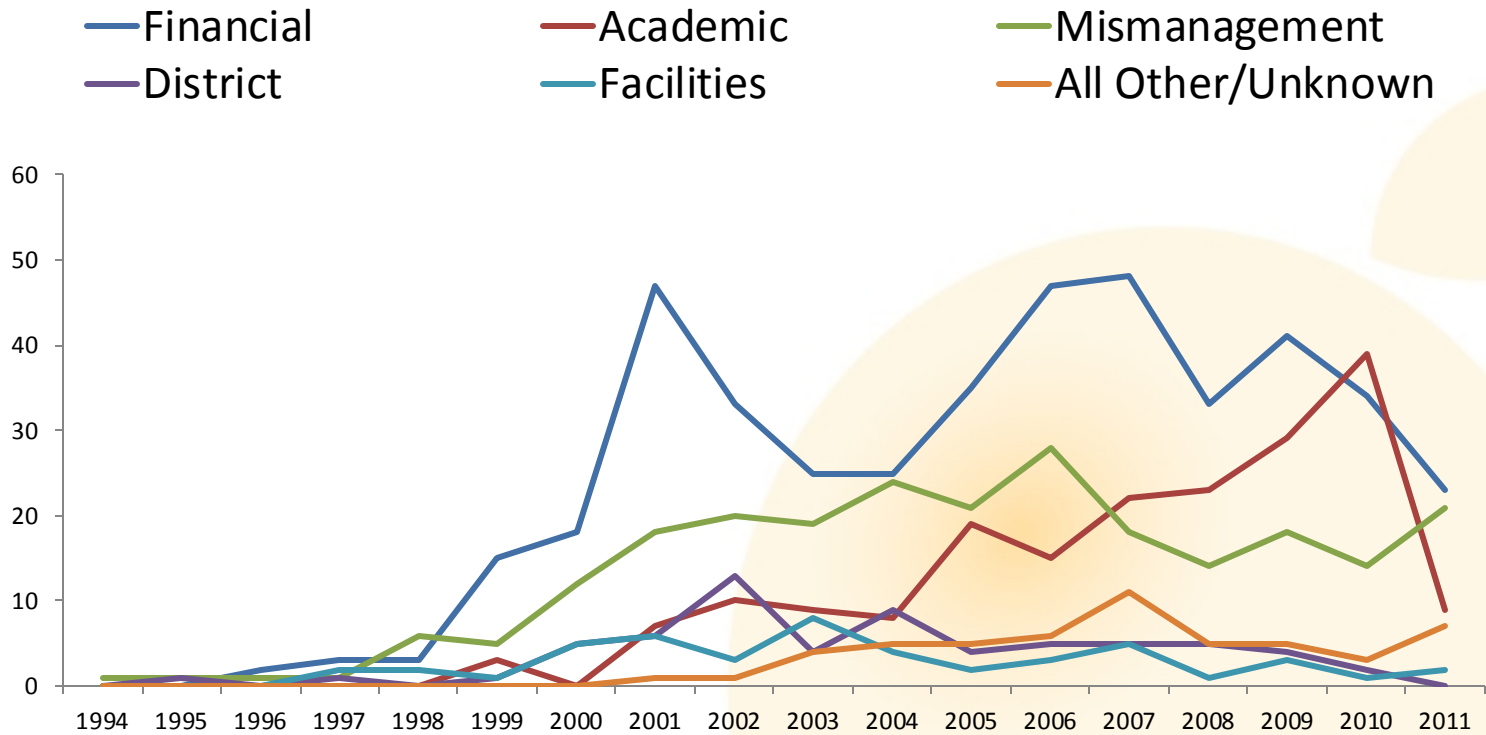


Reasons Large Authorizers Close Outside Renewal



Frequency of Ranking

Historical Reasons For Closure: (CER Analysis)





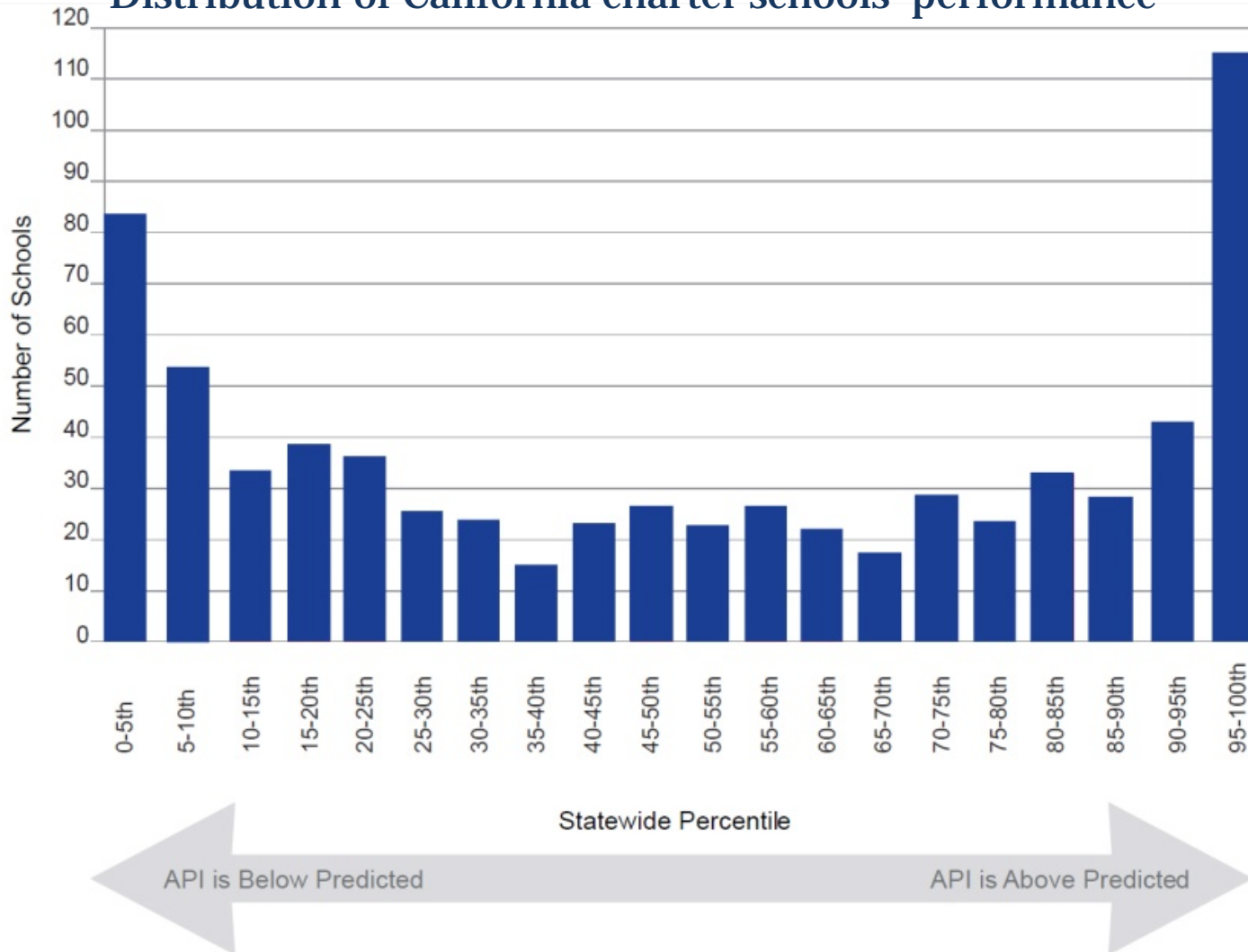
ONE MILLION LIVES



nacsa
NATIONAL ASSOCIATION OF
CHARTER SCHOOL AUTHORIZERS

The Charter U Shape

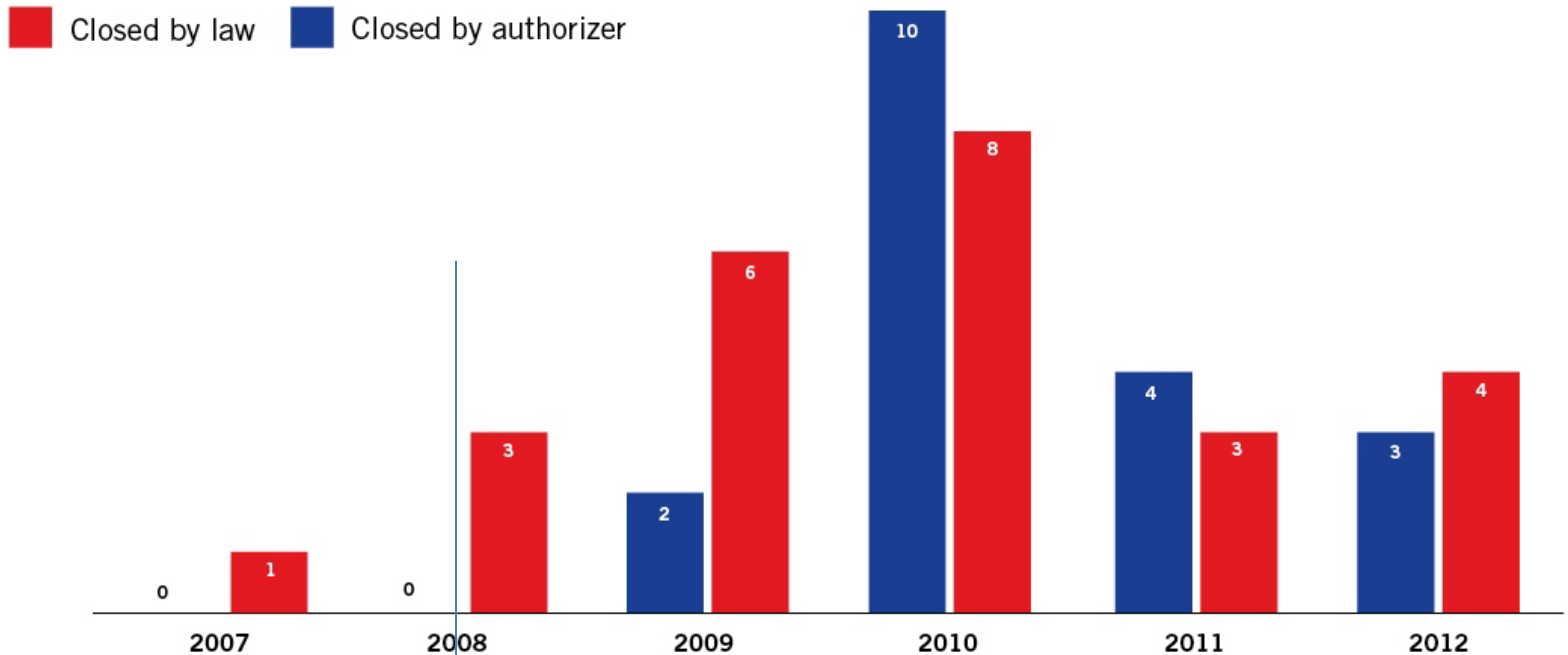
Distribution of California charter schools' performance



The impact of clear performance expectations in law...

Ohio Charter School Closures

Since Ohio's default-closure law took effect, it has shut down nearly as many low-performing charter schools as have authorizers on their own.



Before closure law

Average of 2 schools closed in the two years before the law

After closure law

Average of 10 schools closed per year



nacsa
NATIONAL ASSOCIATION OF
CHARTER SCHOOL AUTHORIZERS

One Million Lives: Stronger Policies



- Set clear performance expectations for charter schools in statute, including automatic closure for the lowest performers
- Hold authorizers accountable for creating high quality schools
- Establish statewide charter boards that implement professional practices at scale

One Million Lives: Support for People

- Ensure that state and local education leaders understand quality authorizing
- Provide high quality support to directors of charter school authorizing offices
- Recruit and develop talented young professionals



One Million Lives: Better Resources and Data



- Provide strong online educational courses and downloadable tools and templates for authorizers (e.g. RFPs, contracts, performance criteria)
- Analysis and problem solving groups
 - Serving special education students
 - Conducting open admissions
 - Ensuring fair discipline
 - Appropriate accountability for alternative schools
 - Promoting quality in replication
 - Accountability for cyber schools

NACSA

Alex Medler, Ph.D.

VP for Policy and Advocacy

alexmedler@qualitycharters.org

www.qualitycharters.org

December 20, 2012

Mr. Alex Medler
Vice President of Policy and Advocacy
National Association of Charter School Authorizers
105 West Adams Street, Suite 3500
Chicago, IL 60603-6253

Dear Mr. Medler:

Please accept our appreciation for agreeing to present to the State Board of Education on January 9 on I-1240 and quality charter school authorizing. We believe NACSA has much of value to offer the SBE on how it may perform its duties under the state's new charter schools law in a way to achieve best outcomes for children, and look forward to your presentation.

We request that you address the following questions in your remarks:

1. In what ways has Washington benefited from being one of the last states to authorize the establishment of charter schools? What are some of the lessons that have been learned from the 20 years of experience with charter schools in other states?
2. How does our law compare to other states' laws in important ways? Specifically, how do I-1240 and our draft rules differ from how other states handle the authorizer role?
3. What are the most frequent reasons that charter schools fail? What are the most important things that authorizers can do to avert those failures?
4. Your organization recently launched a "One Million Lives" campaign in which it called on charter authorizers to "be more proactive in closing failing schools and opening great ones." Please discuss why this campaign was launched, what NACSA hopes to accomplish, and how it hopes to accomplish it.

Thank you again for your participation in our January meeting. Do not hesitate to contact us with any questions you may have.

Sincerely,



Ben Rarick
Executive Director

Tbj

Jeff Vincent, *Chair* • Randy Dorn, *Superintendent of Public Instruction*
Dr. Bernal Baca • Amy Bragdon • Kevin Laverty • Phyllis Bunker Frank • Elias Ulmer
Bob Hughes • Dr. Kristina Mayer • Matthew Spencer • Cynthia McMullen
Mary Jean Ryan • Tre' Maxie • Connie Fletcher • Judy Jennings
Ben Rarick, *Executive Director*

Biography of Alex Medler



Alex Medler is Vice President, Policy and Advocacy for the National Association of Charter Schools (NACSA). Medler has been a national expert on charter school policy since the opening days of the movement, analyzing the first laws in 1992.

Medler began his work with charter schools when he worked with state policymakers and researched major education reforms for the Education Commission of the States (ECS) from 1992 to 1997. At ECS, Medler studied the first charter school laws that were proposed and debated, and he documented the political and programmatic implementation issues occurring around the nation. Medler received an Expert Appointment to the U.S. Department in 1997, where he served until 2001 in a variety of capacities including directing the Public Charter School Program. At the Department, Medler led a national research and technical assistance effort and served as the Department's principal expert on charter schools, providing guidance to the White House, the U.S. Secretary of Education, and other senior leadership within the Department. He also has direct experience as a charter school authorizer.

Medler was a founding board member and board chair of the Colorado Charter School Institute (CSI), a statewide charter authorizing entity. From 2004 to 2009, he worked at the Colorado Children's Campaign, a children's advocacy organization in Colorado that strives to improve the lives of children in the state by addressing a broad array of policy issues. He joined the NACSA team in 2009.

Medler has written extensively on education reform and worked with policymakers at the local, state and national level to improve education. Medler earned his Ph.D. in Political Science from the University of Colorado at Boulder, and a B.A. in Politics from the University of California Santa Cruz.

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Teacher Award Luncheon	
As Related To:	<input checked="" type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input checked="" type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input checked="" type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input checked="" type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input checked="" type="checkbox"/> Advocacy	<input checked="" type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	None	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	The January teacher recognition luncheon will honor the Washington State Teacher of the Year (Jeff Charbonneau).	

TEACHER AWARD LUNCHEON

Policy Consideration

None

Summary

Each January, the Board honors three award-winning teachers:

1. The Washington State Teacher of the Year.
2. Two teacher recipients of the Presidential Award for Math and Science Teaching.

Teachers are invited to speak to the Board, followed by a shared luncheon on their behalf. The Washington State Teach of the Year will be joining the Board for its January meeting.

Background

Washington State Teacher of the Year

- Recognizes as many as ten regional finalists as selected from the ESDs and tribal schools.
- The state review committee evaluates both a written application and interviews prior to selecting the winner.
- The Washington State Teacher of the Year is selected in mid-September and is eligible for consideration for National Teacher of the Year.

This Year's Winner:

Educator: Jeff Charbonneau
School: Zillah High School
District: Zillah School District
Quick Facts: National Board Certified Teacher. Began at Zillah in 2001. Developed a variety of STEM offerings at Zillah. Oversees drama and science clubs in addition to classroom duties. Designed robotic challenge for students at Zillah and beyond, resulting in heightened interest and enrollment in Zillah's science courses.

EXPECTED ACTION

None

RESOLUTION

In honor of Jeff Charbonneau, the Washington State Teacher of the Year

WHEREAS Jeff Charbonneau has been named the Washington State Teacher of the Year and the ESD 105 Teacher of the Year; and

WHEREAS Mr. Charbonneau received his Bachelor of Science in 2000 and his Masters in Education in 2005 from Central Washington University; and

WHEREAS Mr. Charbonneau has received his National Board Certified Teacher credential; and

WHEREAS Mr. Charbonneau has taught at Zillah High School since 2001; and

WHEREAS Zillah High School Students now have the opportunity to earn college credit in four of Mr. Charbonneau's classes, as a result of his service as an adjunct faculty member at Yakima Valley Community College, Central Washington University, and Eastern Washington University; and

WHEREAS Mr. Charbonneau has provided exemplary service to his students through his classroom and through multiple extracurricular opportunities, including a hiking club and a robotics challenge that has included over 850 students from 43 districts over the last four years; and

WHEREAS the Washington State Board of Education's 2013-2014 Strategic Plan goal 3.C.II calls for the promotion of policies to assist districts in enhancing their teacher and leader quality to improve student performance; and

THEREFORE BE IT RESOLVED that the Washington State Board of Education acknowledges the outstanding work of Mr. Charbonneau and other exemplary educators who remain dedicated to our most important endeavor: the education of our children.



Jeff Vincent
Chair



Ben Rarick
Executive Director

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Proposed Rules, Sec. 209 I-1240	
As Related To:	<input checked="" type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	1. Are the timelines proposed for approval of charter school authorizers appropriate? Do they leave a reasonably sufficient amount of time for review and decisions on applications by SBE, and, moving forward, for evaluation and approval of charter applications by authorizers and school openings? 2. Are the criteria in the rules for SBE evaluation of authorizer applications appropriate?	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input checked="" type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	The memo states the requirements placed on the SBE by Section 209 of Initiative 1240, states why these requirements should be met through rule adoption, summarizes and explains the rationale for the rules, and provides background on requirements for approval of authorizers in state charter laws. You will also find in your materials the text of the proposed rules and separate SBE document summarizing the rules.	

PROPOSED RULES, I-1240 SEC. 209

Policy Consideration

Members will review and approve for filing of a CR 102 for public hearing, with any changes they may direct, proposed rules to implement Section 209, Authorizers – Approval.

Summary

Initiative 1240, Relating to Public Charter Schools, provides for two eligible authorizers of charter schools: (1) The Washington Charter School Commission established under Section 208 of the act, and (2) School district boards of directors that have been approved by the State Board of Education under Section 209.

Section 209 provides that the SBE shall establish an annual application and approval process and timelines for school districts seeking to be charter school authorizers. The initial process and timelines must be established no later than 90 days after the effective date of this section, which sets a deadline of March 6 for the SBE to complete this action.

The section specifies a list of information that applicants to be charter school authorizers must submit to the SBE in the application process. The text states that this list represents the minimum components of the application. This permits the SBE to require that additional materials be submitted as it may see fit to carry out its duties responsibly under this section.

Section 209 directs the SBE to “consider the merits of each application” and make its decision whether to approve or disapprove. It does not specify or require the establishment of criteria by which SBE would make that decision, except by implication in stating the minimum elements of an application.

SBE has determined that the annual application and approval process and timelines for school districts seeking to be charter authorizers should be established through rule adoption. This serves two important purposes: First, it provides clarity to school districts on the requirements of the statute and the expectations of the SBE for approved applications to be authorizers. Second, it establishes a sound basis for decisions by the SBE, consistent with the intent of the act to improve student outcomes by giving schools autonomy in such areas as budget, staffing, schedule and curriculum in return for accountability for results.

Timelines

The proposed rules set initial timelines for SBE approval of authorizers as follows:

- *No later than April 1*: SBE posts authorizer application, and school districts submit letter of intent to file an application.
- *No later than June 15*: School districts submit authorizer application to SBE.
- *No later than August 15*: SBE will approve or disapprove authorizer applications.

Date	Action	Timeframe
January 10	SBE approve filing CR 102.	
March 6	Last day for SBE rule adoption.	78 days
April 1	SBE posts application. Applicants submit letter of intent.	31 days
June 15	Last day for authorizer applications.	75 days
August 15	Last day for SBE decisions on applications.	60 days

The timelines take into account that best practices recommend minimum timeframes such as three months from release of the authorizer request for proposals to the charter application deadline; three months for evaluation of the applications, and nine months, but preferably longer, from approval of the applications to school opening. (National Association of Charter Authorizers, *Principles & Standards for Quality Charter School Authorizing*, 2012, p. 26). They also recognize, however, that because of the election calendar and the work involved in the law's startup, timelines will be less than ideal in the first cycle of charter applications and approvals. The rules are intended to leave time for authorizers to evaluate applications in a thorough way, and for school operators to go through the many steps in opening a school.

Authorizer applications

Sec. 209(2) sets out seven requirements that, at a minimum, must be met by districts applying to be charter authorizers. The rules (pp.3-6) add detail to these requirements, where needed, so that applicants have a clear idea of SBE expectations and a fair opportunity for approval. For example:

- The “strategic vision for chartering” that the applicant must submit is defined in terms of general goals of charter schools and the specific goals of this act.
- Where the act requires the district to provide evidence of its budget and personnel capacity to support its vision, the rules specify data elements that would demonstrate such capacity.
- The drafts of the request for proposals and performance framework that the applicant must submit are linked to the specific requirements for RFPs and performance frameworks in the act.
- Detail is added to the required draft of proposed charter renewal, revocation and nonrenewal processes.

As permitted by the act, the rules add some components of the application to those specified in the act. The district must provide “statements of assurance” that it will:

- Solicit applications under Sec. 210 for both new and conversion charter schools;
- Ensure that the charter schools it authorizes have an independent governing board and the autonomy intended by the act;
- Ensure that services are provided to students with disabilities and other special needs;
- Include in any charter contract it executes that the educational services provided will meet basic education requirements.

Evaluation and approval or denial of applications

For an authorizer application to be approved, the SBE must find that it is satisfactory in providing all the information required as summarized above. The rules provide that the SBE will also consider whether the district's proposed policies and practices for chartering are consistent with the principles and standards for quality charter school authorizing established by the National Association of Charter school Authorizers (NACSA). These have become the equivalent of an industry standard. The NACSA standards are called out in Sec. 210, on the powers and duties of authorizers, which requires all authorizers to develop and follow chartering policies and practices that are consistent with the NACSA principles and standards in at least the following areas:

- Organizational capacity;
- Soliciting and evaluating charter applications;
- Performance contracting;
- Ongoing charter school oversight and evaluation;
- Charter renewal decision making.

The proposed rules to Sec. 209 accordingly pull these requirements into the criteria for evaluation of the chartering plan provided in the district application, while providing some definition to each, drawn directly from the source, to provide needed clarity to the districts.

The rules affirm that a determination by the SBE that the application does not provide the required information or does not meet standards of quality authorizing in any component is grounds for disapproval. If the SBE disapproves an application it must provide a specific explanation in writing.

Authorizing contract

Sec. 209(4) requires that within 30 days of making a decision to approve an application, the SBE must execute a renewable, six-year contract with the authorizer district. The rules clarify the terms of that agreement, and that the statement of assurances made in the application are incorporated in the contract.

Sec. 212 of I-1240 (Authorizers – Oversight) directs the SBE to notify the district if it finds it not in compliance with the authorizing contract, and provides for consequences if the district fails to remedy the problems.

Background

In recent years there has been a movement toward strengthening the quality of authorizing in order to better protect the intended outcomes of charter schools for students. According to David Osborne of the Progressive Policy Institute,

In the first ten years, the charter community focused on *quantity*: getting charters open. Over the past ten years, it has focused increasingly on charter school *quality*. Today, it is time to open a third frontier: *authorizer quality*. The key to quality in the charter sector is *quality authorizing*. (*Improving Charter School Quality*, PPI, 2012, p. 7)

Groups such as the National Association of Charter School Authorizers and the National Governors Association, as well as the U.S. Department of Education, have led efforts to

improve the quality of authorizing through state laws and rules, federal guidelines, and the bully pulpit. NACSA notes a recent trend toward creating a state agency role for the vetting and oversight of authorizers. Section 209 of I-1240 places Washington in that trend. According to the National Alliance for Public Charter Schools, five states – Hawaii, Louisiana, Minnesota, Nevada and Ohio – either provide in law for approval of authorizers by a state board of education or other state education agency, or have recently required approval of all authorizers by the state for them retain their authorizing authority.

The model charter school legislation from which I-1240 is derived recommends approval of authorizers by a state education agency. The legislation in the 2012 legislative session that I-1240 follows, HB 2428 and SB 6202, included this requirement as well, applying it both to approval of school districts and higher education institutions seeking to be authorizers.

Action

The Board will review and consider approval of the proposed rules for public hearing.

Proposed Rules
Section 209, I-1240
Charter Authorizers Approval

Ben Rarick, Executive Director

Jack Archer, Senior Policy Analyst

State Board of Education

January 9, 2013

I-1240, Relating to Public Charter Schools

- I-1240, approved in the 2012 General Election, allows for up to 40 public charter schools over five years.
- Charter school: A public school governed by a charter school board and operated according to a charter contract with an authorizer.
- Eligible authorizers:
 - Local school boards that obtain approval from the SBE.
 - The Washington Charter School Commission.

I-1240, State Board of Education Role

- SBE has major responsibilities, including:
 - Approval of school districts as authorizers.
 - Oversight of the performance of authorizers.
 - Annual reporting on charter schools.
- Six sections identified for rule adoption by SBE.
- The first rules that must be adopted are to Section 209, concerning approval of authorizers.

Sec. 209, Approval of Authorizers

- Requires SBE to establish an annual application and approval process and timelines for school districts seeking to be charter school authorizers.
- Initial process and timelines must be established by March 6 (90 days from effective date).

What the Proposed Rules Do

- Set timeline for authorizer applications.
- Clarify and supplement required components of authorizer applications.
- Establish process and criteria for SBE decisions on authorizer applications.
- Clarify terms of the authorizing contract between the school district and SBE.

SBE Objectives for Rules

- ❖ Create a rigorous, fair and transparent process to ensure quality charter authorizing.
- ❖ Link rules closely to the text and intents of the law.
- ❖ Support SBE goals for achievement, accountability and basic education compliance.
- ❖ Allot adequate time for SBE and authorizers to carry out their duties.

Timelines for Authorizer Approval

(Projected school openings fall 2014)

Date	Action	Timeframe
March 6	Last day for SBE rule adoption on Sec. 209.	
April 1	SBE posts authorizer application. Districts submit letter of intent.	31 days
June 15	Last day for applications.	75 days
August 15	Last day for SBE decisions on applications.	60 days
TBD	<i>Submission of charter applications to all authorizers.</i>	

Applications – Clarifying Required Components

- Define “strategic vision for chartering.”
- Define “plan to support the vision,” including evidence of district capacity to execute responsibilities of quality charter authorizing.

Applications – Clarifying Required Components, cont.

- Link draft of RFP to requirements for RFPs in the law.
- Link draft of performance framework to requirements for performance frameworks in the law.
- Specify requirements for draft of proposed charter renewal, nonrenewal and revocation processes.

Applications – Additional Requirements

- Statements of assurance the district will:
 - Solicit applications for both new and conversion schools.
 - Ensure that the schools it authorizes will deliver appropriate services to students with disabilities.
 - Ensure that charter contracts include educational services meeting basic education requirements.

Evaluating authorizer applications – NACSA Standards

- SBE will consider whether proposed policies and practices are consistent with NACSA principles and standards for quality charter school authorizing in:
 - Organizational capacity
 - Soliciting and evaluating charter applications
 - Performance contracting
 - Ongoing charter school oversight and evaluation
 - Charter renewal decision making.

Approval of Authorizer Applications

- An approved application must be satisfactory in providing all required information.
- Not providing required information or meeting standards in any component of application is grounds for disapproval.

Authorizer Contract

- If application is approved, SBE must execute an authorizing contract within 30 days.
- The rules:
 - Specify terms of agreement between the approved authorizer and SBE.
 - Incorporate the district's "statements of assurance" in the contract.

Key Policy Questions

- Do the timelines allow sufficient time for districts to submit applications, and for SBE to review and approve or deny?
- Do the timelines leave sufficient time for the next steps in the charter school process?
- Is the proposed application and approval process clear, rigorous and fair?
- Do the rules support the goal of quality authorizing?

Next Steps

- Approve draft rules on Section 209 for CR 102 and public hearing.
- Tentatively scheduled for a special meeting in Olympia on February 26.
- *Section 209 rules must be adopted by March 6.*

Next Steps, cont.

Approve filing of CR 101 to start rule-making on other sections of I-1240:

- 211 – Authorizer oversight fee
- 212 – Authorizer oversight by SBE
- 214 – Timeline for charter applications
- 215 – Number of charter schools
- 221 – Charter school termination or dissolution

Initiative Measure 1240

NEW SECTION. **Sec. 209. AUTHORIZERS--APPROVAL.** (1) The state board of education shall establish an annual application and approval process and timelines for entities seeking approval to be charter school authorizers. The initial process and timelines must be established no later than ninety days after the effective date of this section.

(2) At a minimum, each applicant must submit to the state board:

(a) The applicant's strategic vision for chartering;

(b) A plan to support the vision presented, including explanation and evidence of the applicant's budget and personnel capacity and commitment to execute the responsibilities of quality charter authorizing;

(c) A draft or preliminary outline of the request for proposals that the applicant would, if approved as an authorizer, issue to solicit charter school applicants;

(d) A draft of the performance framework that the applicant would, if approved as an authorizer, use to guide the establishment of a charter contract and for ongoing oversight and evaluation of charter schools;

(e) A draft of the applicant's proposed renewal, revocation, and nonrenewal processes, consistent with sections 219 and 220 of this act;

(f) A statement of assurance that the applicant seeks to serve as an authorizer in fulfillment of the expectations, spirit, and intent of this chapter, and that if approved as an authorizer, the applicant will fully participate in any authorizer training provided or required by the state; and

(g) A statement of assurance that the applicant will provide public accountability and transparency in all matters concerning charter authorizing practices, decisions, and expenditures.

(3) The state board of education shall consider the merits of each application and make its decision within the timelines established by the board.

(4) Within thirty days of making a decision to approve an application under this section, the state board of education must execute a renewable authorizing contract with the entity. The initial term of an authorizing contract shall be six years. The authorizing contract must specify each approved entity's agreement to serve as an authorizer in accordance with the expectations of this chapter, and may specify additional performance terms based on the applicant's proposal and plan for chartering. No approved entity may commence charter authorizing without an authorizing contract in effect.

View the complete text of I-1240 at:

https://wei.sos.wa.gov/agency/osos/en/press_and_research/PreviousElections/2012/General-Election/Documents/I-1240_complete_text.pdf

DRAFT RULES

Section 209

I-1240, CHARTER SCHOOLS

WAC 180-XXX-XXX Definitions

(1) "Act" means Initiative 1240 as passed by the voters on November 6, 2012 and as codified in the revised code of Washington.

(2) "School district" or "district" means a school district board of directors.

(3) "Authorizer" shall have the same meaning as set forth in Sec. 201(3) of the Act.

(4) "Board" means the state board of education.

(5) "Authorizer application" or "application" means the form developed by the state board of education that must be completed and timely filed as set forth in these rules with the state board of education by a school district seeking approval to be a charter school authorizer.

WAC 180-XXX-XXX Notice of intent to submit an authorizer application

A school district intending to file an application during a calendar year to be approved as a charter school authorizer must submit to the state board of education a notice of intent to file such application by April 1 of that same year. A district may not file an authorizer application in a calendar year unless it has filed a timely notice of intent as provided for herein.

WAC 180-XXX-XXX Submission of authorizer application

(1) The state board of education shall develop and make available on its website, no later than April 1 of each year, an "authorizer application" that must be used by school districts seeking to be approved as a charter school authorizer. The application may include such attachments as deemed required by the board to support and complete the application.

(2) A school district seeking approval to be a charter school authorizer must submit an "authorizer application" to the state board of education by June 15 of the year in which the district seeks approval as an authorizer. The district's completed application must be sent via electronic mail to sbe@sbe.wa.gov with the original hand delivered or mailed to the board at the following address: Washington State Board of Education, 600 Washington St. SE, Olympia, Washington 98504. The original and electronic version of the application must be received by the Board no later than June 15 of the year in which the district submits its application.

(3) A school district must provide sufficient and detailed information regarding all of the following in the authorizer application submitted to the board [*Italicized text indicates language in I-1240.*]:

(a) *The district's strategic vision for chartering.* The district must state the purposes that it expects to fulfill in being an authorizer of charter schools, with specific reference to the

statutory purposes set forth in Sec. 101 of the Act, as well as any district-specific purposes that are a particular priority for the district ; the characteristics of the school or schools it is most interested in authorizing, while maintaining a commitment to considering all charter applicants based on the merits of their proposals and the likelihood of success; how the school or schools it wishes to authorize would differ from the schools the district currently operates with regard to leadership, staffing, schedule, curriculum, community engagement, or other features; the educational goals it wishes to achieve; how it will give priority to serving at-risk students, as defined in section 201 of the Act, or students from low-performing schools; and how it will protect the autonomy and promote the accountability of the charter schools it oversees.

(b) *A plan to support the vision presented, including explanations and evidence of the applicant's budget and personnel capacity and commitment to execute the responsibilities of quality charter authorizing.* "Budget and personnel capacity" means the district's capability of providing sufficient assistance, oversight and monitoring to ensure that the charter schools it authorizes will meet all fiscal, academic and operational requirements under the Act and comply with all applicable state and federal laws. A district's evidence of budget and personnel capacity shall consist, at a minimum, of a detailed description of the following:

(i) Staff resources to be devoted to charter authorizing and oversight under the Act, in full-time equivalent employees, at a level sufficient to fulfill its authorizing responsibilities in accordance with the "Principles and Standards for Quality Charter Authorizing" developed by the National Association of Charter School Authorizers and the provision of this act;

(ii) Job descriptions and professional qualifications of authorizing personnel, demonstrating the district's access to competent and necessary expertise in all areas essential to charter school oversight, including but not limited to: school leadership; curriculum instruction and assessment; special education, English language learners, and other diverse learning needs; performance management; law, finance and facilities, through staff and any contractual relationships or inter-agency collaborations; and

(iii) An estimate, supported by verifiable data, of the financial needs of the authorizer and a projection of sufficient financial resources, supported by the authorizer oversight fee under section 211 of this act and any other resources, to carry out its authorizing responsibilities in accordance with national principles and standards developed by the national association of charter school authorizers and the provisions of the act.

(c) *A draft or preliminary outline of the request for proposal(s) that the district would, if approved as an authorizer,*

issue to solicit charter school applicants. The draft or preliminary outline of the request for proposal(s) shall meet all of the requirements set forth in Section 213(1)(b), as codified, of the Act and demonstrate that the applicant intends to implement a comprehensive application process that follows fair procedures and rigorous criteria, and an evaluation and oversight process based on a performance framework meeting the requirements of this Act.

(d) *A draft of the performance framework that the district would, if approved as an authorizer, use to guide the establishment of a charter contract and for ongoing oversight and evaluation of charter schools.* The draft of the performance framework shall, at a minimum, meet the requirements of section 217(2) of the Act including specific descriptions of each indicator, measure and metric enumerated therein; and shall provide that student academic proficiency, student academic growth, achievement gaps in both proficiency and growth, graduation rates, and postsecondary readiness are measured and reported in conformance with the achievement index developed by the state board of education under RCW 28A.657.110.

(e) *A draft of the district's proposed renewal, revocation, and nonrenewal processes, consistent with sections 219 and 220 of the Act.* The draft provided must, at a minimum, provide for the implementation of transparent and rigorous processes that:

(i) Establish clear standards for renewal, nonrenewal, and revocation of charters it may authorize under section 210 of the Act;

(ii) Set reasonable and effective timelines for actions that may be taken under sections 219 and 220 of the Act;

(iii) Describe how performance data will be used in making decisions under sections 219 and 220 of the Act;

(iv) Outline a plan to take appropriate actions, or exercise sanctions short of revocation, in response to identified deficiencies in charter school performance or legal compliance, in accordance with the charter contract and the provisions of this act.

(4) A district must sign a statement of assurances submitted with its application, that shall be included as an attachment to the authorizing contract executed between the approved board and the state board of education, stating that it seeks to serve as an authorizer in fulfillment of the expectations, spirit, and intent of the act, and that if approved as an authorizer it will:

(a) Seek opportunities for authorizer professional development, and assure that personnel with significant responsibilities for authorizing and oversight of charter schools will participate in any authorizer training provided or required by the state;

(b) Provide public accountability and transparency in all matters concerning charter authorizing practices, decisions, and

expenditures;

(c) Solicit applications for both new charter schools and conversion charter schools, while appropriately distinguishing the two types of charter schools in proposal requirements and evaluation criteria.

(d) Ensure that any charter school it oversees shall have a fully independent governing board and exercise autonomy in all matters, to the extent authorized by this act, in such areas as budget, personnel and educational programs.

(e) Ensure that the schools it authorizes will deliver appropriate services to students with disabilities, and will provide access to, and appropriately serve, other special populations of students as required by state and federal law.

(f) Include in any charter contract it may execute with the governing board of an approved charter school, in accordance with section 216(2) of this act, educational services that at a minimum meet the basic education standards set forth in RCW 28A.150.220.

WAC 180-XXX-XXX Evaluation and approval or denial of authorizer applications

(1) The board shall evaluate an application submitted by a school district seeking to be an authorizer and issue a decision approving or denying the application by August 15 of each year. The state board may utilize the services of external reviewers with

expertise in educational, organizational and financial matters in evaluating applications.

(2) For an application to be approved, the state board must find it to be satisfactory in providing all of the information required to be set forth in the application. The board will also consider whether the district's proposed policies and practices are consistent with the principles and standards for quality charter school authorizing developed by the national association of charter school authorizers, as required by section 210(3) of the Act, in at least the following areas:

(a) Organizational capacity: Commit human and financial resources necessary to conduct authorizing duties effectively and efficiently;

(b) Solicitation and evaluation of charter applications: Implement a comprehensive application process that includes clear application questions and rigorous criteria, and grants charters only to applicants who demonstrate strong capacity to establish and operate a charter school;

(c) Performance contracting: Execute contracts with charter schools that articulate the rights and responsibilities of each party regarding school autonomy, funding, administration and oversight, outcomes, measures for evaluating success or failure, performance consequences, and other material terms;

(d) Ongoing charter school oversight and evaluation: Conduct contract oversight that competently evaluates performance and monitors compliance, ensures schools' legally entitled autonomy, protects student rights, informs intervention, revocation and renewal decisions, and provides annual reports as required by this Act, and

(e) Charter renewal and revocation processes: Design and implement a transparent and rigorous process that uses comprehensive academic, financial and operational performance data to make merit-based renewal decisions, and revokes charters when necessary to protect student and public interests.

A determination that an application does not provide the required information, or does not meet standards of quality authorizing in any component, shall constitute grounds for disapproval.

(3) The state board of education shall post on its website the applications of all school districts approved as authorizers. A school district approved as an authorizer shall post its application on a public web site.

(4) If the state board disapproves an application, it shall state in writing the reasons for the disapproval, with specific reference to the criteria established in the charter rules.

WAC 150-XXX-XXX Authorizing contract

(1) If the board approves a district's application, it shall execute a renewable authorizing contract with the school district within 30 days of its decision. The contract shall specify the district's agreement to serve as an authorizer in accordance with the expectations of the act and specify additional performance terms based on the district's proposal and plan for chartering as set forth in its application.

(2) The statement of assurances submitted with an authorizer application shall be incorporated as an attachment to the authorizing contract and incorporated by reference as if fully set forth therein.

Summary of Draft Rules I-1240 Sec. 209

Letter of intent. School district boards of directors intending to apply to be a charter school authorizer must submit a letter of intent by April 1. A district may not file an application if it has not submitted a letter of intent.

Timeline for authorizer applications. SBE must post an authorizer application no later than April 1. The completed application must be received by June 15 (75 days from posting date.)

Required components of the authorizer application

- *Strategic vision for chartering* – The district’s statement of purposes, a description of the characteristics of the schools it is most interested in authorizing, the goals it wishes to achieve, how it will give priority to at-risk students or students from low-performing schools and how it will protect the autonomy and accountability of the charter schools it oversees.
- *Plan to support the vision presented, including budget and personnel capacity* – “Budget and personnel capacity” means the amount of staff to be devoted to chartering duties, the positions and qualifications of chartering staff, and the projected financial needs and resources of the authorizing office.
- *Draft of the request for proposals the district would use to solicit charter applications* – Must meet all the requirements for RFPs in Sec. 213 and demonstrate that the charter application process follows fair procedures and rigorous criteria.
- *Draft of the performance framework to guide the charter contract and for oversight and evaluation* – Must at a minimum meet all the requirements of Sec. 217. Measures of student performance must conform to the SBE Achievement Index.
- *Draft of charter renewal, revocation and nonrenewal processes* – Must establish clear standards, set effective timelines, describe how performance data will be used in making decisions, and have a plan for intervention in response to identified deficiencies.
- *A statement of assurance* that the district will:
 - Seek opportunities for authorizer professional development;
 - Provide public accountability and transparency in all authorizing functions;
 - Solicit applications for both new and conversion charter schools;
 - Ensure that that the charter schools it oversees has an independent governing board and exercises autonomy in all matters as authorized by the act.
 - Ensure that appropriate services are delivered to students with disabilities and other special populations;
 - Ensure that any charter contract it executes includes educational services that meet basic education standards in RCW 28A.150.220.

Evaluation and approval or denial of applications

- SBE must evaluate applications and approve or disapprove by August 15 (60 days from closing date for applications).

- An approved application must be found satisfactory in providing all information required.
- SBE will also consider whether proposed policies and practices are consistent with the Principles & Standards for Quality Charter School Authorizing established by the National Association of Charter School Authorizers in at least:
 - Organizational capacity;
 - Solicitation and evaluation of charter applications;
 - Performance contracting;
 - Ongoing charter school oversight and evaluation;
 - Charter renewal and revocation.
- A finding that an application does not provide the required information or does not meet standards of quality authorizing in any component is grounds for disapproval.
- The SBE must state in writing the specific reasons for disapproval of an application.

Authorizing contract

- The required contract between SBE and an approved authorizer will specify the district's agreement to serve as an authorizer in accordance with the act and specify additional performance terms based on the plan for chartering in the district's application.
- The statement of assurances is incorporated in the authorizing contract.

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	CR 101: I-1240 Rules	
As Related To:	<input checked="" type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	<ol style="list-style-type: none"> 1. What provisions of I-1240, Relating to public charter schools, require rule-making by the SBE? 2. Why file a CR 101, Preposal Statement of Inquiry, for each of these provisions now? 3. What is an appropriate schedule for rule-making on these provisions? 	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input checked="" type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	<p>In November, SBE approved the filing of a CR 101 to provide notice of rule-making on Section 209 of I-1240, concerning an initial process and timelines for approval of school district boards of directors seeking to be authorizers of charter schools. Staff have identified nine additional sections or subsections of I-1240 that may require the adoption of rules by SBE. These are enumerated in the CR 101 and detailed in the document, "I-1240 Provisions for SBE Rule-Making," to be found in your packet. Unlike Sec. 209, these sections set no specific dates by which actions must be taken by SBE. Subsequent to approval of the CR 101, SBE will determine a necessary and appropriate schedule for rule-making for these sections.</p>	

I-1240 Provisions for SBE Rule-Making

Section	Subject	Provision	Timeline	Status
209	Authorizers -- approval	<p>(1) The state board of education shall establish an annual application and approval process and timelines for school district boards of directors seeking approval to be charter school authorizers. The initial process and timelines must be established no later than ninety days after the effective date of this section.</p> <p>(3) The state board of education shall consider the merits of each application and make its decision whether to grant approval within the timelines established by the board.</p>	<p>Rule adoption required by 3/6/13.</p> <p>Rule adoption required by 3/6/13.</p>	<p>CR 101 filed 11/26/12.</p> <p>CR 102 scheduled for approval to file 1/10/13.</p>
211	Authorizers -- funding	<p>(1) The state board of education shall establish a statewide formula for an authorizer oversight fee, which shall be calculated as a percentage of the state operating funding allocated under section 223 of this act to each charter school, but may not exceed four percent of each charter school's annual funding.</p> <p>(2) The state board of education may establish a sliding scale for the authorizer oversight fee, with the funding percentage decreasing after the authorizer has achieved a certain threshold . . .</p>	None specified. TBD.	<p>CR 101 scheduled for approval to file 1/10/13.</p> <p>CR 101 scheduled for approval to file 1/10/13.</p>
212	Authorizers -- oversight	<p>(4) If at any time the state board of education finds that an authorizer is not in compliance with a charter contract, its authorizing contract, or the authorizer duties under section 210 of this act, the board must notify the authorizer in writing of the identified problems, and the authorizer shall have reasonable opportunity to respond and remedy the problems.</p> <p>(5) If an authorizer persists after due notice from the state board of education in violating a material provision of a charter contract or its authorizing contract, or fails to remedy other identified authorizing problems, the state board of education shall notify the authorizer, within a reasonable amount of time under the circumstances, that it intends to revoke the authorizer's chartering authority unless the authorizer demonstrates a timely and satisfactory remedy for the violation.</p> <p>(7) The state board of education must establish timelines and a process for taking actions under this section in response to performance deficiencies by an authorizer.</p>	TBD.	<p>CR 101 scheduled for approval to file 1/10/13.</p> <p>CR 101 scheduled for approval to file 1/10/13.</p> <p>CR 101 scheduled for approval to file 1/10/13.</p>

Section	Subject	Provision	Timeline	Status
214	Charter applications – decision process	(1) The state board of education must establish an annual statewide timeline for charter application submission and approval or denial, which must be followed by all authorizers.	TBD.	CR 101 scheduled for approval to file 1/10/13.
215	Number of charter schools	(2). . . The state board of education shall establish for each year in which charter schools may be authorized as part of the timeline to be established pursuant to section 214 of this Act, the last date by which the authorizer must submit [the report to the applicant and the SBE of the action to approve or deny a charter application, as provided in this section.] (3) . . . If the board receives simultaneous notification of approved charters that exceed the annual allowable limits in subsection (1) of this section, the board must select approved charters for implementation through a lottery process, and must assign implementation dates accordingly.	TBD. Will be included in rules under Sec. 214(1).	CR 101 scheduled for approval to file 1/10/13. CR 101 scheduled for approval to file 1/10/13.
221	Charter school termination or dissolution	(3) A charter contract may not be transferred from one authorizer to another or from one charter school applicant to another before the expiration of the charter contract term except by petition to the state board of education by the charter school or its authorizer. The state board of education must review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the charter school's students.	TBD.	CR 101 scheduled for approval to file 1/10/13.

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Consideration of a State Board of Education Position Statement: Modifications to the State Assessment System to Support Career and College Readiness	
As Related To:	<input type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input checked="" type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input checked="" type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input checked="" type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations/ Key Questions:	<p>How will adoption of the Common Core State Assessment and the projected adoption of the Next Generation Science Standards affect the state assessment system? More specific questions include:</p> <ul style="list-style-type: none"> · What is the role of an 11th grade CCSS assessment? · What will be the role of SBE in setting cut scores for CCSS assessments? · What high school assessments should be required for graduation? <p>SBE is authorized by RCW 28A.230.090 to set high school graduation requirements including the certificate of academic achievement and certificate of individual achievement (RCW 28A.230.090 (1)(b)). The Superintendent of Public Instruction is required to consult with SBE on the assessment system (RCW 28A.655.070(3)(a)).</p>	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input checked="" type="checkbox"/> Adopt <input type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input checked="" type="checkbox"/> PowerPoint	
Synopsis:	<p>SBE Assessment Committee leads, Connie Fletcher, Kevin Laverty, Tre' Maxie and Matthew Spencer will review options for changes to the high school assessment system as a result of the implementation of Common Core State Standards.</p>	

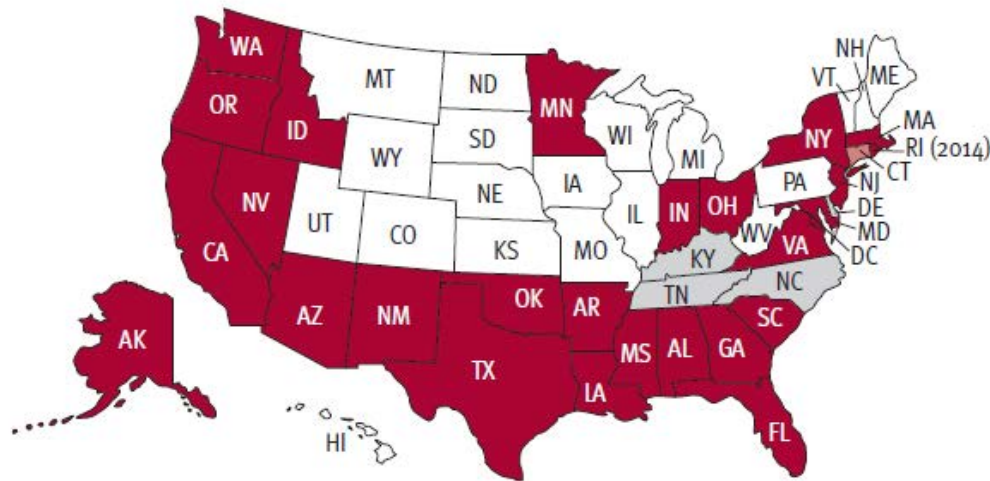
Modifications to the State Assessment System to Support Career and College Readiness for All Students

Context for a Discussion
January 9, 2013

Assessment Committee Members:
Connie Fletcher, Kevin Laverty, Tre' Maxie, Matthew Spencer
Staff: Linda Drake, Senior Policy Analyst

Exams Required for High School Graduation in State Assessment Systems

- Twenty-six states have current or planned exit exam policies
- Sixty-nine percent of the nation's students must pass exit exams to graduate



State has or will implement an exit exam that students must pass to graduate:

AL, AK, AR, AZ, CA, FL, GA, ID, IN, LA, MA, MD, MN, MS, NJ, NV, NM, NY, OH, OK, OR, RI [2014], SC, TX, VA, WA
(26 states)

State has end-of-course tests that students must take, but not necessarily pass, to graduate:

KY, NC, TN (3 states)

State plans to require students to take exam (class of 2020) but has not yet determined whether students must pass exam to graduate:

CT (1 state)

(Center for Education Policy, 2012)



Common Core Assessment Consortia

PARCC

Partnership for the Assessment of College and Careers

- 23 states
- Fixed-form delivery
 - Students take one of several fixed equated sets of items and task, delivered either by paper-and-pencil or by computer
- High school math assessments designed to be end-of course assessments

SBAC

Smarter Balanced Assessment Consortium

- 27 States
- Adaptive testing designed for computer delivery
 - Computer software will dynamically adopt test items based on student responses
- Assessments are intended to be summative and comprehensive
 - An optional interim assessment system will make it possible for states to build end-of-course tests

Common Core State Standards and Exit Exams



Twenty-two states:

- Have adopted Common Core State Standards (CCSS), and
- Have exit exams, assessments required for high school graduation

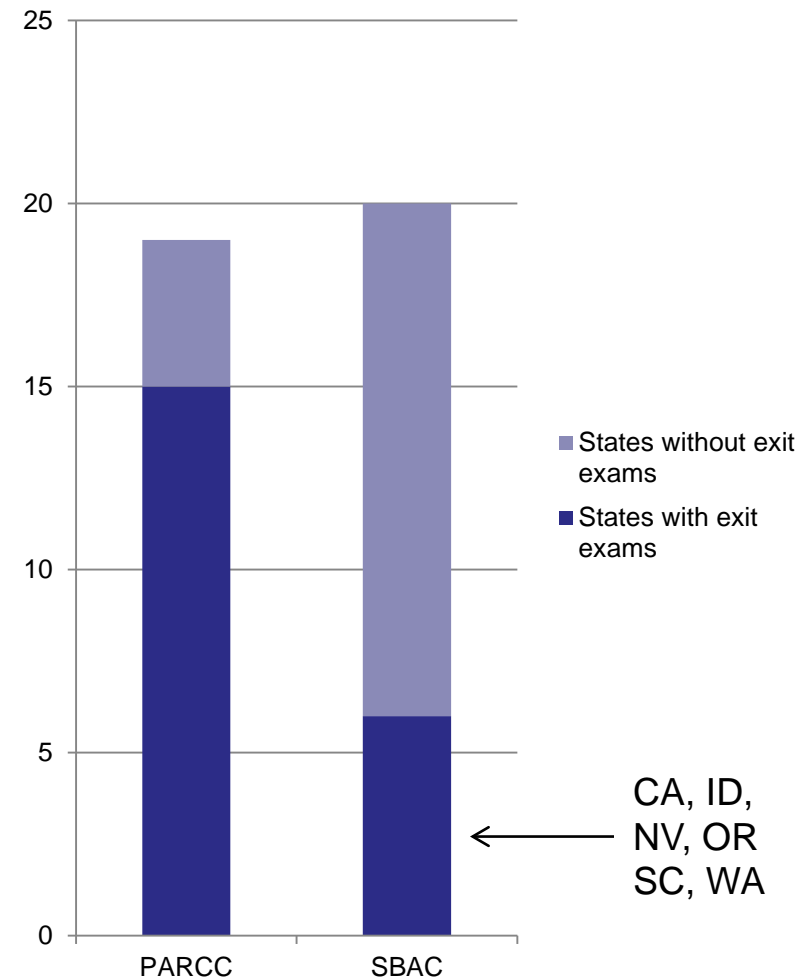
Option	Number of states	States
Plans to replace current exit exams with PARCC assessments	13	Arizona, Arkansas, Florida, Indiana, Louisiana, Maryland, Massachusetts, Mississippi, new jersey, New Mexico, Ohio, Oklahoma, Rhode Island
Plans to replace current exit exams in both English language arts and math with SBAC assessments	3	Idaho, Nevada, Oregon
Plans to replace current exit exams with new state assessments align to CCSS	2	Alabama, New York (In New York, either new state assessment or PARCC)
Do not yet know	2	South Carolina, Washington
Plans to continue with current exams	1	California
Phasing out exit exam requirement	1	Georgia

(Center for Education Policy, 2012)

Common Core Assessment Consortia and Exit Exams

Washington shares the situation of requiring exit exams and being a member of SBAC with five other states:

- California
- Idaho
- Nevada
- Oregon
- South Carolina
- Alabama and Pennsylvania have exit exams, but are members of both PARCC and SBAC



SBAC States with Exit Exams



Washington, South Carolina, Nevada, Idaho, California, Oregon

State	Type of exit exam	Grade when typically given	Plans for SBAC (Center for Education Policy Report and state websites)
Washington	Comprehensive reading and writing; EOCs in math and science.	10 th	Not decided.

SBAC States with Exit Exams



Washington, South Carolina, Nevada, Idaho, California, Oregon

State	Type of exit exam	Grade when typically given	Plans for SBAC (Center for Education Policy Report and state websites)
Washington	Comprehensive reading and writing; EOCs in math and science.	10 th	Not decided.
South Carolina	Comprehensive English language arts and math.	10 th	Not decided.
Nevada	Comprehensive math, reading, writing, and science.	10 th	Replace current exams with SBAC.

SBAC States with Exit Exams



Washington, South Carolina, Nevada, Idaho, California, Oregon

State	Type of exit exam	Grade when typically given	Plans for SBAC (Center for Education Policy Report and state websites)
Washington	Comprehensive reading and writing; EOCs in math and science.	10 th	Not decided.
South Carolina	Comprehensive English language arts and math.	10 th	Not decided.
Nevada	Comprehensive math, reading, writing, and science.	10 th	Replace current exams with SBAC.
Idaho	Comprehensive reading, language usage, and math.	10 th	Replace current exams with SBAC, timing yet to be determined.

SBAC States with Exit Exams



Washington, South Carolina, Nevada, Idaho, **California**, Oregon

State	Type of exit exam	Grade when typically given	Plans for SBAC (Center for Education Policy Report and state websites)
California	Comprehensive English language arts and math.	10 th	Continue using current state tests as exit exams; California standards include additional standards to CCSS.

SBAC States with Exit Exams



Washington, South Carolina, Nevada, Idaho, California, **Oregon**

State	Type of exit exam	Grade when typically given	Plans for SBAC (Center for Education Policy Report and state websites)
Oregon	Comprehensive reading and writing in 2013; reading, writing and math in 2014. Assessments: <ul style="list-style-type: none">• State standards-based assessment;• PSAT, ACT, PLAN, Work Keys, Compass, ASSET, SAT;• or, samples of student work locally scored using state scoring guides.	11 th	Replace current exams with SBAC. Current high school achievement level will be aligned with the SBAC scoring scale. The achievement level will be held steady during a transition period for the purposes of high school graduation.



Summary

- The transition to CCSS-based assessments presents challenges for all states adopting the new standards, and they have responded in a variety of ways.
- Most states that have adopted CCSS plan on replacing current exit exams in English language arts and math with new assessments aligned to the new standards (PARCC or SBAC).
- No state has specified plans to set CCSS assessment consortia college- and career-readiness achievement levels as required for high school graduation.

Key Discussion Questions (and Assessment Committee discussion leads)

Question 1: Should Washington require students to pass assessments to earn a high school diploma? (5 min., Connie)

Question 2 and 3: Should passage of the 11th grade SBAC be required for a high school diploma? And should the SBE set the cut-score for earning a diploma? (35 min., Kevin)

Question 4: Should we continue to require 10th grade assessments? (20 min., Tre')

Question 5: Should high school science assessment remain only biology EOC? (5 min., Connie)

Question 6: Should students be given the option to demonstrate career readiness as an alternative to required assessments (by earning a career certification or by earning a qualifying score on Work Keys or ASVAB)? (5 min., Kevin)

Question 7: What should the eligibility criteria be for accessing alternative assessments? (5 min., Matthew)

DRAFT State Board of Education Position Statement on High School Assessment and Exit Exams

State Board of Education Assessment Committee: Connie Fletcher, Kevin Laverty, Tre' Maxie, and Matthew Spencer.

January, 2013

With the full implementation of the Common Core State Standards in 2014-2015, a key question facing policymakers is should the 11th grade Smarter Balanced Consortium (SBAC) tests be layered on top of our existing high school assessment system or should they be integrated into a reformed assessment system?

SBE position on high school assessment and exit exams:

- SBE continues to support exit exams that students must pass to earn high school diplomas. SBE finds that exit exams reinforce the teaching and learning of standards and help ensure all students are prepared to succeed in college and careers.
- SBE finds that SBAC assessments delivered adaptively by computer have the potential to preserve instructional time and provide precise and responsive results for students and educators.
- SBE finds that using the 11th grade SBAC test with SBE-determined cut scores as a high school exit exam is consistent with the goal of college- and career-readiness for all students. Cut scores that SBE will identify for SBAC exit exams may be different from the consortium-determined college-ready scores that will be reported for federal accountability. SBE does not believe consortium-determined scores should decide which students in Washington graduate from high school, especially during the first years of implementation of new assessments for graduation. Many other states are considering a similar use of Common Core assessments; 16 of the 25 states that administer exit exams, are planning on replacing state exit exams with SBAC or PARCC (Partnership for the Assessment of Readiness for College and Careers) assessments.
- SBE supports exploring ways for students to demonstrate career skills and career readiness as alternatives to required assessments as part of future assessment systems.
- SBE is concerned with the narrowing of science curricula due to implementing the Biology EOC as an exit exam for all students and supports exploring a broader range of ways that students can be assessed in science.
- SBE recognizes the operational challenges of implementing new standards and new assessments. Some changes will need further study and consideration as the state moves forward with implementation over a period of transition. Using an 11th grade exit exam will impact the schedule of alternative assessments available. SBE encourages further study and consideration of what is logistically possible to maximize options for students.

Washington State Board of Education Assessment Committee Working Paper on High School Assessments and Exit Exams, January 2013

SBE Assessment Committee: Connie Fletcher, Kevin Lavery, Tre' Maxie and Matthew Spencer

Executive Summary

The full implementation of the Common Core State Standards (CCSS) in the 2014-2015 school year will result in new assessments in English language arts and mathematics. The question facing policymakers is beyond the federally required assessments: what other assessments should be administered in high school? And which of these assessments, if any, should be exit exams required for high school graduation?

In this working paper the SBE Assessment Committee outlines positions on four policy considerations. These positions represent the discussions of the committee and do not represent the official position of the State Board of Education. The policy considerations are:

- Should Washington require that students pass assessments to earn a diploma?
- Should the 11th grade Smarter Balanced Assessment Consortium (SBAC) tests be required to earn a diploma?
- Should the high school science assessment remain a 10th grade end-of-course (EOC) exam?
- Should Washington continue early high school assessments in reading, writing, and math?

Should Washington require that students pass assessments to earn a diploma?

The SBE Assessment Committee continues to support exit exams, assessments that students must pass to earn high school diplomas. The SBE Assessment Committee finds that exit exams can reinforce the teaching and learning of standards and help ensure all students are college- and career-ready.

Should the 11th grade SBAC assessments be required to earn a diploma?

Using the 11th grade SBAC assessment as an exit exam is consistent with college- and career-readiness for all students. The SBE Assessment Committee supports using the SBAC assessments as high school graduation requirements with scores that meet graduation standards identified by the SBE, as authorized by Washington law.

Although the ultimate goal is for all students to be college- and career-ready, the cut scores identified for graduation by the SBE may be different from the college-ready scores identified by the Smarter Balanced Assessment Consortium during a transition period of implementation. The consortium-determined college-ready scores will be reported for the state, since common standards and assessments make no sense across states without common cut scores. However, the SBE Assessment Committee does not believe the consortium-determined scores should decide which students in Washington graduate from high school during the first years of implementation. Furthermore, the SBE Assessment Committee supports exploring ways for students to demonstrate career readiness as a way of meeting graduation requirements.

Should the high school science assessment remain a 10th grade Biology EOC exam?

The SBE Assessment Committee is concerned with the narrowing of science curricula due to implementing the Biology EOC as an exit exam for all students. The SBE Assessment Committee supports the development of additional EOCs, and students could meet standard in science by passing one of several science assessments.

Should Washington continue early high school assessments in reading, writing, and math?

The SBE Assessment Committee supports students and schools having early high school information on whether students are on track for graduation and on track for successful post-secondary education or careers. The SBE Assessment Committee will explore options for providing this information.

Addendum to Executive Summary: Superintendent Randy Dorn has announced his intention to seek legislation on high school assessments. Further information on Superintendent Dorn's proposals may be found at:

<http://www.k12.wa.us/Communications/PressReleases2012/DornProposesChanges-Assessment.aspx>

Washington State Board of Education Assessment Committee Working Paper on High School Assessments and Exit Exams, January 2013

Introduction

The full implementation of the Common Core State Standards (CCSS) in the 2014-2015 school year will result in new assessments in English language arts and mathematics. Washington is one of 25 member states of the Smarter Balanced Consortium (SBAC) that is developing CCSS-aligned assessments. SBAC members have committed to using 11th grade SBAC comprehensive assessments for federal accountability. In addition, the No Child Left Behind Act requires high school science to be assessed at least once in high school. Therefore, minimally for federal accountability by 2014-2015, high school students will need to take three high school assessments: an 11th grade comprehensive test in English language arts, an 11th grade comprehensive test in math, and a science assessment, which for Washington currently is a Biology end-of-course exam (EOC) (see Table 1).

Table 1 – Exams required for federal accountability and exit exams

Content area	Assessments for federal accountability in 2014-2015	Washington exit exams for the class of 2015 and beyond
English language arts	11 th grade comprehensive SBAC assessment in English language arts	10 th grade comprehensive reading
		10 th grade comprehensive writing
Math	11 th grade comprehensive SBAC assessment in mathematics	Math 1 EOC (algebra 1 or integrated math 1)
		Math 2 EOC (geometry or integrated math 2)
Science	Biology EOC (generally 10 th grade)	

The question facing policymakers such as the legislature, the Superintendent of Public Instruction, and the State Board of Education is beyond the federally required assessments, what other assessments should be administered in high school? And which of these assessments, if any, should be exit exams required for high school graduation?

Under current Washington law the Class of 2015 will need to pass five exit exams to graduate. These exit exams (shown in Table 1) include 10th grade comprehensive reading, 10th grade comprehensive writing, the Biology EOC exam, a first-year math EOC exam, and a second-year math EOC exam. Therefore, another key question facing policy makers is whether to consolidate or to replace some of these exams as we transition to CCSS.

The State Board of Education (SBE) is authorized by law (RCW 28A.230.090) to set high school graduation requirements and to identify the scores that meet standard on statewide assessments (28A.305.130 (4)(b)). In addition, the Superintendent of Public Instruction must consult with the SBE to “maintain, continue to develop and revise a statewide academic assessment system” (RCW 28A.655.070 (3)(a)).

The determination of which high school assessments should be required for system accountability and which high school exit exams should be required for students to earn a diploma are interlocking issues that engage comprehensive aspects of the SBE's role in the state: system oversight, policy leadership, and advocacy for student success.

In this working paper the SBE Assessment Committee outlines its position on four policy considerations. These positions represent the discussions of the committee and do not represent the official position of the State Board of Education. The policy considerations are:

- Should Washington require that students pass assessments to earn a diploma?
- Should the 11th grade SBAC assessments be required to earn a diploma?
- Should the high school science assessment remain a 10th grade EOC exam?
- Should Washington continue to require early high school assessments in reading, writing, and math?

Should Washington require that students pass assessments to earn a diploma?

Policy position

The SBE Assessment Committee continues to support exit exams, assessments that students must pass to earn a high school diploma. The SBE Assessment Committee finds that exit exams can reinforce the teaching and learning of standards and help ensure all students are college- and career-ready.

Background

The Washington Class of 2008 was the first class required to pass comprehensive state exit exams in reading and writing. Twenty-six states will require exit exams by 2014, a number that has increased from 18 states in 2002. The recent increase in exit exams has generally grown out of standards-based education reforms, as well as the accountability requirements of the No Child Left Behind Act (Center on Education Policy, 2002). The primary reasons given for the requirements are to make the high school diploma more meaningful and to assess mastery of state standards and curricula.

While the use of exit exams has increased, there is not a consensus on their value. Critics of exit exams argue that the tests disproportionately impact some student groups, could increase dropout rates, and narrow curricula to only what is tested. Recently, four states have decided to phase out their exit exam requirement: North Carolina, Tennessee, Alabama, and Georgia. In view of the changes engendered by the adoption of the CCSS, it seems timely to revisit this policy.

Data and research on exit exams yield mixed conclusions. According to the Center for Education Policy (September, 2012), “the impacts of exit exams on student achievement, dropout rates, and other outcomes for historically lower-performing groups are not fully known and have yet to be fully addressed.”

Overall, state exit exam requirements have not been correlated to higher dropout rates in those states; however, detailed studies have shown varied impacts. New Jersey students who barely failed an exit exam were somewhat more likely to dropout than students who barely passed (Ou, 2009), while a study of Texas data showed that failing an exit exam did not cause student to dropout early, but was associated with reduced post-secondary attainment (Martorell, 2004).

Bishop and Mane (2004) examined a range of educational policies using international data and concluded that curriculum-based external exit exams combined with higher academic course requirements was the only policy combination studied that resulted in higher achievement for all students and a reduction of the achievement gap. Fuller and Johnson (2001) studied the impact of the state accountability system on children of color and children from low-income homes and found that “the state accountability system can drive improvements in school performance for children of color and children from low-income homes.” They further argued that the power of the system was tied less to the structure of the tests than to “the structure of the rating system, the use of disaggregated data, and the mandate that districts get substantial percentages of each demographic group of students to achieve state expectations.”

Both participation rates on high school assessments and the achievement levels attained by students on the assessments are likely to be increased due to the assessments being required for graduation. A study by The College Board found students are motivated to perform higher on tests for which there are consequences (Liu, 2012). Assessments used for accountability need to have meaning for

students, so that students show up and do their best work. High school assessments that are required for graduation serve as an incentive to students to perform well and as an incentive to the education system to develop quality assessments that are well aligned with teaching and learning.

Summary

The SBE Assessment Committee finds the most substantial arguments in favor of continuing the use of exit exams in the state is the role of the exams in reinforcing the teaching and learning of standards and in helping to ensure all students are college- and career-ready. The use of tests required for academic advancement is an accepted practice nationally and internationally. Although there is a lack of a consensus of research linking exit exams to improved student achievement, assessments that are graduation requirements clearly can be tools for increasing student and school performance. The SBE Assessment Committee supports continuing high school assessments that students are required to pass to earn high school diplomas.

Should the 11th grade SBAC assessment be used as an exit exam?

Policy position

Using the 11th grade SBAC assessment as an exit exam is consistent with college- and career-readiness for all students. The SBE Assessment Committee supports using the SBAC assessments as high school graduation requirements with scores that meet graduation standards identified by the SBE, as authorized by Washington law. Although the ultimate goal is for all students to be college- and career-ready, the scores identified for graduation by the SBE may be different from the college-ready scores identified by the Smarter Balanced Assessment Consortium. The consortium-determined college-ready scores will be reported for Washington, since common standards and assessments make no sense without common cut scores. However, the SBE Assessment Committee does not believe the consortium-determined scores should decide which students in Washington graduate from high school. Furthermore, the SBE Assessment Committee supports exploring ways for students to demonstrate career-readiness as a way of meeting graduation requirements.

Background

Currently in Washington, 9th through 12th grade students take assessments for graduation, with most students meeting the requirements by the end of 10th grade. Reading and writing are administered to students in 10th grade; most students take the Math1 EOC in the 9th grade and the Math2 EOC and Biology EOC in the 10th grade. For comparison, Table 2 shows the grade level of states' comprehensive exit exams.

Two advantages to students sitting for exit exams early in their high school careers are that there are multiple chances for retaking the exam if they are not successful, and there is sufficient time for remediation. A disadvantage to early-high-school exit exams is that by necessity, the exam must assess early high school content.

Table 2 – Grade level of states' exit exams (Center on Education Policy, 2012)

Grade level of comprehensive exit exams	Number of states	Which states
10 th grade	11	Alaska, Arizona, California, Florida, Idaho, Massachusetts, Minnesota, Ohio, Rhode Island, South Carolina, Washington
11 th grade	7	Alabama, Georgia, Minnesota, New Jersey, New Mexico, Oregon, Texas
12 th grade	1	Nevada

While most states currently have their exit exams at a 10th grade level, there are indications this is changing. For some states, 10th grade assessments grew out of reform movements of the 1970's minimum competency tests. More recently the stated purpose of the tests is as an indicator of college- and career-readiness. Tenth grade assessments made sense for minimum competency tests, but tests scaled to the educational level of a typical 16-year-old no longer work as well for assessments intended to indicate readiness for post-secondary education and work. The shift away from minimum competency towards college- and career-readiness is reflected in states' plans for using CCSS assessments (shown in Table 3). Sixteen states plan on using CCSS consortia (PARCC

and SBAC) assessments as high school exit exams, shifting exit exams to college and career standards and to a higher grade and academic level.

Table 3 – How states plan on using CCSS assessments (Center on Education Policy, 2012)

Option	Number of states	Which states
Plans to replace current exit exams with PARCC assessments	13	Arizona, Arkansas, Florida, Indiana, Louisiana, Maryland, Massachusetts, Mississippi, new jersey, New Mexico, Ohio, Oklahoma, Rhode Island
Plans to replace current exit exams in both English language arts and math with SBAC assessments	3	Idaho, Nevada, Oregon
Plans to replace current exit exams with new state assessments align to CCSS	2	Alabama, New York (In New York, either new state assessment or PARCC)
Do not yet know	2	South Carolina, Washington
Plans to continue with current exams	1	California
Phasing out exit exam requirement	1	Georgia

Other exams intended to assess postsecondary success, for example the SAT and ACT, are generally taken by students at the end of their junior year or beginning of their senior year. These tests are used by institutes of higher education for admissions requirements. Colleges and universities value the information provided by these 11th and 12th grade tests, and are likely to see test results of older students at more advanced levels of high school education to be better indications of post-high school success than tests administered to younger students. If Washington state high school exit exams were recognized by institutions of higher education as indicators of post-high school success it would help students and parent recognize the link between high school achievement and post-secondary success.

Would an 11th grade test allow sufficient time for struggling students to receive remediation and retake the exam? The SBAC assessment will be a computer-adaptive test with items scored by computer combined with some performance tasks that are educator-scored. The consortium expects test results to be available within two weeks after students complete a test. With such swift scoring results (compared to three to four months currently) it will be possible for students to retake the test before the end of the school year. An 11th grade student who fails the exam twice at the end of his or her junior year would have senior year to remediate and retake the exam. Such students may enroll in collection of evidence classes. Data on pass rates for collections of evidence suggest that the approach may be effective in both remediating students so they are successful in retaking the assessment and in demonstrating the meeting of standards through evaluation of their evidence portfolios. Ideally, students who are not successful in an 11th grade exit exam would engage in remediation activities during their senior year and retake the exit exam their senior year. If a student fails the assessment as a senior there should be an alternate assessment available, such as a collection of evidence portfolio that could be scored in time for the student to be able to graduate on-time if he or she is successful in demonstrating meeting standards through alternate assessment.

Summary

The SBE Assessment Committee recommends transitioning towards using the 11th grade SBAC assessment in English language arts and math as exit exams. College- and career-readiness should be an underlying objective of the high school assessment system. The adoption of the CCSS supports this objective, and the use of SBAC assessments as exit exams would be another piece of the scaffolding.

While 11th grade exit exams leave less time for remediation, the SBE Assessment Committee advocates a system that would support students before and after the exam to provide sufficient preparation, adequate remediation, and opportunities for retaking. Alternate assessments options, including collections of evidence, should remain available to seniors who are not successful in passing exit exams by the end of their 11th grade year. Students who pursue collection of evidence should retake the exam before collections are scored, to take advantage of the remediation value of collections of evidence prior to the scoring process.

The SBE Assessment Committee also recommends exploring options for career-readiness assessments that could meet graduation requirements. The SBE Assessment Committee affirms that college-readiness is an excellent basis for career preparation and readiness. However, the CCSS are academic standards and may not describe many areas of career skills.

The cut scores that the SBE will determine for high school graduation may not be the same as the consortium-determined scores for college- and career-readiness, although college- and career-readiness remain the goals for all students. The SBE Assessment Committee supports reporting pass rates using consortium-determined scores for federal accountability, but not necessarily for determining which Washington high school students earn diplomas.

Should the high school science assessment remain a 10th grade Biology EOC exam?

Policy position

The SBE Assessment Committee is concerned with the narrowing of science curricula by limiting EOC implementation just to a Biology EOC. The SBE Assessment Committee supports the development of additional EOCs or use of other assessments, such as the SAT subject test. The Committee also supports students meeting standard in science by passing one of several science assessments.

Background

In 2011 the Washington legislature passed ESHB 1410, which set the exit exam for science for the Class of 2015 and beyond as an EOC in Biology. Biology was chosen as the science exit exam content area because enrollment patterns shows that over 93% of high school students took biology during their high school careers (OSPI, 2010), so making it a requirement would minimize the impact on students and schools. ESHB 1410 also directed OSPI to develop additional EOCs when directed by the legislature.

SBE played a role in the development of an assessment system that included EOCs in math and science by conducting studies on the impact of EOCs:

- *The Role of Statewide End-of-Course Assessments in High School Assessment Systems: A Study for the Washington State Board of Education*, prepared by Education First Consulting, LLC, January 2008

This study addressed the central question “how well do comprehensive and EOC assessments meet the major purposes of high school assessments?” The four major purposes identified were 1) supporting student learning, 2) holding students and/or schools accountable, 3) determining readiness for post-secondary education, and 4) ensuring quality and efficient operations. The study found EOCs and comprehensive assessments each had advantages in different areas.

If, for example, Washington leaders want the high school assessment system to ensure greater consistency and bring teaching and learning more closely in line with statewide standards, then EOC assessments are probably better suited to serve this goal. If state leaders instead place a higher priority on preserving simplicity and minimizing complexity in the testing system, then continuing to use the WASL as the state's high school assessment is more appropriate.

- *Implications of Using Science End-of-Course Assessments for High School Exit Exams: A Briefing Paper*, prepared by David Heil & Associates, Inc., October 2008

This study examined EOCs in the context of new state science standards that were being developed at the time of the study and were adopted in 2009.

Implementation of a comprehensive science exit exam will have implications for course sequencing at the high school level. Implementation of science EOC assessment exit exams will likely narrow the range of course options statewide, but clarify the specific content and performance expectations covered by those courses.

Washington State K-12 Science Learning Standards were adopted in 2009. Washington is also a member of a consortium working to develop the Next Generation Science Standards, which could be adopted and implemented as early as 2016-2017, but more likely in 2017-2018.

In December, 2010, OSPI submitted a report to the legislature: *High School Science End-of-Course Assessment Recommendations*. This report reviewed the background of science assessment, costs, and additional considerations, and made recommendations. Recommendations included:

- Continue development and implementation of the Biology EOC.
- Delay the science assessment graduation requirement until the Class of 2017.
- Develop and phase in two additional EOCs in physical science and integrated science.
- Require students in the Class of 2018 and beyond to meet standard in science by passing the Biology EOC or an additional EOC or alternative.

Summary

Keeping biology as the only high school science assessment and exit exam does not align with the objective of an assessment system that reinforces teaching and learning of standards, since the high school science standards are much broader than biology alone. The SBE Assessment Committee is concerned about schools overly focusing on a biology science curriculum. The SBE encourages exploration of the use of additional science assessments for students to meet standard in science.

Should Washington continue early high school assessments in reading, writing, and math?

Policy Position

The SBE Assessment Committee supports students and schools having early high school information on whether students are on track for graduation and post-secondary education or careers.

Background

If 11th grade SBAC exams become high school exit exams required for graduation, what should be the role of early high school exams, if any? Without early high school testing, students would have no state tests between 8th grade and 11th grade and there would be no state tests to help identify students who would need early extra support to succeed on an 11th grade exit exam. Schools and districts could choose locally to test students in early high school, but without state standardized testing during these years there would be no data for comparison with other schools and districts, and state assessment student growth data would not be possible.

Should the current tests in reading, writing, first year high school math, and second year high school math be retained? Any current tests that are retained once the Common Core State Standards are fully implemented in 2014-2015 will need to be aligned with the new standards.

The 11th grade SBAC exams will be comprehensive exams. Does it make sense to create comprehensive tests in 10th grade to correspond to the 11th grade tests?

Table 4 describes options for early high school assessments.

Table 4 – Options for early high school exams

Option 1	Option 2	Option 3	Option 4
Eliminate all early high school state tests.	Retain all early high school tests: reading, writing, Math1 EOC, Math2 EOC.	Retain the mathematics EOCs, and combine reading and writing into one English language arts exam.	Create comprehensive 10 th grade English language arts and mathematics exams.

Summary

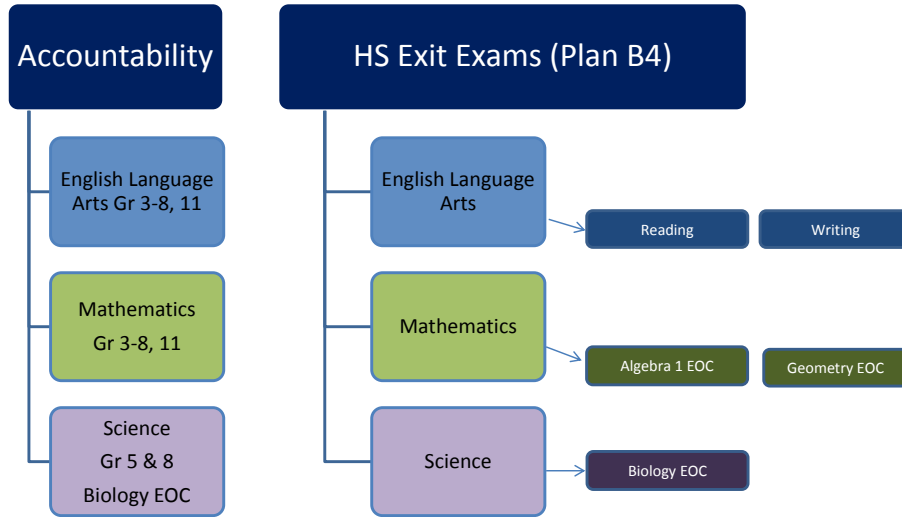
The SBE Assessment Committee supports further exploration of the implications of continuing or eliminating some or all early high school assessments.

References

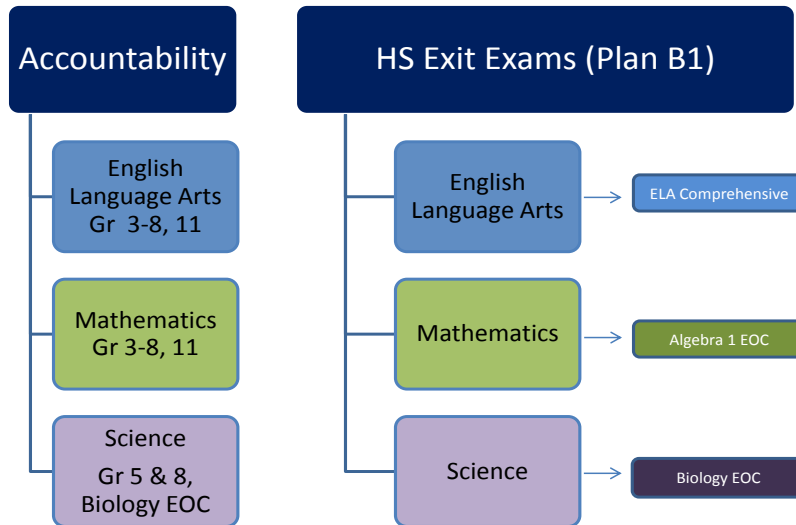
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(Graphics from Alan Burke's PowerPoint to the SBE, November 2012)

If no new legislation:



Superintendent Dorn's proposal:



Dorn Proposes Changes in State Assessment System

New learning standards provide an opportunity for Washington state to streamline high school exit exams

OLYMPIA (December 13, 2012) — Washington state needs “exit” exams to ensure that every student who receives a diploma — no matter where he or she went to school — has the knowledge and skills expected of high school graduates. Students in the Class of 2012 were required to pass two exit exams. By the time this year’s 10th graders graduate, it will be five. State Superintendent Randy Dorn supports testing, but feels that five is too many and too expensive. He will propose that the Legislature reduce that number.

The cost of the state assessment system is high, both in terms of time and money. Exit exams are estimated to be \$30 each. If students don’t pass one or more of these exams, the state provides other ways for students to demonstrate their abilities, such as the Collection of Evidence (COE). The COE is a portfolio of classroom work prepared by the student with instructional support from a teacher. The COE is currently \$400 per student in each content area.

Testing is important, but *over*-testing creates a system in which too much classroom time is devoted to preparing for tests, taking tests and preparing to re-take tests or moving to alternatives when students fail to pass.

Washington is in the midst of changing its standards in math and English language arts with the implementation of the [Common Core State Standards](#). This provides an opportunity to take a look at our assessment system and make some commonsense changes without reducing accountability or lowering standards.

Students in the class of 2015 are required to pass five exit exams to graduate from high school:

1. Reading High School Proficiency Exam (HSPE)
2. Writing HSPE
3. Biology End-of-Course (EOC) exam
4. Algebra I EOC
5. Geometry EOC

In January, Dorn will propose to the Legislature that we reduce the *five* required tests to *three*:

1. Reading/writing HSPE
2. Biology EOC
3. Algebra I EOC

Table 2: Estimated testing times for Smarter Balanced summative assessments

Test Type	Grades	CAT	Perf Task	Total	In-Class Activity	Total	Current Test Times
English Language Arts/Literacy	3-5	1:30	2:00	3:30	:30	4:00	1:30 (Gr 3, 5) 5:30 (Gr 4)
	6-8	1:30	2:00	3:30	:30	4:00	1:50 (Gr 6, 8) 5:50 (Gr 7)
	11	2:00	2:00	4:00	:30	4:30	6:00 (Gr 10)
Mathematics	3-5	1:30	1:00	2:30	:30	3:00	1:30
	6-8	2:00	1:00	3:00	:30	3:30	1:50
	11	2:00	1:30	3:30	:30	4:00	2:00 (per ROC)
COMBINED	3-5	3:00	3:00	6:00	1:00	7:00	3:00 (Gr 3, 5) 7:00 (Gr 4)
	6-8	3:30	3:00	6:30	1:00	7:30	3:40 (Gr 6, 8) 7:40 (Gr 7)
	11	4:00	3:30	7:30	1:00	8:30	8:00 (Gr 10)

Times are estimates of test length for most students. Smarter Balanced assessments are designed as untimed tests; some students may need and should be afforded more time than shown in this table.

Class of :	9 th grade year	10 th grade year	11 th grade year	exit exams	observations	standards
2013 (current Seniors)	2009-10	math 1 EOC or math 2 EOC, reading HSPE, writing HSPE	2011-12	one math EOC or math HSPE	"First graduating class to have to pass a math EOC to graduate."	WA standards
				writing HSPE		
				reading HSPE		
2014 (current Juniors)	2010-11 math 1 EOC	2011-12 math 2 EOC, reading HSPE, writing HSPE, biology EOC	2012-13 Some students will take SBAC pilots	same as above	"First graduating class to pilot the SBAC 11th Grade Test"	WA standards
2015 (current Sophomores)	2011-12 same as above	2012-13 same as above	2012-2014 same as above	two math EOCs	"First class with 2 math EOCs, and Biology EOC grad requirement"	WA standards
				reading HSPE		
				writing HSPE		
				biology EOC		
2016 (current Freshmen)	2012-13 same as above	2013-14 same as above	2014-15 SBAC	same as above	"First class to take 11th grade SBAC Test"	WA standards
2017 (current 8th graders)	2013-14 same as above	2014-15 math 2 EOC, reading, writing all based on CCSS standards, biology EOC	2015-16 SBAC	two math EOCs	"First class to take Common Core Tests for Graduation Req."	CCSS WA
				reading HSPE		
				writing HSPE		
				biology EOC		
2018 (current 7th graders)	2014-15 math 1 EOC based on CCSS standards	2015-16 same as above	2016-17 SBAC Earliest implementation of Next Generation Science Standards	New requirements with SBAC? (would require new legislation in 2014)	"First opportunity to switch grad requirement tests to SBAC tests"	CCSS WA
				biology EOC		
2019 (current 6th graders)	2015-16 same as above	2016-17 Earliest implementation of Next Generation Science Standards	2017-18 SBAC delivery by computer only Earliest Next Generation Science assessment	SBAC? Science assessment?	"Earliest possible implementation of Next Gen Science Standards"	CCSS and Next Generation
2020 (current 5th graders)	2016-17 Earliest implementation of Next Generation Science Standards	2017-18 Earliest Next Generation Science assessment	2018-19 SBAC Next Generation Science Assessment	New requirements based on Next Generation? (2016 for new legislation if required)	"Earliest possible implementation of Next Gen Science Standards assessment"	CCSS and Next Generation

The Washington State Board of Education

Governance | Achievement | Transitions | Math & Science | Effective Workforce

Title:	Achievement Index Revision – Preparation for February AAW Meeting	
As Related To:	<input type="checkbox"/> Goal One: Advocate for effective and accountable P-13 governance in public education. <input checked="" type="checkbox"/> Goal Two: Provide policy leadership for closing the academic achievement gap. <input type="checkbox"/> Goal Three: Provide policy leadership to strengthen students' transitions within the P-13 system.	<input checked="" type="checkbox"/> Goal Four: Promote effective strategies to make Washington's students nationally and internationally competitive in math and science. <input type="checkbox"/> Goal Five: Advocate for policies to develop the most highly effective K–12 teacher and leader workforce in the nation. <input type="checkbox"/> Other
Relevant To Board Roles:	<input type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	<ol style="list-style-type: none"> Does the proposed letter to the AAW accurately reflect SBE priorities and intentions for next steps in the Index revision process? What have other states done to build their own accountability system that could inform these questions? 	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input checked="" type="checkbox"/> PowerPoint	
Synopsis:	<p>SBE will review and approve a proposed letter to the AAW to guide the discussion at the February AAW meeting.</p> <p>SBE will also review and discuss the questions presented in the AAW letter which include:</p> <ol style="list-style-type: none"> Determining Priority, Focus, and Reward schools. Setting Annual Measurable Objectives. Relative weight of performance indicators. <p>The AAW members will have an opportunity to review initial student growth percentile data. In February, SBE staff will gather feedback on key Index design choices from a teacher panel, a parent panel, and a survey distributed to multiple publics.</p>	

ACHIEVEMENT INDEX REVISION – PREPARATION FOR FEBRUARY ACHIEVEMENT AND ACCOUNTABILITY WORKGROUP (AAW) MEETING AND NEXT STEPS

Policy Consideration

The Board will consider approving the AAW letter, which directs the AAW to focus on specific topics at the February meeting. These topics are presented in this memo for discussion.

1. Given that the federal Elementary Secondary Education Act (ESEA) flexibility waiver requires Washington to identify schools for recognition (Reward) as well as schools in need of improvement (Priority, Focus, and Emerging), what are the implications for the structure and function of the revised Index in order to establish a coherent system?
2. How could the revised Index be used to establish Annual Measurable Objectives (AMOs) for schools, and would this be preferable to the current AMOs?¹
3. What relative weight should be assigned to each performance indicator for elementary, middle, high, and district level calculations?

Summary

Reward, Priority, and Focus Schools

Synopsis of Reward, Priority, Focus, and Emerging Schools:

Category	Overview
Reward – highest performing	Highest-performing Title I schools that have met AMOs and have no significant gaps that are not closing
Reward – high progress	Highest-improving Title I schools that have no significant gaps that are not closing.
Priority	Lowest 5 percent of Title I schools on state assessments or < 60 percent graduation rate in Title I or Title I eligible high schools.
Focus	Lowest 10 percent of Title I schools based on subgroup performance.
Emerging	Next 5 percent up from the bottom of the Priority list and the next 10 percent up from the bottom of the Focus list.

As part of their ESEA flexibility requests, states have an opportunity to replace federal accountability with their own state accountability system. One requirement for flexibility is that states identify Title I schools for recognition (Reward) as well as for support and intervention (Priority, Focus, and Emerging). States can either use a formula based on state assessment performance and specific parameters laid out in detail by the US Department of Education (USED), or use a particular performance level or score in their state accountability system.

¹ Currently, the AMOs are targets that, if achieved, will close proficiency gaps by 50% in six years. The targets are set at the subgroup level for reading and math and increase annually until 2016.

OSPI has calculated Reward, Priority, Focus, and Emerging schools for recognition and intervention for the 2012-13 school year based on reading and math assessment performance and graduation rate data from school years 2008-09, 2009-10, and 2010-11. In January 2013, OSPI will release new lists based on data from school years 2009-10, 2010-11, and 2011-12. The following year, OSPI can either identify schools based on this same methodology or based on criteria within the revised Index. For the Index to be approved as the method of generating the lists, Washington would need to demonstrate that the Index produces lists of schools that meet specific conditions, as demonstrated by a comparison of the lists of schools using either methodology.²

Summary of Timeline:

Lists released	For intervention beginning in school years:	Based on data from:	What is considered:
August 2012	2102-13	2008-09 2009-10 2010-11	Reading, math, graduation rates for “all students” (Priority) and each subgroup (Focus)
January 2013	2013-14	2009-10 2010-11 2011-12	
Fall 2013 and annually thereafter	2014-15	2010-11 2011-12 2012-13	Proposed: Revised Index, including reading, math, writing, science, and graduation rates

Reward schools:

USED flexibility guidance requires that states designate some Title I schools as Reward schools. These schools are either “highest performing” or “high progress” schools. Schools that have significant gaps that are not closing may not be considered Reward schools.

To determine the list of highest-performing schools, states can either:

1. Generate a rank-ordered list of Title I schools based on state assessment performance (and for high schools, graduation rates) for the “all students” group over a number of years, removing schools that did not meet AMOs for any subgroup and schools that have significant opportunity gaps that are not closing, OR
2. Use an overall rating in the state’s accountability system (e.g. an Index score of 7).

To determine the list of high progress schools, state can either:

1. Generate a rank-ordered list of Title I schools based on greatest progress on state assessment performance (and for high schools, graduation rates) for the “all students” group over a number of years, removing schools with significant opportunity gaps that are not closing, OR
2. Use an overall rating in the state’s accountability system.

If states opt to use method 2, they must also calculate a list of schools using method 1 to demonstrate that a “reasonable number” of schools are common to both lists.

Priority schools:

² Summarized from Demonstrating that an SEA’s Lists of Reward, Priority, and Focus Schools Meet ESEA Flexibility Definitions retrieved from: <http://www.ed.gov/sites/default/files/demonstrating-meet-flex-definitions.pdf> on December 20, 2012.

The flexibility guidance requires that states designate the lowest achieving five percent of Title I schools as Priority schools. These schools have the lowest achievement for the “all students” group and demonstrate a lack of progress over a number of years. Also included in this category is any high school with a graduation rate of less than 60 percent over a number of years and School Improvement Grant (SIG) schools. In Washington, at least 46 Title I schools must be identified.

To determine the list of Priority schools, states can either:

1. Identify Title I or Title I eligible high schools with a graduation rate of less than 60 percent and current SIG schools. States would then cross-reference these schools with a rank-ordered list of lowest performing Title I schools (based on lowest achievement and lack of progress for the “all students” group) to get to the total number of schools required, OR
2. Use an overall rating in the state’s accountability system.

If states opt to use method 2, they must also calculate a list of schools using method 1 to demonstrate that a “reasonable number” of schools are common to both lists.

Focus schools:

The flexibility guidance requires states to designate schools with the greatest gaps as Focus schools. These schools can either be schools with the largest within-school gaps or schools with the lowest achieving subgroups. In the ESEA flexibility request, OSPI determined Focus schools based on lowest-achieving subgroups. Any school with a graduation rate less than 60 percent that is not identified as a Priority school must be identified as a Focus school. In Washington, at least 92 Title I schools must be identified.

To determine the list of Focus schools, states can either:

1. Generate a rank-ordered list of Title I schools based on subgroup achievement (both reading and math and graduation rates) over a number of years, setting a cut point that separates lowest performing schools from other schools, OR
2. Use a rating in the state’s accountability system that identifies schools below the cut point established in 1.

States are also required to provide a differentiated system of support for schools that are not in the Priority or Focus categories, but have relatively low performance and are in need of support. Washington’s ESEA Flexibility request named these schools “Emerging” schools and identified them based on the next five percent of schools up from Priority and the next 10 percent of schools up from Focus.

Annual Measurable Objectives

States seeking ESEA flexibility must establish “new, ambitious but achievable Annual Measurable Objectives (AMOs) in at least reading/language arts and mathematics for the State and all LEAs, schools, and subgroups, that provide meaningful goals and are used to guide support and improvement efforts.”³ These AMOs replace the Uniform Bar targets that existed in the Adequate Yearly Progress system.

³ ESEA Flexibility, <http://www.ed.gov/eSEA/flexibility/documents/eSEA-flexibility.doc>

In its initial application for ESEA flexibility, Washington chose Option A, which was to close proficiency gaps by 50% within six years for every subgroups in reading and math. Two other options were available: Option B, to reach 100 percent proficiency for all subgroups by 2020, and Option C, an open ended state-determined method that is judged to be equally ambitious as Options A or B. At the time of the submission of the flexibility request, the Index had not yet been revised and therefore Option C was not viable. As the State Board revises the Achievement Index, this is an opportune time to analyze whether Washington should change its choice to Option C by using a level of performance on the revised Index as the new AMO.

At the Board meeting, examples of states' approaches to state-determined AMOs will be discussed.

Peer Review Guidance for ESEA Flexibility Approval:

The ESEA flexibility requests were first reviewed by a panel of peer reviewers. The USED summarized input from peer reviewers to help states that were establishing an index as part of their state accountability system.⁴

- An index must provide sufficient differentiation of schools and give significant emphasis to student achievement, growth, and graduation rates.
- An index must give adequate weight to subgroup performance, not just overall performance, to ensure accountability for gaps.
- Regarding graduation rates specifically: they must be sufficiently weighted to ensure schools cannot improve on the index for a number of years if the graduation rate does not improve.
- Graduation rates should be disaggregated by subgroup in the Index.
- Graduation rates should be balanced with achievement scores.

Background

To receive Elementary and Secondary Education Act flexibility, states are required to commit to several principles for improving student achievement⁵. There are four principles in all, but two of them in particular are related to the development of our revised Index, including:

1. College and Career Ready Expectations for All Students.
 - Adopting CCR standards in reading/language arts and math.
 - Administering annual, aligned assessments that correspond to those standards.
 - Measuring student growth.
2. State-Developed Differentiated System of Recognition, Accountability, and Support.
 - State-developed system must include student achievement in at least reading/language arts and math.
 - Include all students and all subgroups of students identified in ESEA graduation rates for all students and all subgroups.
 - Track school performance and progress over time, including all subgroups.
 - Must take into account student growth.
 - Set new 'ambitious but achievable' annual measurable objectives (AMOs) in at least reading/language arts and math for all districts, schools, and subgroups.
 - Provide incentives and recognition for "reward schools."

⁴ Summary of Considerations to Strengthen State Requests for ESEA Flexibility. <http://www.ed.gov/sites/default/files/considerations-strengthen.pdf>

⁵ ESEA Flexibility, June 7, 2012. <https://www.ed.gov/esea/flexibility/documents/esea-flexibility.doc>

- Publicly identify “priority schools” and ensure that districts meaningfully intervene.
- Work to close achievement gaps by identifying “focus schools” with the greatest achievement gaps or in which subgroups are furthest behind.
- Provide incentives and support for other Title I schools that are not improving or narrowing gaps.

Washington has received a conditional waiver of ESEA, pending the submission of a revised Achievement Index by June 30, 2013. SBE is partnering with the Office of Superintendent of Public Instruction to this end. SBE has convened a stakeholder workgroup to provide input at each step of the Index revision process. This group is known as the Achievement and Accountability Workgroup, which had its first two meetings in October and December. The AAW will meet two more times on the topic of the Achievement Index revision, and then will turn its focus to the development of a statewide accountability framework, as envisioned in E2SSB 6696.

Action

Consider a motion to approve the proposed AAW letter.

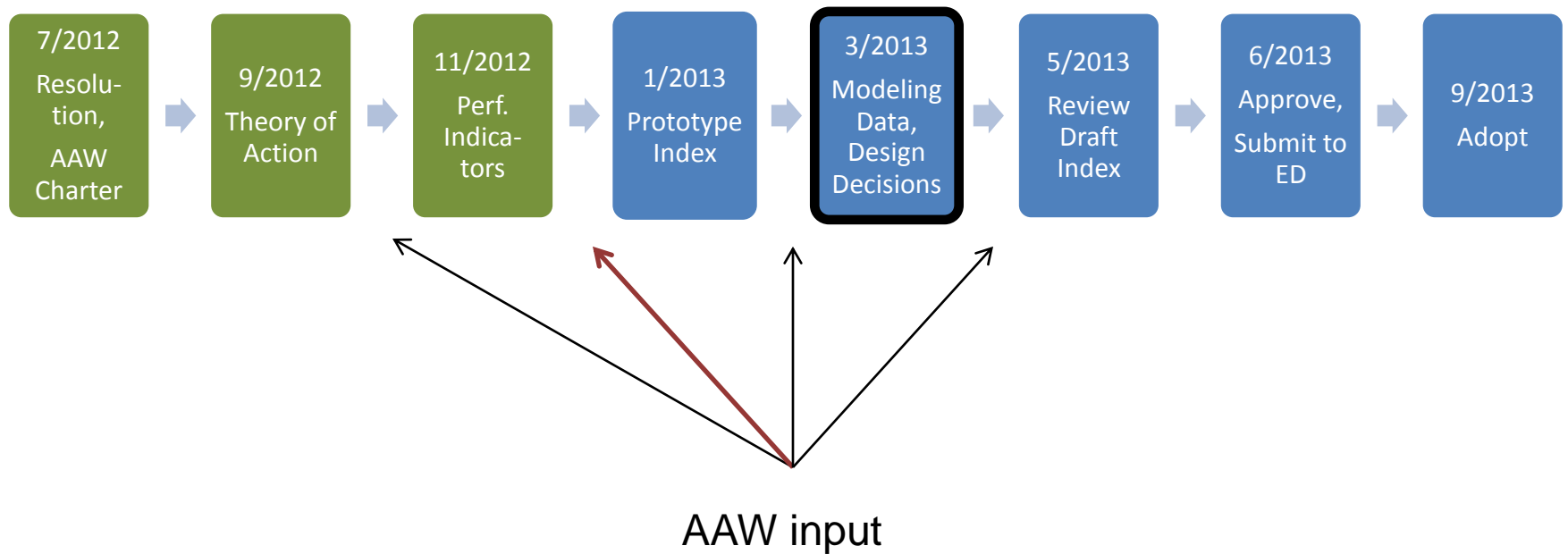
Achievement Index Revision: Preparation for the February AAW Meeting

Sarah Rich, Policy Director

Rich Wenning, Contractor

January 2013 State Board of Education

Index Revision Timeline



Proposed AAW Questions for February

School Designations

Given that the ESEA flexibility waiver requires us to identify schools for recognition (Reward) as well as schools in need of improvement (Priority, Focus, and Emerging), what are the implications for the structure and function of the revised Index in order to establish a coherent system?

Annual Measurable Objectives

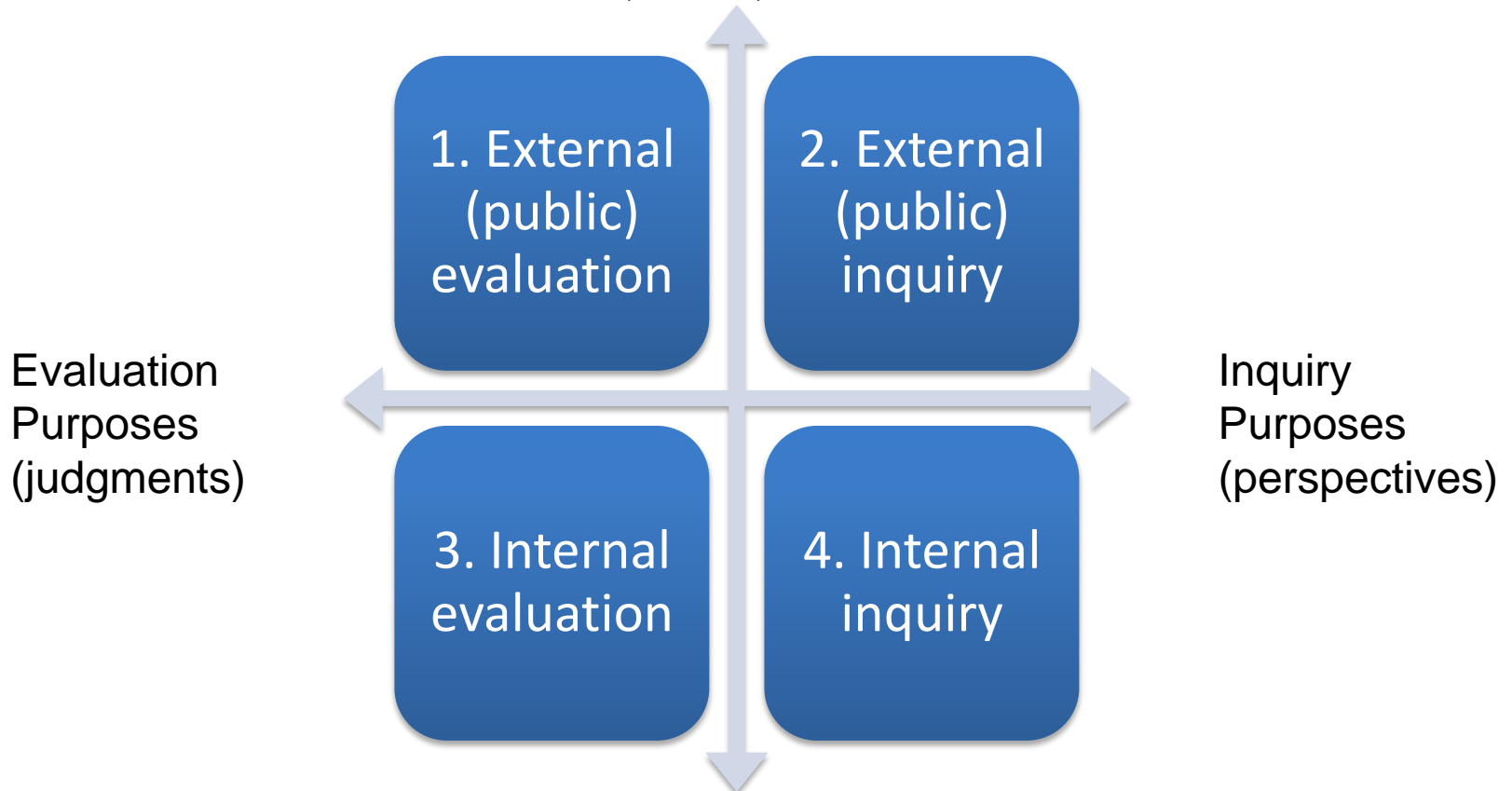
How could the revised Index be used to establish Annual Measurable Objectives (AMOs) for schools, and would this be preferable to the current AMOs?

Performance Indicator Weighting

What relative weight should be assigned to each performance indicator for elementary, middle, high, and district level calculations?

Coherent Design Serves Multiple Purposes

External Accountability Purposes: Public,
Fed, State, District

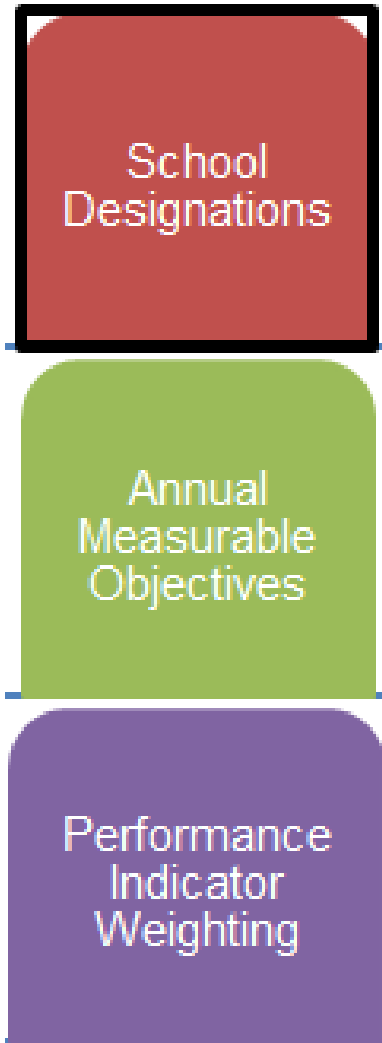


Internal Improvement Purposes:
School, Educator, Student

Differentiated Accountability & Support System: Key Components

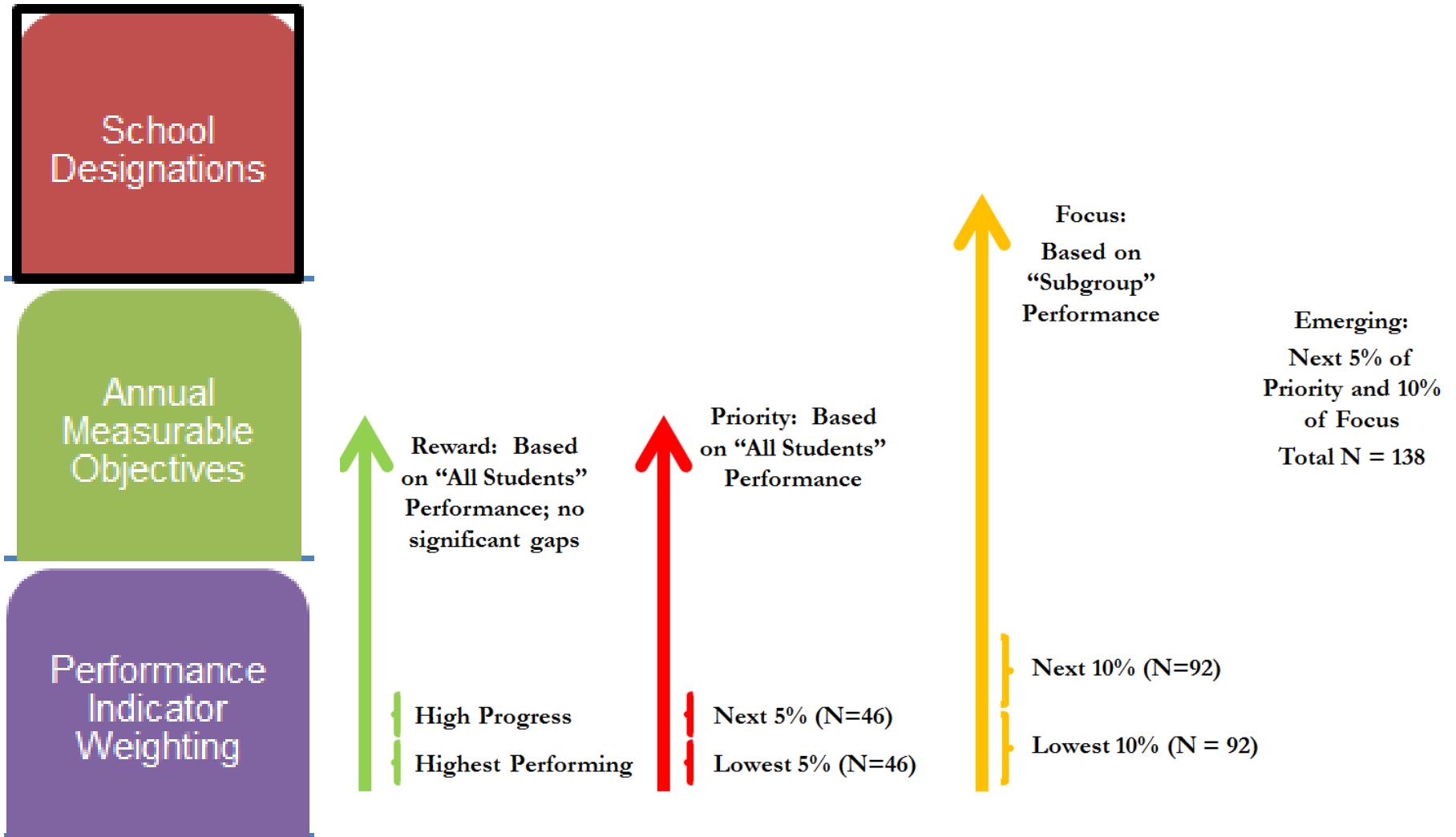
1. Key Performance Indicators
2. Multi-Measure Framework
3. Incentives for Change & Innovation
4. Unified Planning Process
5. Service Mix & Delivery
6. Evaluation & Validation
7. Rollout Strategy - Communications, Stakeholder Engagement, Training

School Designations



Given that the ESEA flexibility waiver requires us to identify schools for recognition (Reward) as well as schools in need of improvement (Priority, Focus, and Emerging), what are the implications for the structure and function of the revised Index in order to establish a coherent system?

School Designations: Reward, Priority, Focus



School Designations: Working Toward System Coherence and Alignment

School Designations

Annual Measurable Objectives

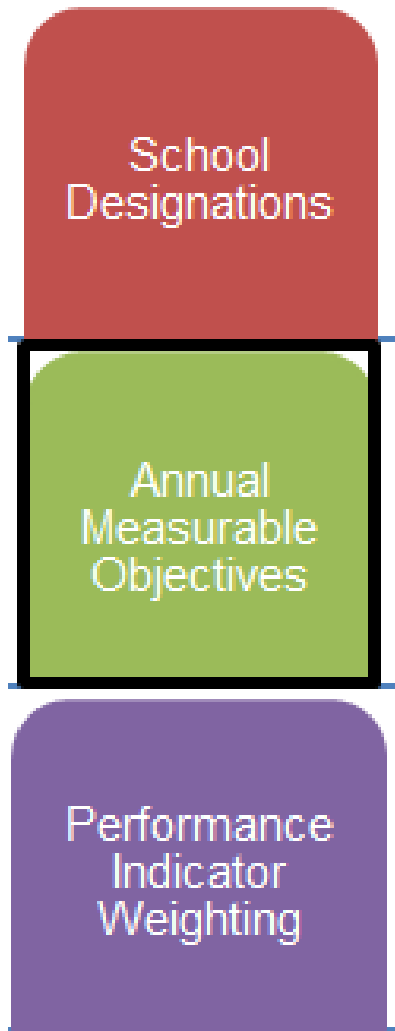
Performance Indicator Weighting

Multiple methodologies for identifying schools for recognition and additional support:

- **Persistently-Lowest Achieving**
- **Priority**
- **Focus**
- **Emerging**
- **Struggling**
- **Required Action Districts**
- **Reward Schools**
- **Washington Achievement Awards**
- **Exemplary**
- **Title I Awards**

Questions and Discussion

Annual Measurable Objectives



How could the revised Index be used to establish Annual Measurable Objectives (AMOs) for schools, and would this be preferable to the current AMOs?

ESEA Flexibility Requirements

States must set new ambitious but achievable AMOs in at least reading/language arts and mathematics for the State and all LEAs, schools, and subgroups, that provide meaningful goals and are used to guide support and improvement efforts.

OPTIONS

A

- Set annual equal increments toward the goal of reducing by half the percent of students who are not proficient in all subcategories by fall 2017 (within six years).

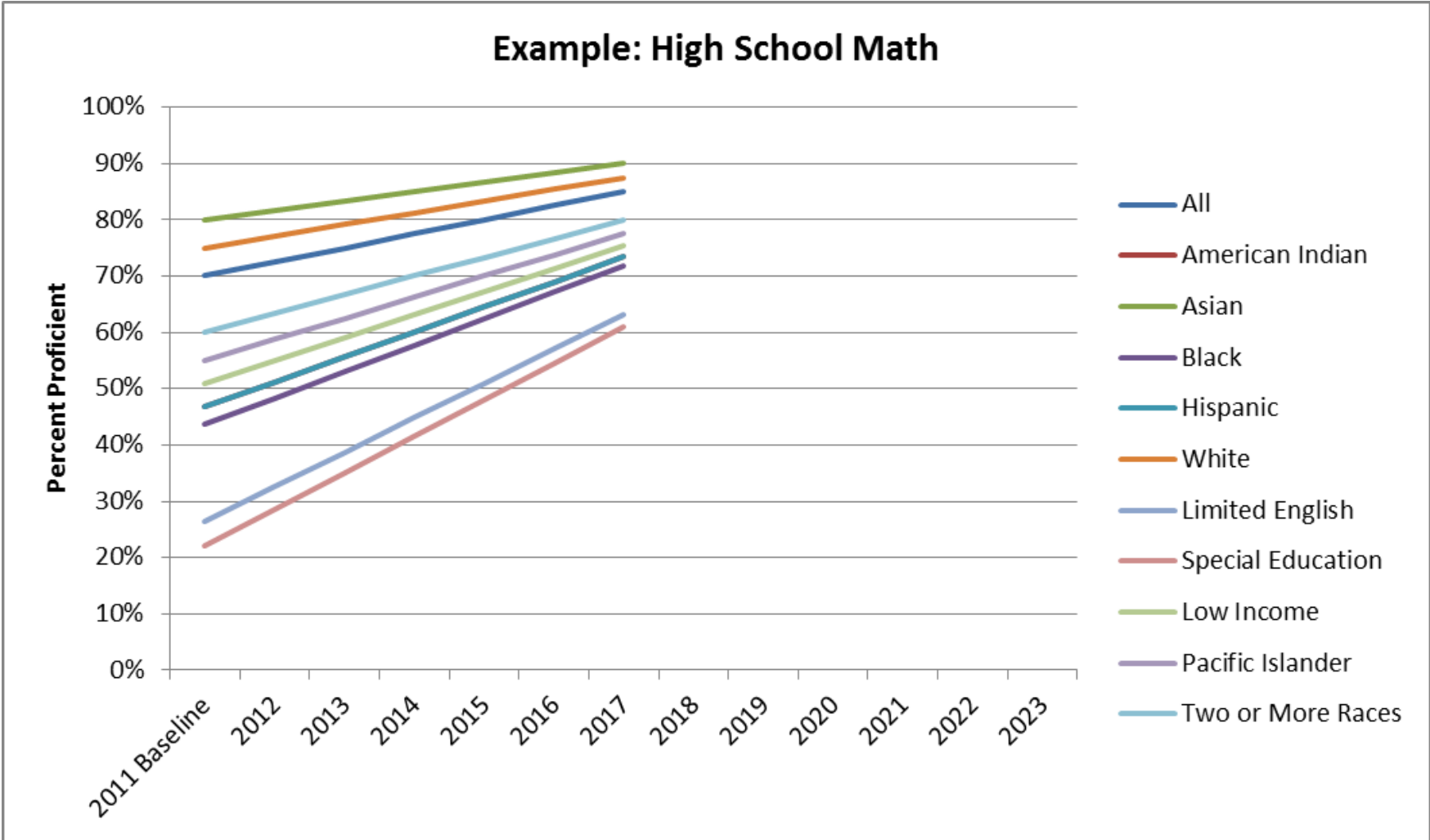
B

- Move the current 2014 deadline for 100% proficiency in reading and math to 2020.

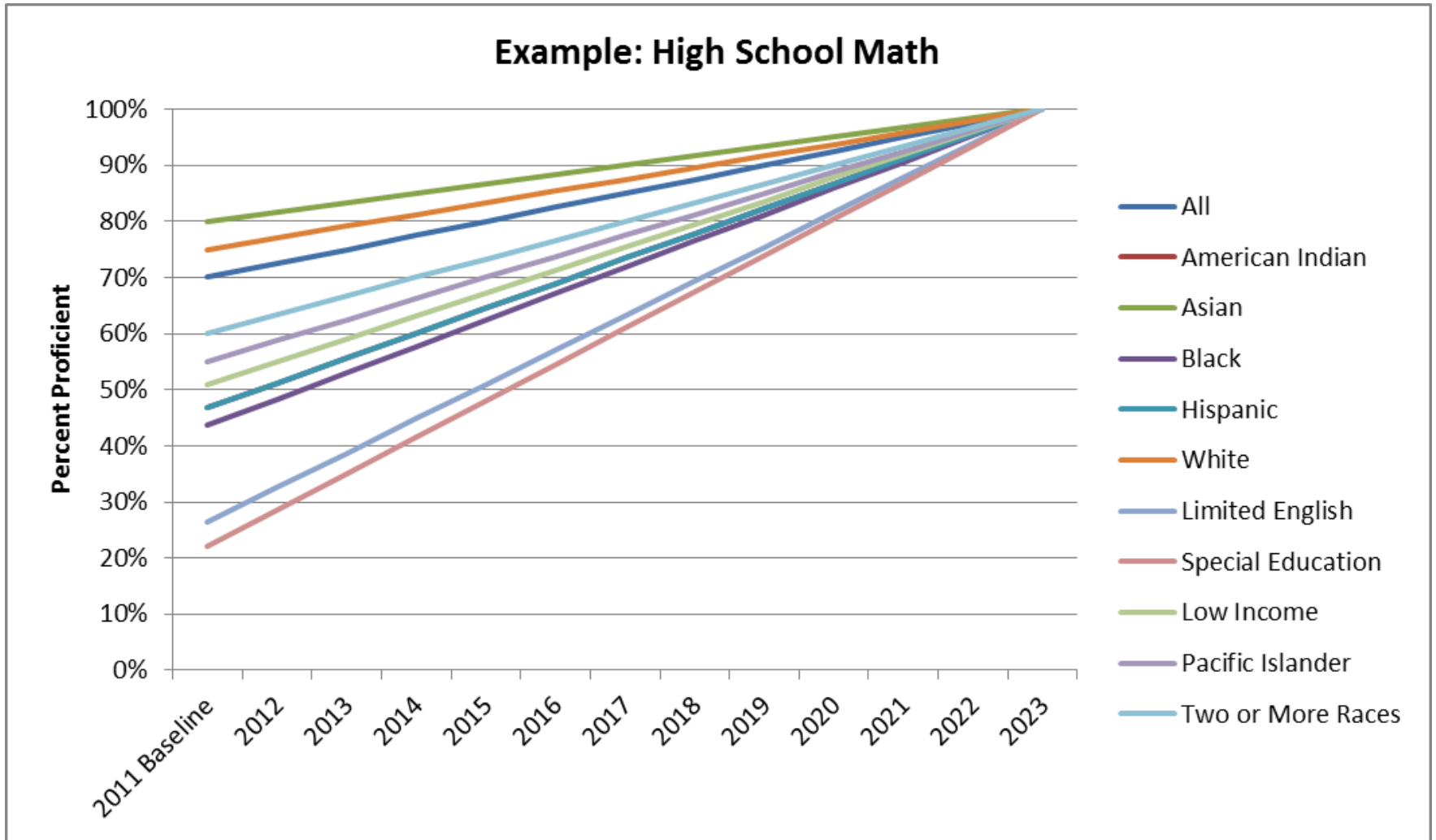
C

- State determined method to establish AMOs that is educationally sound and results in ambitious and achievable AMOs.

Washington Chose Option A: Cut Proficiency Gap by Half by 2017



Vision: 100% of Students at Standard



State Determined AMOs:

- Must be ambitious and educationally sound
- Must require LEAs, schools, and subgroups that are further behind to make greater progress
- No longer used to trigger sanctions (reporting only)
- USED open to “innovative ideas”

Role of the Index & AMO's

Advantages of dual vs. single system?

What do AMO's accomplish?

- Provide information about quality to public
- Signal areas for improvement to school staff & communities
- Trigger state support & intervention

What does the index accomplish?

- Provide information about quality to public
- Signal areas for improvement to school staff & communities
- Trigger state support & intervention

Questions and Discussion

Performance Indicator Weighting

School Designations

Annual Measurable Objectives

Performance Indicator Weighting

What relative weight should be assigned to each performance indicator for elementary, middle, high, and district level calculations?

Performance Indicator Weighting: Examples from Other States

School
Designations

Annual
Measurable
Objectives

Performance
Indicator
Weighting

Colorado emphasizes growth in elementary/middle, growth and postsecondary/workforce readiness in high school.

(ESEA Flexibility application p. 58)

School Type	Proficiency	Growth	Growth Gaps	Postsec/ Workforce Readiness
Elem/middle	25%	50%	25%	-
High	15%	35%	15%	35%

Performance Indicator Weighting: Examples from Other States

School Designations

Nevada emphasizes growth in elementary/middle, proficiency and graduation in high school.
(ESEA Flexibility application p. 52)

Annual Measurable Objectives

Performance Indicator Weighting

School Type	Proficiency	Growth	Gaps	Graduation	College/Career Readiness	Other*
Elem/middle	30%	40%	20%	-	-	10%
High	30%	-	10%	30%	16%	14%

* Other: attendance (elem/middle) and grade attainment (high)

Questions and Discussion

The Washington State Board of Education

Governance | Achievement | High School and College Preparation | Math & Science | Effective Workforce

Old Capitol Building, Room 253
P.O. Box 47206
600 Washington St. SE
Olympia, Washington 98504

January 10, 2013

TO: Members of the Achievement and Accountability Workgroup
FROM: State Board of Education
RE: Input on the Revision of the Achievement Index: February

The State Board of Education (SBE) appreciates your ongoing input on the Achievement Index and your willingness to devote your time and expertise to the Achievement and Accountability Workgroup. Your feedback has been instrumental in moving toward a revised Achievement Index. At the February meeting we will share an update of what the State Board has decided thus far, based largely on your input and discussion.

For the February meeting of the AAW, we ask that you provide input on the following list of specific questions. SBE staff will generate another feedback report to reflect your input on these questions, which we intend to consider in next steps for Index revision.

Focusing questions for February AAW meeting:

1. Given that the federal Elementary Secondary Education Act (ESEA) flexibility waiver requires Washington to identify schools for recognition (Reward) as well as schools in need of improvement (Priority, Focus, and Emerging), what are the implications for the structure and function of the revised Index in order to establish a coherent system?
2. How could the revised Index be used to establish Annual Measurable Objectives (AMOs) for schools, and would this be preferable to the current AMOs?¹
3. What relative weight should be assigned to each performance indicator for elementary, middle, high, and district level calculations?

Meeting materials will provide examples of these options from other states.

¹ Currently, the AMOs are targets that, if achieved, will close proficiency gaps by 50% in six years. The targets are set at the subgroup level for reading and math and increase annually until 2016.

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Student Presentation	
As Related To:	<input type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input type="checkbox"/> Goal Three: Closing achievement gap.	<input type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input type="checkbox"/> Goal Five: Career and college readiness for all students. <input checked="" type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input checked="" type="checkbox"/> Advocacy	<input checked="" type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	None	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	<p>Student presentations allow SBE Board Members an opportunity to explore the unique perspectives of their younger colleagues. In his fourth presentation to the Board, student Board Member Matt Spencer will speak on the following topic: "Five lessons (from school or elsewhere) that have had an impact."</p>	

STUDENT PRESENTATION

Policy Consideration

None

Summary

Student presentations allow the members an opportunity to explore the unique perspectives of their younger colleagues.

Student Board members have ample opportunity to work with staff in preparation for their presentations.

The presentation schedule and topic assignments are listed below.

Presentation Topics (rotating schedule)

1. My experiences as a student, good, bad, or otherwise (K–High School).
2. One or two good ideas to improve K–12 education.
3. How the Board's work on _____ (you pick) has impacted, or will impact, K-12.
4. Five lessons (from school or elsewhere) that have had an impact.
5. Past, present and future: where I started, where I am, and where I'm going.

Date	Presenter	Topic
2013.01.10	Matthew	4
2013.03.14	Eli	2
2013.05.9	Matthew	5
2013.07.11	Eli	3
2013.11.15	Student A	1
2014.01.XX	Eli	4
2014.03.xx	Student A	2
2014.05.XX	Eli	5
2014.07.XX	Student A	3
2014.11.XX	Student B	1

Background

None

Action

None

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Final consideration – Legislative Priorities	
As Related To:	<input checked="" type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	The Board will consider its final list of legislative priorities for the 2013 Legislative Session	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	The Board will consider legislative priority statements in the following areas: <ol style="list-style-type: none"> 1. Career and College-ready graduation requirements 2. Accountability system development 3. Protecting school days and the 180 day calendar 4. Compulsory school attendance 5. Alternative Learning Experience 6. High school exit exams/graduation requirements 7. Full funding of basic education 	

Governor Gregoire's Proposed 2013-15 Operating Budget

Highlights & Key Takeaways

Ben Rarick, SBE Executive Director
January, 2013

Important Things to Know

Governor's 2013-15 Proposed Budget

- What's the “budget problem statement”?
- What new revenues to support K-12 education?
- How does Book 1 differ from Book 2... and why do we care?
- Major new enhancements in K-12
 - How are SBE Initiatives Impacted?

Budget “Problem Statement”

“How much more money do we need to support our existing programs and services in state government?”

- **Governor’s Book 1 Budget - \$900 million**
 - Translation: “We need \$900 million just to follow current law”
 - Includes things like:
 - Caseload increases (more kids, more poverty, etc.).
 - I-732 COLA increases (required by law).
 - The end of temporary salary reduction – state workers.

Governor's Budget

"Book 2"

- Governor's Book 2 Budget - \$2.6 billion problem statement
 - Translation: "We need \$2.6 billion to follow current law AND make significant investments in education. We will come up with this by adding revenue, and reducing certain costs"
 - Includes things like:
 - \$1 billion in K-12 (Presented as *McCleary* down payment)
 - \$400 million in other policy additions
 - \$882 million in ending reserves

Major Enhancements to K-12 Education

K-12 Enhancement	Amount	What Does it Fund?	Levy Relief?	McCleary Response?
Principal planning time:	\$54 million	TPEP Planning (+.15 FTE for each school prototype)	Some	Arguably, but not clearly
All Day Kindergarten:	\$121 million	Funded in all schools with at least 50% FRLP	Some (but variance by district)	YES
K-2 Class Size:	\$193 million	Class size of 20 in high-poverty schools, grades K-2	Some	YES
Pupil Transportation:	\$209 million	New transportation formula	YES (but variance by district)	YES
Increase MSOC (non-salary costs):	\$424 million	<ul style="list-style-type: none"> Fund 100% of HB2776 for professional development, curricula, and textbooks; and 20%/25% of everything else in FY14 & FY15, respectively. 	YES	YES
TOTAL:	\$1 billion			

Major New Revenues to Support K-12 Education

Revenue Source	Rate	Who Does it Impact?	How much revenue projected?	Permanent or Temporary?
Surcharge on Service Businesses (B&O Surtax)	1.8% (+.3%)	Service businesses	\$534 million	Existing temporary tax - extend through 12/2016
Beer tax	76 cents/gallon (+50 cents/gallon)	Beer producers that sell more than 120,000 kegs in WA	\$101 million	Existing temporary tax - extend through 12/2016
Fuel Excise Tax	4.62% (staggered increase: 1.85% now, 2.91% in 2013, then 4.62% in 2015 & beyond)	Wholesale gasoline distributors	\$368 million	Permanent
Total			\$1.003 Billion	

SBE Issues of Concern

- State Accountability Systems, School Improvement, & Required Action.
 - No Dedicated State Funding
 - “Lab Schools” Added
- Career/College-Ready Graduation Requirements
 - No implementation Language
- Extra instructional time (1080 hrs) in grades 7-12
 - No implementation language.

2013 Legislative Priorities (Discussion draft)

The State Board of Education will make final consideration of the following legislative priorities for the 2013 Legislative Session at its January meeting.

Implementation of Career and College-Ready High School Graduation Requirements:

Priority: Provide direction and support to the Legislature in phasing in 24-credit graduation requirements as required by law. Support the recommendation of the Joint Task Force on Education Funding to phase in adequate funding to support implementation of the Career and College-Ready Graduation Requirements for the Class of 2018. Support funding for an increase in instructional time in grades 7-12 for the 2014-15 school year.

Background: This will set the state on a course for meeting the basic education requirement of “instruction that provides students the opportunity to complete twenty-four credits for high school graduation,” and create a framework around which the Legislature can build the funding allocations to support full implementation of ESHB 2261.

Implementation of a unified state accountability system, using the revised Achievement Index:

Priority: Request funding and legislation, as necessary, for continued implementation of a unified state accountability system, as established in E2SSB 6696 (2009). Support state funding to provide school improvement services to low-performing schools, regardless of federal title 1-eligibility. Support the use of the revised Achievement Index as the primary means of school recognition and identification of schools in need of assistance, as well as candidates for the Required Action (R.A.D.) process.

Background: This recommendation advocates for “Phase II” implementation of the accountability system recommendations established in E2SSB 6696 (2010), including the use of the Achievement Index as successor to federal Adequate Yearly Progress (AYP) measures.

Strengthening the 180-Day School Year:

Priority: Request legislation to strengthen the 180-day school year calendar by seeking a minimum school day definition, and/or limits on half days. Seek funding to support educator professional development, ensuring that such services do not come at the expense of 180 full instructional days. Additionally, seek statutory changes to achieve consistency in what constitutes instructional time for the purposes of satisfying the 180-day and 1,000 hour statutory minimum requirements.

Background: This change seeks greater consistency with the definition of “instructional hours” in the same chapter of law, eliminates the need for districts to seek waivers for this purpose, resolves the conflict between the WaKIDs mandate and the basic

Jeff Vincent, *Chair* ∩ Randy Dorn, *Superintendent of Public Instruction*
Dr. Bernal Baca ∩ Amy Bragdon ∩ Kevin Laverty ∩ Phyllis Bunker Frank ∩ Elias Ulmer
Bob Hughes ∩ Dr. Kristina Mayer ∩ Matthew Spencer ∩ Cynthia McMullen
Mary Jean Ryan ∩ Tre' Maxie ∩ Connie Fletcher ∩ Judy Jennings
Ben Rarick, *Executive Director*

(360) 725-6025 ∩ TTY (360) 664-3631 ∩ FAX (360) 586-2357 ∩ Email: sbe@k12.wa.us ∩ www.sbe.wa.gov

education statute, and recognizes the value of parental involvement to student achievement. This change reduces local incentives to schedule large numbers of partial days, protects the integrity of the minimum 180-day school year, and promotes instructional quality for children.

Compulsory Age of School Attendance:

Priority: Support legislation lowering Washington's minimum compulsory age of school attendance to six.

Background: Washington is one of two states with a compulsory starting age of school attendance of eight. The U.S. average compulsory age is six. Legislation has been offered to lower Washington's compulsory age, including two bills introduced in the 2011-12 Legislature.

Blended Learning and ALE Funding:

Priority: Support a funding change for the next biennium that restores full funding for blended learning programs, with necessary provisions for program and fiscal accountability, and to support OSPI in development and advancement of an ALE proposal to meet these goals.

Background: Blended learning is a form of alternative learning experience (ALE) consisting of a mix of online delivery of content and content delivered at a supervised brick-and-mortar location away from home. The use of blended learning models in Washington is impeded by the reduction in funding for ALE enrollments made by the Legislature in 2011.

Required assessments for high school graduation:

Priority: (TBD at January meeting)

Background: The Board continues to hold authority for establishing graduation requirements and making recommendations on the overall assessment system, pursuant to 28A.305.130 (4)(b) & 28A.655.070 (3)(a).

Full funding for basic education, as required in the *McCleary* court ruling and the Washington State Constitution:

Priority: Support funding and implementation of the new program of basic education established ESHB 2261 and SHB 2776 and identification of sustainable revenue sources which can ensure ample provision for K-12 schools over the long-term.

Background: This remains consistent with the Board's long-term commitment to implementation of the funding and programmatic elements of ESHB 2261 and SHB 2776.

OVERVIEW OF GOVERNOR GREGOIRE'S 2013-15 SUPPLEMENTAL, OPERATING AND CAPITAL BUDGET PROPOSALS

Introduction

The current revenue forecast continues to project slow economic and job growth for both the national and state economies, with revenue collections not exceeding fiscal year 2008 levels until fiscal year 2014. As a result of this relatively slow revenue growth projection and other factors, the Economic and Revenue Forecast Council projects a "baseline" budget shortfall of over \$900 million at the end of the 2013-15 biennium. This does not include any policy level enhancements typically considered by the Governor and the Legislature. This also does not include any additional K-12 enhancements associated with the phased implementation of SHB 5276 (2010) and the McCleary lawsuit.

Based on the assumptions used in the development of the Governor's proposed new revenue or "book 2" operating budget, including \$1 billion in K-12 enhancements and about \$400 million in other policy level additions, the budget problem is approximately \$2.8 billion between now and the end of fiscal year 2015. This includes leaving reserves of approximately \$585 million (\$308 million unrestricted, \$276 million Budget Stabilization Account).

Overview of Governor Gregoire's "Book 1" Budget

The Governor's 2013-15 budget proposal addresses the deficit under two different scenarios. She presented a so-called "book 1" budget that does not include any major revenue increases. Under the "book 1" proposal, she would not be able to fund the \$1 billion K-12 enhancement. Additionally, her proposal would have included reductions not included in her "book 2" proposal. These included: (1) a \$100 million reduction to K-12 early education; (2) \$25 million in reductions to institutions of higher education; (3) \$25 million savings associated with eliminating the State Food Assistance program; (4) \$50 million in additional reductions to subsidized Working Connections Child Care (WCCC) beyond her "book 2" level; and (5) other reductions in the development disabilities and long term care programs.

After reviewing the "book 1" proposal, the Governor stated that she determined that the proposal would have "unacceptable consequences." For this reason, she proposed a "book 2" budget. The remainder of the document focuses on the "book 2" proposal.



PREPARED BY:

SENATE WAYS & MEANS COMMITTEE STAFF

DECEMBER 20, 2012

<http://www.leg.wa.gov/Senate/Committees/WM/Pages/default.aspx>

Major Features of Governor Gregoire's Proposed 2013 Supplemental and 2013-15 Biennial Operating Budget

Introduction

The current revenue forecast continues to project slow economic and job growth for both the national and state economies, with revenue collections not exceeding fiscal year 2008 levels until fiscal year 2014. As a result of this relatively slow revenue growth projection and other factors, the Economic and Revenue Forecast Council projects a "baseline" budget shortfall of over \$900 million at the end of the 2013-15 biennium. This does not include any policy levels enhancements typically considered by the Governor and the Legislature. This also does not include any additional K-12 enhancements associated with the phased implementation of SHB 2776 (2010) and the McCleary lawsuit.

Based on the assumptions used in the development of the Governor's proposed new revenue or "book 2" operating budget, including \$1 billion in K-12 enhancements and about \$400 million in other policy level additions, the budget problem is approximately \$2.6 billion between now and the end fiscal year 2015. This includes leaving reserves of approximately \$882 million (\$306 million unrestricted, \$576 million Budget Stabilization Account).

Overview of Governor Gregoire's "Book 1" Budget

The Governor's 2013-15 budget proposal addresses this deficit under two different scenarios. She presented a so-called "book 1" budget that does not include any major revenue increases. Under the "book 1" proposal, she would not be able to fund the \$1 billion K-12 enhancement. Additionally, her proposal would have included reductions not included her "book 2" proposal. These included: (1) a \$100 million reduction to K-12 levy equalization; (2) \$52 million in reductions to institutions of higher education; (3) \$25 million savings associated with eliminating the State Food Assistance program; (4) \$20 million in additional reductions to subsidized Working Connections Child Care (WCCC) beyond her "book 2" level; and (5) other reductions in the development disabilities and long term care programs.

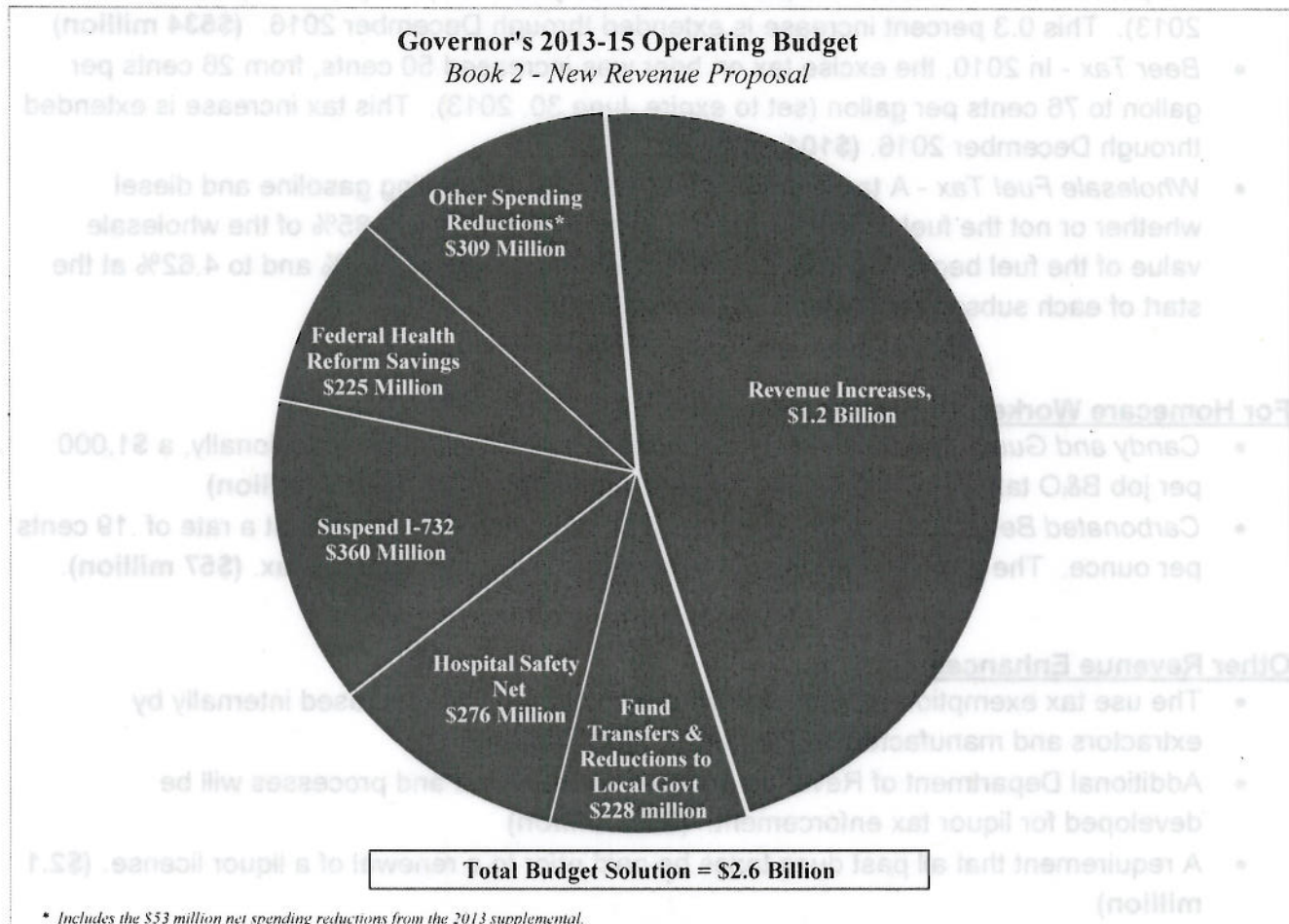
After reviewing the "book 1" proposal, the Governor stated that she determined that the proposal would have "unacceptable consequences." For this reason, she proposed a "book 2" budget that included revenue increases. The remainder of this document focuses on the "book 2" proposal.

Overview of Governor Gregoire's "Book 2" Budget

In the Governor's "book 2" 2013-15 budget proposal, she addresses the budget deficit by including revenue increases. This revenue package includes: (1) temporarily extending the .3 percent B & O rate surcharge for service businesses through December 2016 (\$534 million); (2) temporarily extending the additional beer tax through December 2016 (\$101 million); (3) imposing an escalating excise tax at the wholesale level on fuel (\$368 million); (4) extending the

sales to candy and gum (\$69 million); (5) imposing a carbonated beverage tax (\$57 million); and (6) repealing a use tax exemption currently allowed for fuel produced and used internally by extractors and manufactures (\$63 million).

The revenue components, spending changes, and other aspects of her budget proposal are depicted on the chart below and summarized on the pages that follow.



IMPORTANT NOTE: For ease of discussing the budget problem and solution, this document is based on the Near General Fund & Opportunity Pathways Account (which includes the Education Legacy Trust Account) rather than just the State General Fund. This is done because ultimately this is the best reflection of the entire budget situation that needs to be considered by the Legislature. For this reason, the amounts may differ slightly from the ones depicted by the Office of Financial Management.

Governor Revenue Recommendations

For K-12 Enhancement

- *Service B&O Tax Rate* - In 2010, the service business and occupation (B&O) tax rate of 1.5 percent was increased 0.3 percent for three years to 1.8% (set to expire June 30, 2013). This 0.3 percent increase is extended through December 2016. **(\$534 million)**
- *Beer Tax* - In 2010, the excise tax on beer was increased 50 cents, from 26 cents per gallon to 76 cents per gallon (set to expire June 30, 2013). This tax increase is extended through December 2016. **(\$101 million)**
- *Wholesale Fuel Tax* - A tax is imposed on persons distributing gasoline and diesel whether or not the fuel is used in cars. The rate of the tax is 1.85% of the wholesale value of the fuel beginning July 1, 2013 then is increased to 2.91% and to 4.62% at the start of each subsequent biennia. **(\$368 million)**

For Homecare Worker Arbitration Award

- *Candy and Gum* - The sales tax is extended to candy and gum. Additionally, a \$1,000 per job B&O tax credit is provided for candy manufacturers. **(\$68.6 million)**
- *Carbonated Beverages* - A tax is imposed on carbonated beverages at a rate of .19 cents per ounce. The first \$10 million sold by a bottler is exempt from the tax. **(\$57 million)**.

Other Revenue Enhancements

- The use tax exemption currently allowed for fuel produced and used internally by extractors and manufactures is repealed. **(\$63 million)**
- Additional Department of Revenue auditors are provided and processes will be developed for liquor tax enforcement. **(\$9.6 million)**
- A requirement that all past dues taxes be paid prior to a renewal of a liquor license. **(\$2.1 million)**
- A fee is established for the issuance and renewal of reseller's permits. These permits allow a business to buy tangible personal property exempt from sales tax if they are going to resell the item. **(\$5.1 million)**
- Temporary surcharges on filing fees in superior and district courts, set to expire on July 1, 2013, are extended through the end of the 2013-15 biennium. **(\$9.0 million)**

Education

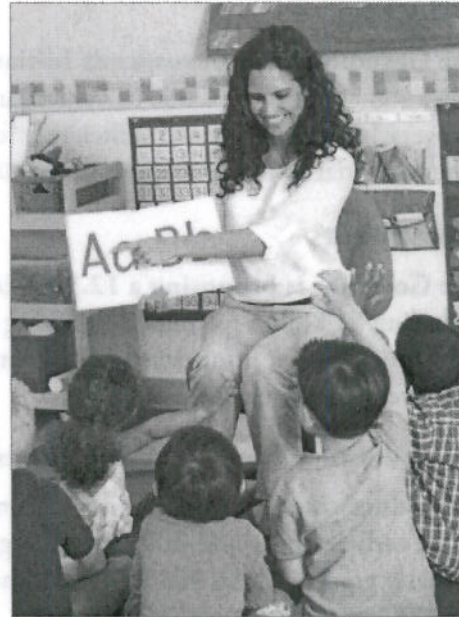
EARLY LEARNING

Success Starts Early

The research is clear that early learning is an essential and particularly cost-effective strategy for improving student achievement. The Governor's commitment to education and increasing its funding begins with preschool programs to ensure children are ready to thrive in kindergarten and beyond.

Investment

Fund 5,125 new preschool slots for children over the next two years in the Early Childhood Education and Assistance Program, a 61 percent increase in the number of children served. This will serve 4,500 more 4-year-olds and reduces the unserved 4-year-old population by one-third. (\$50.0 million General Fund-State)



K-12 EDUCATION

Meeting the State's Basic Education Obligations

For decades, Washington has struggled to adequately fund education from kindergarten through the 12th grade. During the Governor's first term in office, she and the Legislature increased funding for schools, including full funding for Initiative 728 to reduce class sizes and Initiative 732 to provide cost-of-living salary increases for K-12 employees. The Great Recession, however, not only halted progress on K-12 funding but forced difficult reductions.

At the same time, however, local school districts and other parties successfully sued to force greater state funding of education. Last year, the state Supreme Court affirmed that the state was not meeting its constitutional obligation to fully fund basic education. The court deferred to the Legislature to remedy the funding shortfall, but indicated that funding promises made by the state in 2009 (House Bill 2261) and 2010 (House Bill 2776) embodied a "promising reform program" for meeting the state's obligation over time. The court mandated annual reports from the Legislature on its progress. Commitments in the two bills are estimated at \$3.4 billion per biennium when they are fully phased-in by 2018. The challenge in the 2013–15 biennium is to make significant progress toward meeting the legislative commitment to public schools.

In HB 2776, the Legislature committed to a timeline for funding four specific program enhancements by 2018: provide funds for full-day kindergarten for all students; reduce class sizes in grades K-3; fully fund a new pupil transportation funding formula that recognizes actual costs of transporting students to and from school; and significantly increase state funding for the materials, supplies and operating costs of schools (including non-staffing costs such as utilities, insurance, books and supplies, technology and training programs).

Reduction

The Governor's budget suspends Initiative 732 cost-of-living salary increases for K-12 and certain higher education employees. While current salary reductions are restored for the 2013–15 biennium, the economic recovery has not progressed sufficiently for the state to provide salary increases next biennium in addition to other essential K-12 enhancements. (\$360.3 million GF-S)

Investments

The Governor is proposing a 12.3 percent increase in the K-12 budget over the current biennium, including \$1 billion to continue phasing in the state's HB 2776 commitment to basic education. The Governor's budget prioritizes K-12 enhancements for 2013–15 to those areas with the greatest potential to improve student achievement.

Basic education funding enhancements:

- » **Reduce class sizes** in grades K-2 from 24 students to 20 students in high-poverty schools. The impacts of early learning and full-day kindergarten are strengthened and reinforced by smaller class sizes in the early grades. Under HB 2776, all schools will be funded for K-3 class sizes of 17 students by 2018. (\$193.0 million Education Legacy Trust Account)
- » **Continue the phase-in** of full-day kindergarten programs. Building from increases in state funding for preschools, full-day kindergarten is expanded to all public schools where more than 50 percent of the student population is eligible for free or reduced price lunch. Currently, only 44 percent of such schools are funded. Under HB 2776, all schools will receive state funding for full-day kindergarten by 2018. (\$121.0 million Education Legacy Trust Account)
- » **Improve instructional practice** through improved teacher and principal evaluations. The state has adopted a new system to more effectively evaluate teachers and principals. The greatest promise of the new system lies in the ongoing efforts of teachers working with their principals to continually improve instruction based on the results of effective evaluations and use of strategies targeted to the needs of each teacher's students.
 - Provide one-time training funds next school year to ensure all teachers have an understanding of the new evaluation system criteria and procedures and how these can improve their practice. Beginning in the 2014–15 school year, this funding will be used for ongoing professional development in schools and for other maintenance, supply and operating costs the state has committed to fund. (\$24.0 million Education Legacy Trust Account)
 - Increase funding for school principals to provide more time for them to work as instructional leaders and facilitators in their buildings. Administrators will conduct detailed teacher performance reviews and guide improvement programs to hone best teaching and learning practices in the classroom. (\$55.0 million Education Legacy Trust Account)
- » **Increase funding for maintenance, supplies and operating costs.**
 - Fund 100 percent of the funding formula enhancement for professional development, curricula and textbooks. (\$162.0 million Education Legacy Trust Account)
 - Fund 20 percent of the funding formula enhancement in fiscal year 2014 and 25 percent of the enhancement in fiscal year 2015 for utilities and insurance, facilities maintenance, technology, security and central office costs, and other supplies and library materials. Under HB 2776, final phase-in of all funding components of maintenance, supplies and operating costs will be completed by 2016. (\$239.0 million Education Legacy Trust Account)
- » **Fund 100 percent of the state's new pupil transportation funding formula**, beginning next school year — one year ahead of the HB 2776 schedule. (\$209.0 million Education Legacy Trust Account)

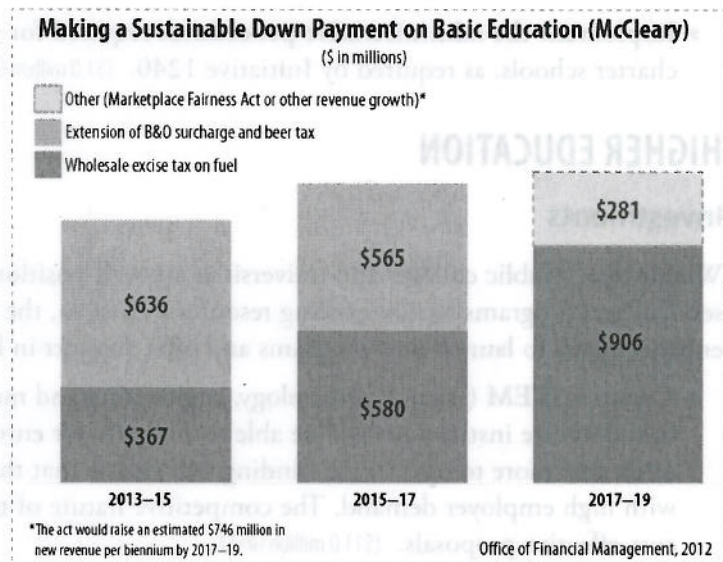
Accountability

The public needs to know that new basic education funds will be spent for the intended priorities. The Governor's budget requires all school districts to use the enhanced basic education formula funds for their appropriated purposes as a requirement of obtaining state resources. School districts will report to the Legislature and the public on how the use of all state funds aligns with state funding allocations.

Basic Education Enhancements: How to Pay for It All

After four years of budget cuts to all areas of state government, Governor Gregoire does not believe the funding needed for K-12 schools can be captured entirely through even deeper cuts to other critical services. Nor does the Governor believe the state can continue to delay the additional investments our schools require. Instead, her budget proposes a balanced approach of reasonable reductions in other services combined with new revenues to pay for pupil transportation.

The Governor proposes a wholesale excise tax on gasoline and diesel fuel, dedicated to pay the full costs of pupil transportation services over the next three biennia. By using transportation revenues to pay for pupil transportation, state resources are freed-up for full-day kindergarten, class size reduction, and the maintenance, supplies and operating enhancements outlined above. The wholesale fuel tax will start at 1.85 percent on July 1, 2013, increasing to 2.91 percent in the second biennium and 4.62 percent in the third biennium. When fully phased-in for the 2017–19 biennium, the wholesale fuels tax revenues and all appropriations for pupil transportation will be transferred from the state operating budget to the state transportation budget.



During the transition to relying entirely on transportation taxes to fund pupil transportation, the Governor proposes extending two temporary tax surcharges the Legislature enacted for the 2011–13 biennium and are set to expire June 30. In 2010, lawmakers approved a 0.3 percent increase to the business and occupation tax paid by doctors, lawyers, accountants and others and a 50-cent-per-gallon beer tax. Extending both taxes by three and a half years, and keeping in place certain exemptions, will yield \$636 million for school enhancements in 2013–15 and \$565 million in 2015–17. For those two biennia, the transportation tax and the two tax surcharges will be deposited into the Education Legacy Trust Account and dedicated to enhancements in state basic education programs.

This revenue package enables a \$1 billion down payment on the \$3.4 billion in new K-12 spending the state has committed to over the next six years. In two years, we will face another funding challenge. While the Governor's budget proposal begins to increase state funding for maintenance, supplies and operating costs, these costs will increase by \$855 million for the next biennium.

The Governor is working with fellow governors to win approval of the Marketplace Fairness Act. This measure would provide sorely needed new revenue by requiring online retailers to collect the sales tax on purchases that customers of brick-and-mortar retailers now pay. The Governor proposes that all future revenues from the act (\$384 million in the 2013–15 biennium, increasing to \$631 million and then \$746 million in the next two biennia) be dedicated to next steps in funding basic education commitments.

Other K-12 funding increases:

- » **Increase employer pension contributions** for K-12 employees. (\$174.1 million GF-S)
- » **Restore temporary salary reductions** implemented in the 2011–13 biennium: 1.9 percent for teachers and classified employees and 3.0 percent for administrators. (\$165.8 million GF-S)
- » **Restore one-time funding reductions** to Alternative Learning Experience programs. (\$43.0 million GF-S)
- » **Increase K-12 employee health insurance benefit allocations** from \$768 per employee per month to \$777 per employee per month for the 2013–14 school year, and to \$788 per employee per month for the 2014–15 school year. (\$27.2 million GF-S)
- » **Implement the administrative procedures** required for the approval and monitoring of individual charter schools, as required by Initiative 1240. (\$1.0 million GF-S)

HIGHER EDUCATION

Investments

Washington's public colleges and universities are well-positioned to respond to student needs by prioritizing services and programs within existing resources. Even so, the Governor's budget proposes targeted enhancements to launch new programs and offer support in key areas:

- » **Create a STEM** (science, technology, engineering and math) **enrollment pool**. The six public baccalaureate institutions will be able to compete for enrollment funds in STEM fields. These programs often cost more to operate, so funding will ensure that the four-year institutions can expand programs with high employer demand. The competitive nature of the pool will reward the best-designed and most cost-effective proposals. (\$11.0 million GF-S)
- » **Expand aerospace and STEM offerings** at the community and technical colleges. Funding will support 330 student FTEs who will get cutting-edge training in fields such as precision machining, machine maintenance, composite technology and other STEM areas. (\$5.0 million GF-S)
- » **Support colleges of engineering**. Last year, the University of Washington and Washington State University committed to graduate an additional 425 students each from their respective colleges of engineering. New investments will assist the universities in supporting these enrollments and implementing best practices in engineering programs to help them meet these targets. (\$4.0 million GF-S)
- » **Fund College Bound scholarships**. College Bound scholarships reward low-income, middle school students who commit to high school graduation and preparation for college with enhanced financial aid. The first College Bound students are now progressing in their college education. Investment in these scholarships maintains the state's commitment to these students. (\$35.0 million GF-S)

Balance Sheet
Governor Gregoire's Proposal

2011–13 and 2013–15 Balance Sheet

Including 2013 Supplemental Budget

General Fund-State, Education Legacy, Opportunities Pathways and Budget Stabilization Accounts

Dollars in millions

RESOURCES	2011–13	2013–15
Beginning Fund Balance	(60.4)	191.9
November 2012 Revenue Forecast	30,935.8	33,043.8
Transfer to Budget Stabilization Account	(267.0)	(307.4)
Other Enacted Fund Transfers	378.6	
Alignment to the Comprehensive Financial Statement	(5.0)	
Adjustment to Working Capital (HB 2822)	238.0	
Transfer to Child and Family Reinvestment Account (RCW 74.13.107)		(5.7)
Governor's Proposed Budget		
Fund Balance Transfers	1.8	171.6
Changes in Cost-Share with Local Government		56.5
Budget Driven Revenue/Fees/Tax Exemptions		87.2
New Revenues Funding Home Care Workers Arbitration		125.6
New/Extended Revenues Supporting Education (Education Legacy Account)		1,003.0
Total Resources (including beginning fund balance)	\$31,221.8	\$34,366.5
EXPENDITURES		
2011–13 Enacted Budget		
2011–13 Appropriations	31,249.2	
Actual Reversions in Fiscal Year 2012	(105.9)	
Assumed Reversions in Fiscal Year 2013	(60.0)	
	\$31,083.3	
Governor's Proposed Budget		
Expenditure Changes for 2011–13	(66.9)	
Adjustment to Reversion Estimate for Fiscal Year 2013	13.5	
2013–15 Expenditures		34,060.0
Total Expenditures	\$31,029.9	\$34,060.0
RESERVES		
Projected Ending Balance	191.9	306.4
Budget Stabilization Account Beginning Balance	0.6	267.7
Transfer from General Fund and Interest Earnings	267.1	307.8
Projected Budget Stabilization Account Ending Balance	267.7	575.5
Total Reserves	\$459.6	\$881.9

Note: Some totals may not add exactly due to rounding.

Balance Sheet Detail

Governor's 2013–15 Budget

General Fund-State, Education Legacy, Opportunities Pathways and Budget Stabilization Accounts

Dollars in millions

Fund Balance Transfers to the General Fund	
Public Works Assistance Account	100.0
Life Sciences Discovery Account	22.0
Local Toxics Control Account	21.0
State Treasurer's Service Account	20.0
Waste Reduction/Recycling/Litter Control Account	6.0
Flood Control Assistance Account	2.0
Miscellaneous Obsolete Accounts	0.6
	\$171.6
Changes in Cost Share with Local Government	
Liquor Excise Tax Account	50.5
County Criminal Justice Assistance Account	2.7
Streamlined Sales and Use Mitigation Account	1.7
Municipal Criminal Justice Assistance Account	1.0
City-County Assistance Account	0.6
	\$56.5
Budget Driven Revenue/Fees/Tax Exemptions	
Budget Driven Revenue	
Additional Department of Revenue Auditors Targeting Liquor Enforcement	9.6
Opportunities Pathways Account Revenue Reductions Due to Lottery Budget	(1.2)
New Fees/Extension of Fees Scheduled to Expire	
Fee on Issuance and Renewal of Reseller Permits	5.1
Requirement to Pay Past Due Taxes Prior to Renewal of Liquor Licenses	2.1
Judicial Stabilization Trust Account	9.0
Repeal of Tax Exemptions	
Extracted Fuel Use Tax Exemption	62.6
	\$87.2
New Revenues Funding Home Care Worker Arbitration Award	
Repeal Sales Tax Exemption on Candy/Gum, with B&O Credit to Candy Manufacturers	68.6
Impose Carbonated Beverage Tax of .19 Cents/Ounce with \$10 Million Exemption	57.0
	\$125.6
New and Extended Revenues Supporting Education (Education Legacy Account)	
Extend 0.3 Surcharge on Service Businesses Through Dec. 31, 2016	534.0
Extend the Beer Tax Increase of 50 cents/gallon Through Dec. 31, 2016	101.0
Impose an Excise Tax on Fuel Based on Wholesale Selling Price	368.0
	\$1,003.0

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Joint Task Force on Education Funding - Update	
As Related To:	<input type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	The Board will consider its final list of legislative priorities for the 2013 Legislative Session	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	<p>The Board will hear an update of the proceedings and Final Report of the Joint Task Force on Basic Education Funding.</p> <p>The Task Force Report is not complete as of the publication date of this Board packet. A report will be made available upon publication.</p> <p>Included in the packet is a copy of the Supreme Court's December 20th order, declaring that "The state's first report (of progress on responding to <i>McCleary</i>) falls short"</p>	

Joint Task Force on Education Funding - Update

Policy Consideration

At its final meeting December 17th, Joint Task Force on Education Funding concluded its scheduled public meetings. At this meeting, the Task Force voted 6-2 on a “spending plan,” as well as a “revenue plan,” the details of which are included below.

As of today's date, The Task Force's Final Report has not yet been published, but is scheduled to be available prior to the Board's January meeting in Tumwater. The Final Report will be sent separately as it becomes available.


At its January meeting, the Board will be asked to consider a legislative priorities statement supporting continued implementation of basic education programs, as required by the *McCleary* Supreme Court decision. The Task Force was charged with developing a revenue system to support phased-in implementation of those programs.

Summary

Spending plan

The spending plan, reflecting a 2017-19 biennial commitment of nearly \$4.5 billion, was represented as follows:

K-12 Enhancements* Dollars in Millions

	2013-15	2015-17	2017-19
HB 2776 Enhancement:			
Transportation	\$141.6	\$225.1	\$232.8
Materials, Supplies & Operating Costs	597.1	1,410.9	1,554.7
K-3 Class Size	219.2	662.8	1,150.6
Full-Day Kindergarten	89.3	227.4	348.7
Career & College Ready, 80 hours/24 credits 	140.4	327.6	473.4
Classified and administrative salary allocation	169.8	450.2	681.5
Accountability, evaluation and common core systems	66.5	44.5	42.0
Total	\$1,423.9	\$3,348.5	\$4,483.7

*Amounts may vary depending on the phase-in of the components

It is noteworthy that the Task Force included \$140.4 million in the 2013-15 biennium – the budget the current legislature is writing -- for a category they called “Career and College Readiness” (see arrow indication). This included funding both for the additional 80 hours of instructional required for grades 7-12 in ESHB 2261, as well as additional funding for counselors to support implementation of the Career and College-Ready Graduation Requirements adopted by the State Board of Education.

Jeff Vincent, *Chair* † Randy Dorn, *Superintendent of Public Instruction*
 Dr. Bernal Baca † Amy Bragdon † Kevin Laverty † Phyllis Bunker Frank † Elias Ulmer
 Bob Hughes † Dr. Kristina Mayer † Matthew Spencer † Cynthia McMullen
 Mary Jean Ryan † Tre' Maxie † Connie Fletcher † Judy Jennings
 Ben Rarick, *Executive Director*

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One issue of contention among Task Force members in consideration of this proposal was which of these programs were within the purview of the Task Force's statutory assignment. Representatives Gary Alexander and Kathy Dahlquist argued that salary enhancements, accountability, Common core, and career and college-ready funding fell outside of the specific requirements of the Task Force's statutory charge. Instead, they argued that the Task Force should limit itself to the four primary enhancements listed at the top of the chart: Pupil Transportation, K-3 class size, Maintenance, Supplies, and Operating Costs (MSOC), and Full Day Kindergarten.

Revenue plan

The revenue plan could be described as a series of revenue options. The list included a wide range of revenue alternatives, ranging from variations of the 'property tax swap' idea originally offered by Representative Ross Hunter and Senator Joe Zarelli, to the retention of certain existing taxes (including the beer tax and Business/Occupation Surtax), as well as the addition of new taxes, such as an excise tax on capital gains, and use of the transportation budget (and associated, dedicated revenue sources) to cover K-12 pupil transportation.

On the requirement of identifying a reliable and dependable revenue source for basic education, House Bill 2824 required that the Task Force "recommend one preferred alternative, including an outline of necessary implementing legislation." It is unclear how the various options voted on at the final meeting will produce a preferred alternative in the final Report.

K-12 Revenue Options	
<i>\$ in millions</i>	
<i>(All Funds Dedicated To Education Legacy Trust Account)</i>	
	Estimated Biennial Impact
Use Rainy Day Fund	\$250 - 300
Retain existing taxes set to expire	\$650-\$800
Additional budget efficiencies and savings	\$300
Eliminate tax exemptions	\$250
Transfer all or part of transportation costs to the transportation budget with revenue increase to cover costs	\$143-\$930
Excise Tax on Capital Gains- excludes first \$10,000, residence, and retirement distributions, retains same exclusions in federal law for mortgage derived gains; 5% rate; possible circuit breaker	\$650-\$1,400
Property Tax Options:	
Revise State School Levy Growth Factor	\$43-\$600
Increase State School Levy	\$200 - \$2,350
Use State School Levy to replace local levies	\$1,735-\$2,680

Republican members of the Committee declined to vote for the list of revenue options list supported by the Democrats on the Committee. Instead, they offered a separate proposal, outlining a spending plan that would be supported without new taxes. The central premise of the proposal was

to fund K-3 class size and full day kindergarten first in the sequence of program enhancements required by House Bill 2776, and also to “Fund Education First” – funding the public schools budget fully prior to providing funding for any other program or service in the state budget.

The text of the correspondence is included below:

Our proposed alternative is to fund education first – and fund it fully, including the provisions of House Bill 2261 and House Bill 2776, beginning in Fiscal Year 2014 and completing in Fiscal Year 2019.

Our proposed alternative would prioritize the enhancements by fully funding all-day kindergarten (\$349 million) and one-half of K-3 class-size enhancements (\$575 million) in the upcoming 2013-15 biennium. The 2015-17 biennium would include funding for the remainder of the K-3 class-size enhancements (\$576 million) and one-half of MSOC (\$777 million). The remaining one-half of MSOC enhancements (\$778 million), all pupil-transportation enhancements (\$232 million) and the additional 80 hours for grades 7 through 12 (\$211 million) would be funded in the 2017-2019 biennium.

This funding would be incorporated in a separate budget, along with existing K-12 education programs for each of the three upcoming biennia, and an accompanying bill that would be the first call on existing projected Near General Fund revenues.



Rep. Gary Alexander
20th Legislative District



Rep. Susan Fagan
9th Legislative District



Rep. Cathy Dahlquist
31st Legislative District

Action

As part of final consideration of legislative priorities for the 2013 legislative session, the Board will consider motion language supporting continued implementation of basic education programs, as required by the McCleary Supreme Court decision.

Joint Task Force on Education Funding

Update on Deliberations & Final Report

January, 2013

Ben Rarick, Executive Director

JTFEF Final Report

- Two Major Components
 - Adopted a spending plan
 - Adopted a list of revenue options

- SBE Initiatives Discussed:
 - Career and College-Ready Graduation Requirements
 - School accountability issues

Task Force – Adopted Spending Plan

- Supports Class of 2018 Graduation Requirements (H.S. hours start in 2014-15)
- Supports state school improvement efforts (Phase II of 6696)

Table 1: Spending Plan

dollars in millions

	2013-15 Biennium	2015-17 Biennium	2017-19 Biennium
Fully fund revised transportation formula	\$141.6	\$225.1	\$232.8
Materials, Supplies, & Operating Costs (MSOC)	597.1	1,410.9	1,554.7
Reduce K-3 class sizes to 17 pupils/teacher	219.2	662.8	1,150.6
Implement full-day kindergarten statewide	89.3	227.4	348.7
Implement Career & College Ready plan	140.4	327.6	473.4
Classified & administrative salary allocations	169.8	450.2	681.5
Accountability, Evaluation, & Common Core	66.5	44.5	42.0
Total	\$1,423.9	\$3,348.5	\$4,483.7

Note: Amounts may vary depending on the phase-in of the components.

Accountability, Evaluation, & Common Core

Proposal Details

- State Accountability line – \$15 million of which is state school improvement dollars.
- Currently we rely on federal funding; as federal funding shrinks, so too does our commitment to helping struggling schools.

Proposed Accountability Enhancements						
Biennium	<u>2013-2015</u>		<u>2015-2017</u>		<u>2017-2019</u>	
Fiscal Year	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
State Accountability*	17	18	20	15	15	15
Teacher and Principal Evaluation	25	5	5	5	5	5
Common Core Implementation	1	1	1	1	1	1
Total Proposed K-12 Spending	43	24	26	21	21	21
<i>Biennial Total</i>		<i>67</i>		<i>47</i>		<i>42</i>

*Includes resources to assist schools in using data to improve student achievement

No Preferred Revenue Option Was Identified

Included was a list of funding options, with wide ranges

Table 2: Funding Options dollars in millions	Estimated Biennial Impact	
Use Rainy Day Fund	\$250 - \$300	
Retain existing taxes set to expire	\$650 - \$800	Gregoire included 1) B/O surtax 2) Beer tax
Additional budget efficiencies and savings	\$300	
Eliminate tax exemptions	\$250	
Transfer all or part of K-12 transportation to transportation budget (with new revenue)	\$143 - \$930	Gregoire included Net effect: Increase in the fuel tax
Excise Tax on capital gains*	\$650 - \$1,400	
<i>Property Tax Options:</i>		
• Revise state school levy growth factor	\$43 - \$600	
• Increase state school levy	\$200 - \$2,350	
• Use state school levy to replace local levies	\$1,735 - \$2,680	

All new revenues are dedicated to the Education Legacy Trust Account

Comparing the JTFEF Report to the Statutory Charge

The Task Force's Duty, Per Report

The legislation further states the JTFEF may recommend multiple options but must recommend one preferred alternative and provide an outline of necessary implementing legislation. If the preferred alternative is to fully fund the program of basic education with no new revenues, the Task Force must identify what areas already in the state budget would be eliminated or reduced.

The Task Force's Recommendations, Per Report

Adopted Funding Options

The Task Force adopted, by a vote of six to two, a list of funding options for the Legislature to consider. The JTFEF does not recommend a preferred option for funding the adopted spending plan nor does the JTFEF recommend enacting all components.

JTFEF Discussions & Report

Some Key Takeaways for the SBE

“Career & College Ready” package discussed by the Task Force was more than just 24 credits.

- Additional 80 hours of instruction at the high school Level
- Additional counseling support
- LAP, bilingual & parent engagement

Class of 2018 are freshmen in 2014-15, which means this biennial budget.

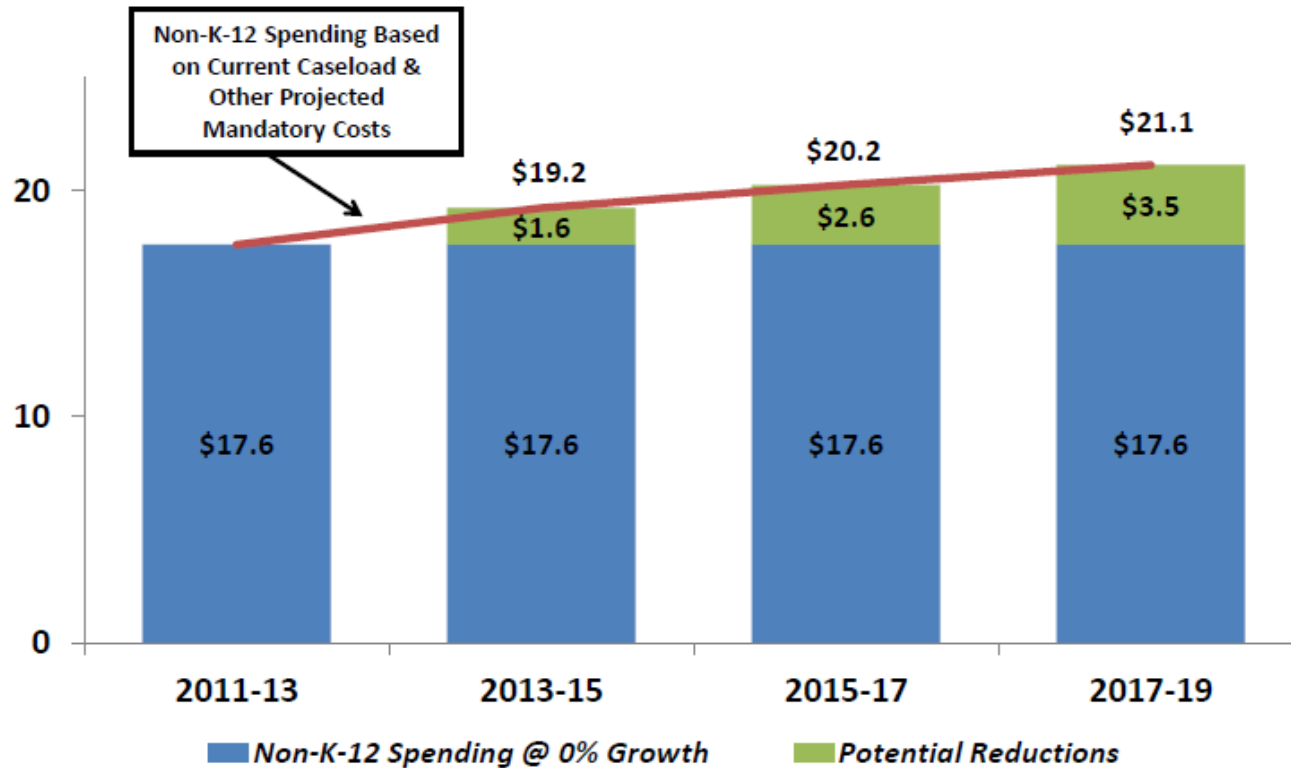
Significant interest in state accountability systems among JTFEF members of both parties. Issue this session?

Plans to “grow our way out” of our school funding problem are difficult to conceptualize.

Can we grow our way out?

Keeping non-K12 *programs* flat over time (and dedicating revenue growth to K-12) doesn't mean non-K12 spending stays flat.

To hold non-K 12 spending growth to zero percent would require \$1.6 billion to \$3.5 billion in reductions over the next three biennia



Upshot? "It costs a lot to stand still"

Source: JTFEF workpapers/presentation; prepared by legislative fiscal staff

THE SUPREME COURT OF WASHINGTON

MATHEW and STEPHANIE McCLEARY,)
et al.,)
Respondent/Cross-Appellant,)
v.)
STATE OF WASHINGTON,)
Appellant/Cross-Respondent.)

ORDER
Supreme Court No.
84362-7
King County No.
07-2-02323-2 SEA

2012 DEC 20 A 11:42
BY RONALD D. SAMPER CENTER
FILED
STATE SUPREME COURT
WASHINGTON

This matter came before the court on its December 6, 2012, en banc conference following the parties' submissions in response to this court's July 18, 2012 order. See Report to the Washington State Supreme Court by the Joint Select Committee on Article IX Litigation; Pl./Resp'ts' 2012 Post-Budget Filing. The question before us is whether, in remedying the constitutional violation of the State's paramount duty under article IX, section 1, current actions "demonstrate steady progress according to the schedule anticipated by the enactment of the program of reforms in ESHB 2261." Wash. Supreme Court Order (July 18, 2012) at 3 (Order). Consistent with ESHB 2261, 61st Leg., Reg. Sess. (Wash. 2009), such progress must be both "real and measurable" and must be designed to achieve "full compliance with article IX, section 1 by 2018." *Id.*

The State's first report falls short. The report details some of the same history set out in this court's opinion, *McCleary v. State*, 173 Wn.2d 477, 269 P.3d 227 (2012), and it identifies committees in place and the funding task force's assignment. But, the report does not

653/37

sufficiently indicate how full compliance with article IX, section 1 will be achieved. Indeed, since the passage of ESHB 2261 in 2009, significant cuts to education funding have been made. Some of these cuts have been partially restored, but the overall level of funding remains below the levels that have been declared constitutionally inadequate.

Steady progress requires forward movement. Slowing the pace of funding cuts is necessary, but it does not equate to forward progress; constitutional compliance will never be achieved by making modest funding restorations to spending cuts.

It continues to be the court's intention to foster cooperation and defer to the legislature's chosen plan to achieve constitutional compliance. *See McCleary*, 173 Wn.2d at 541-42, 546. But, there must in fact be a plan. Each day there is a delay risks another school year in which Washington children are denied the constitutionally adequate education that is the State's paramount duty to provide.

Year 2018 remains a firm deadline for full constitutional compliance. Whether this is achieved by getting on track with the implementation schedule anticipated in ESHB 2261 or whether it is achieved by equivalent measures, it is incumbent upon the State to lay out a detailed plan and then adhere to it. The upcoming legislative session provides the opportunity for the State to do so. While the State's first report to the court identified the standing committees that have been formed and the additional studies that have been undertaken, the second report must identify the fruits of these labors.

Accordingly, by majority, it is hereby ordered: the report submitted at the conclusion of the 2013 legislative session must set out the State's plan in sufficient detail to allow progress to be measured according to periodic benchmarks between now and 2018. It should indicate the

1/28/2014

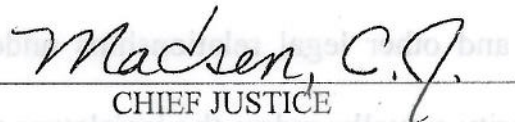
phase-in plan for achieving the State's mandate to fully fund basic education and demonstrate that its budget meets its plan. The phase-in plan should address all areas of K-12 education identified in ESHB 2261, including transportation, MSOCs (Materials, Supplies, Other Operating Costs), full time kindergarten, and class size reduction. Given the scale of the task at hand, 2018 is only a moment away—and by the time the 2013 legislature convenes a full year will have passed since the court issued its opinion in this case.¹

In education, student progress is measured by yearly benchmarks according to essential academic goals and requirements. The State should expect no less of itself than of its students. Requiring the legislature to meet periodic benchmarks does not interfere with its prerogative to enact the reforms it believes best serve Washington's education system. To the contrary, legislative benchmarks help guide judicial review. We cannot wait until "graduation" in 2018 to determine if the State has met minimum constitutional standards.

IT IS SO ORDERED.

DATED at Olympia, Washington this 20th day of December, 2012.

For the Court,


CHIEF JUSTICE

¹ On a minor point, the State's 2013 postbudget report and any response should be filed as a pleading with the court. This case remains open and it is important that all communications between the parties and the court be part of the open court file.

No. 84362-7

J.M. JOHNSON, J. (dissenting)—Today’s order clearly violates two important provisions of our constitution: the separation of powers and the explicit delegation of education to the legislature. This order purports to control the Washington State Legislature and its funding for education until 2018. The order ultimately impairs the implementation of newly designed best available education techniques for our school children. I dissent.

SEPARATION OF POWERS

This case was originally brought as a declaratory action alleging that the State was violating the Washington State Constitution by failing to adequately fund the K-12 school system.¹ RCW 7.24.010 authorizes Washington courts to declare rights, status, and other legal relationships under declaratory judgment actions. Here, the majority actually orders the legislature to take certain specific actions by

¹ *McCleary v. State*, 173 Wn.2d 477, 269 P.3d 227 (2012).

a specified date, which sounds more in mandamus than declaratory judgment. It also disregards the multitudinal facets of a budget.

A writ of mandamus is used “to compel the performance of an act which the law especially enjoins as a duty resulting from an office, trust or station, or to compel the admission of a party to the use and enjoyment of a right or office to which the party is entitled” RCW 7.16.160. Although this court has limited authority to issue writs of mandamus, it seldom controls state officers, much less the legislature. Furthermore, “such a court order must be justified as an extraordinary remedy.” *SEIU Healthcare 775NW v. Gregoire*, 168 Wn.2d 593, 598-99, 229 P.3d 774 (2010) (denying mandamus).

As the remedy lies in equity, courts must exercise judicial discretion to issue the writ. *Id.* at 601. “[W]hen directing a writ to the Legislature or its officers, a coordinate, equal branch of government, the judiciary should be especially careful not to infringe on the historical and constitutional rights of that branch.” *Brown v. Owen*, 165 Wn.2d 706, 718, 206 P.3d 310 (2009) (quoting *Walker v. Munro*, 124 Wn.2d 402, 407, 879 P.2d 920 (1994)).

Here, the court is issuing what appears to be a writ of mandamus without calling it by its proper name or justifying it as an extraordinary remedy. Further, writs of mandamus must be directed at an “inferior tribunal, corporation, board or

person.” RCW 7.16.160. The legislature is separate and equal, not an “inferior . . . board.” *Id.*

The majority’s order directs the legislature to create a specific educational plan by the end of the 2013 legislative session with further steps to 2018. Considering that the new legislators have not yet been sworn in, and the body to which we are issuing this direction is consequently not even in existence, the order is improper. At the least, the new legislature should be allowed to consider the issue, in good faith, without this court’s orders held to its head.

The Washington State Constitution does not express its separation of powers. “Nonetheless, the very division of our government into different branches has been presumed throughout our state’s history to give rise to a vital separation of powers doctrine.” *Brown*, 165 Wn.2d at 718 (quoting *Carrick v. Locke*, 125 Wn.2d 129, 135, 882 P.2d 173 (1994)). The separation of powers doctrine exists “to ensure that the fundamental functions of each branch remain inviolate.” *Carrick*, 125 Wn.2d at 135.

We have recognized that “[t]he spirit of reciprocity and interdependence requires that if checks by one branch undermine the operation of another branch or undermine the rule of law which all branches are committed to maintain, those checks are improper and destructive exercises of the authority.” *In re Salary of*

Juvenile Director, 87 Wn.2d 232, 243, 552 P.2d 163 (1976). Today's order is precisely that—a destructive exercise of authority. Effects on other state funded programs, such as those for the needy, are disregarded. The extensive history of educational studies and reform described in *McCleary v. State*, 173 Wn.2d 477, 269 P.3d 227 (2012), illustrates the legislature's comparative advantage at identifying policy goals and implementing them.² Although the majority in *McCleary* claimed that this court would not “dictat[e] the precise means by which the State must discharge its duty,”³ today's order no doubt contemplates this court's future assessment of the merits of the legislature's benchmarks, as well as the contents of its plan.⁴ Because we are isolated from the legislative mechanisms

² Examples of such studies and reforms include the Washington Basic Education Act of 1977 (LAWS OF 1977, 1st Ex. Sess., ch. 359), the Levy Lid Act of 1977 (LAWS OF 1977, 1st Ex. Sess., ch. 325), the Remediation Assistance Act (LAWS OF 1979, ch. 149), the Transitional Bilingual Instruction Act of 1979 (LAWS OF 1979, ch. 95), the Education for All Act of 1971 (LAWS OF 1971, 1st Ex. Sess., ch. 66), the Governor's Council on Education Reform and Funding, the Commission on Student Learning, ESHB 1209, the development of EALRs and the Washington Assessment of Student Learning, the Washington Learns study, E2SSB 5841, the Transportation Funding study, the Basic Education Finance Task Force, E2SSB 5627, the creation of the Quality Education Council, and SHB 2776. *McCleary*, 173 Wn.2d at 486-510. A recent example of how educational reforms are constantly evolving is the announcement of Washington State Superintendent of Public Instruction Randy Dorn's proposal to reduce five required testing areas down to three. Press Release, State of Washington Office of Superintendent of Public Instruction, Dorn Proposes Changes in State Assessment System (Dec. 13, 2012), <http://www.k12.wa.us/Communications/PressReleases2012/DornProposesChanges-Assessment.aspx> (last visited Dec. 18, 2012).

³ 173 Wn.2d at 541.

⁴ The order appears to be predicated on the misinformation that more funding is the solution to all problems in education. American students' recent scores on 12th grade National Assessment of Educational Progress (NAEP) tests highlight the mediocrity in K-12 schools. Matthew Ladner et

for gathering public input, such as hearings and committees, courts are undeniably unsuited to decide these policy judgments.

WASHINGTON STATE CONSTITUTION ARTICLE IX, SECTION 2

The constitution enshrines in article IX, section 2 that “[t]he legislature shall provide for a general and uniform system of public schools.” This is supported both by statewide representation in the legislature and by the legislature’s control over the budget. Today’s order is a clear usurpation of the legislature’s constitutionally mandated duty.

Judges sometimes have delusions of grandeur. Our decision-making deals with thousands of criminal and civil cases through one model. Our state constitution allows other major problems to be resolved through elected representatives from the entire state. This includes the committee process, two houses, a governor, and the use of initiatives and referenda as pros.

The United States Supreme Court has long recognized “that judicial inquiries into legislative or executive motivation represent a substantial intrusion

al., *Report Card on American Education* 4 (16th ed. 2010). For example, only 23 percent of 12th graders scored ““Proficient”” in math (39 percent scored ““below Basic””). *Id.* Similarly, only 35 percent of 12th graders scored “Proficient” in reading. *Id.* Nationally, per student annual expenditures have increased from \$4,060 in 1970 to \$9,266 in 2006 (in constant 2007 dollars). *Id.* at 8. Meanwhile, NAEP scores have remained fairly constant and high school graduation rates have dropped slightly. *Id.* What this means is that United States taxpayers are paying more than double per student than they were 40 years ago without seeing any measurable increases in educational outcomes.

into the workings of other branches of government.” *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 268 n.18, 97 S. Ct. 555, 50 L. Ed. 2d 450 (1977). We should accordingly presume that legislators act in good faith in discharging their constitutional duties. In *McCleary*, the majority clarified the legislature’s duty under article IX, section 1 of the Washington State Constitution and expressed that we expect to see full implementation of educational reforms. 173 Wn.2d at 547. Because I would continue to presume that the legislature will act in good faith in implementing these reforms, this order oversteps the bounds of proper judicial action.

I agree with and signed Chief Justice Madsen’s concurrence/dissent in *McCleary*, in which she expressed that “[w]e have done our job; now we must defer to the legislature for implementation.” *Id.* at 548 (Madsen, C.J., concurring/dissenting). For this reason, I respectfully dissent.

into the workings of other branches of government." *Vill. of Arlington Heights v. Metro. Home Dev. Corp.*, 429 U.S. 252, 268 n.18, 97 S. Ct. 552, 50 L. Ed. 2d 450 (1977). The majority assumed that legislators act in good faith in discharging their constitutional duties. In *McCleary*, the majority clarified the legislature's duty under article IX, section 1 of the Washington State Constitution and expressed that we expect to see full implementation of educational reforms. 173 Wn.2d at 247. Because I would continue to presume that the legislature will act in good faith in implementing these reforms, this order oversteps the bounds of proper judicial action.

I agree with and signed Chief Justice Madsen's concurrence/dissent in *McCleary*, in which she expressed that "[w]e have done our job; now we must defer to the legislature for implementation." *Id.* at 248 (Madsen, C.J., concurring/dissenting). For this reason, I respectfully dissent.



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: State Board of Education

Subject of possible rule making: Sections 211, 212, 214, 215 and 221, Initiative Measure No. 1240 (Relating to Public Charter Schools), approved in the November 2012 General Election.

Statutes authorizing the agency to adopt rules on this subject: Initiative Measure No. 1240, as codified.

Reasons why rules on this subject may be needed and what they might accomplish: The State Board of Education has identified several provisions of I-1240 with duties for the SBE that require adoption of rules. The SBE has filed a Preposal Statement of Inquiry for rule-making on Section 209, Authorizers – Approval. In this filing we provide preproposal statement of inquiry on the following sections: Section 211(1) and (2). Authorizers – Funding; Section 212(4), (5) and (7). Authorizers – Oversight; Section 214(1). Charter Applications – Decision Process; Section 215 (2) and (3). Number of Charter Schools; Section 221(3). Charter School Termination or Dissolution.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: No other federal and state agencies regulate this subject.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The State Board of Education will solicit comment on rules to implement Sections 211, 212, 214, 215 and 221 from school district boards of directors, education organizations, the Office of Superintendent of Public Instruction, the Washington Charter School Commission and other interested parties. Information on the SBE's duties under these and other provisions of Initiative 1240 has been posted on the agency's public web site. That information will be supplemented and updated as the SBE proceeds with rule-making on a schedule to be determined by the agency.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Jack Archer, Senior Policy Analyst
Washington State Board of Education
Old Capitol Building, Room 253
P.O. Box 47206
Olympia, WA 98504

Interested parties are encouraged to submit comments in writing to jack.archer@k12.wa.us

DATE	CODE REVISER USE ONLY
NAME (TYPE OR PRINT)	
SIGNATURE	
TITLE	

Private Schools for Approval

2012-13

School Information	Grade Range	Projected Pre-school Enrollment	Projected Enrollment	Projected Extension Enrollment	County
Colville Valley Junior Academy Lisa Cook 139 E Cedar Loop Colville WA 99114 509.684.6830	K-8		28	0	Stevens

Ms. Cook has obtained her Washington State teaching certificate—verified by the Certification Office.

Business Items

1. **CR 102 – Proposed Rules for Initiative 1240, Sec. 209.**

Motion was made to approve for filing with the Code Reviser the CR 102 for proposed rules implementing Section 209 of Initiative 1240. The motion was unanimously approved.

2. **CR 101 – Preproposal Statement of Inquiry for Initiative 1240.**

Motion was made to approve the filing with the Code Reviser of the CR 101 for proposed rulemaking regarding Initiative 1240 as amended at the meeting. (The CR 101 was amended to provide for possible rulemaking of any other rules necessary to implement the initiative in addition to those specific sections set forth in the CR 101.) The motion was unanimously approved.

3. **Revised Achievement Index Indicators.**

Motion was made to provisionally approve the index prototype for the revised Achievement Index shown on the graph labeled “Prototype Index” presented to the Board at this meeting. The motion was unanimously approved.

4. **Letter to the AAW on the Revised Index – Part III.**

Motion was made to approve the Board’s letter to the Achievement and Accountability Workgroup as presented at the meeting. The motion was unanimously approved.

5. **Private School Approval 2012-2013 Academic School Year.**

Motion was made to approve Colville Valley Junior Academy as a private school for the 2012-2013 academic school year. The motion was unanimously approved.

6. **2013 Special Board Meeting Dates.**

Motion was made to approve the February 26, 2013 and March 29, 2013 Special Board Meeting dates. The motion was unanimously approved.

7. **Legislative Priorities.**

Motion was made to approve the following as the SBE’s Assessment Position: The State Board of Education (1) recognizes the state is in a time of transition with implementation of the Common Core State Standards (CCSS); (2) strongly urges alignment and work with higher education so the Smarter Balanced Assessment Consortium (SBAC) 11th grade assessment would be meaningful in admissions and placement; (3) affirm exit exams as part of a meaningful high school diploma; (4) move

towards exit exams consisting of: Algebra 1 EOC, Biology EOC, Reading and Writing transitioning to ELA (comprehensive SBAC 10th or 11th grade needs further exploration); and (4) more work to broaden Science assessment options (concerns about narrowing of curriculum through biology EOC). The motion was passed with Bob Hughes and Cynthia McMullen voting nay.

Motion was made to approve the 2013 SBE Legislative Priorities set forth on pages 100-101 of the Agenda Material as amended (provide for full funding of basic education, as required in McCleary as first legislative priority; support the continued implementation of the common core standards).