



Washington State Board of Education
600 Washington St SE
PO Box 47206
Olympia, WA 98504

November 13, 2013

To the Washington State Board of Education,

Thank you for the opportunity to provide comment on proposed WAC 180-17. We appreciate the creation of guiding principles of the Accountability System and particularly support the acknowledgement that the level of support for a school should increase based upon the magnitude of need. We also strongly support the use of data to inform decisions.

We acknowledge the difficulty in successfully turning around struggling schools. The difficulty of the task, however, does not diminish its importance. Ultimately, this process should pass a parent "sniff test." A school should receive the support it needs, and should not exit this process, until it is on solid ground and on a trajectory to become a school that any parent would not hesitate to send his or her child to.

It is critically important that the WAC related to SB 5329 is clear and establishes appropriate criteria to support the tiered system of assistance and intervention. In reviewing the proposed rules, several areas of concern have arisen that we feel need to be addressed.

I. WAC 180-17-050: Release of a school district from designation as a required action district.

- (1) *The state board of education shall release a school district from designation as a required action district upon recommendation by the superintendent of public instruction, and confirmation by the board, that the district has met the requirements for release set forth in RCW 28A.657.100.*

LEV comment:

The criteria for releasing a school district from designation as a required action district (RAD) are still unclear and refer to measures that are inappropriate for the purpose of meaningfully improving struggling schools.

The proposed WAC refers to requirements set forth in RCW 28A.657.100, which uses vague language like "progress" and also refers to whether a district is identified as "persistently low-achieving." As you know, the list of "persistently lowest-achieving schools" in the state is composed of the five percent of schools eligible to receive federal Title I funds. This list:

- a) excludes from consideration some schools, and
- b) ranks schools relative to the performance of others rather than using an objective standard.

A school could get off the list of persistently lowest-achieving schools by not making any progress at all or even through decline, as long as enough other schools get worse.

II. WAC 180-17-060: Designation of required action districts to Level II status.

- (2) *For the purposes of this section, recent and significant progress shall be defined as progress occurring within the two most recently completed school years, which is determined by the board to be substantial enough to put the school on track to exit the list of persistently lowest-achieving schools list, as defined in RCW 28A.657.100, if the rate of progress is sustained for an additional three school years. Schools meeting their annual measurable objectives (AMOs) for the all students group for two consecutive years, as established by the office of the superintendent of public instruction, may also be deemed to have made recent and significant progress under this section.*

LEV comment:

Again, one of the proposed standards is whether a school exits the persistently lowest-achieving schools list, which is 1) not inclusive of all schools and 2) normative. A school no longer being among the lowest five percent of schools eligible to receive Title I funding does not inspire confidence that the school will be on a trajectory for success or even that the school will escape the cycle of low achievement.

- (4) *Districts assigned by the state board of education as required action districts must be evaluated for exit under the same criteria used for their original designation into required action status; except, the board may, at its discretion, exit a district if subsequent changes in the exit criteria make them eligible for exit.*

LEV comment:

Though the possibility of “moving targets” created by this section is not ideal, we acknowledge that some flexibility to a process like this is often necessary. We caution against abusing this flexibility to simply remove a label from a struggling school by checking items off a list while avoiding frank and difficult discussions on school performance and conversations about how best to provide support for a struggling school. This process should not be an exercise in checking items off a list. This process should be a vehicle for providing real support to struggling schools until the school is strong, not just “good enough.” To the greatest extent possible, objective standards for schools need to be established, clearly articulated, and consistent unless not in the best interest of the students in the school.

We appreciate the thought and hard work the State Board of Education has put into the development of the proposed WAC 180-17. Students in persistently low-achieving schools have had to settle for less than they deserve for too long. We look forward to the next steps as the draft rules progress through the public comment process.

Please note also that LEV is a signatory on a separate letter regarding the use of school discipline as a measure in the student accountability index and the statewide education health indicator.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Korsmo', written over a light blue horizontal line.

Chris Korsmo
CEO
League of Education Voters