

# STATE BOARD OF EDUCATION

**HEARING TYPE:**       X   INFORMATION/NO ACTION

**DATE:**             JANUARY 25–26, 2007

**SUBJECT:**           **SYSTEM PERFORMANCE ACCOUNTABILITY**

**SERVICE UNIT:**     State Board of Education  
                          Edie Harding, Executive Director

**PRESENTER:**         Edie Harding, Executive Director  
                          State Board of Education

## **BACKGROUND:**

In 2005 the Legislature transferred responsibility to create a statewide accountability system from the Academic Achievement and Accountability (A+) Commission to the State Board of Education (SBE). The final report from Washington Learns asks the Board to create recommendations for this accountability system by December 2007.

A briefing memo is provided for you on the status of our current state accountability system as well as the federal requirements under No Child Left Behind, several frameworks for reviewing accountability and system performance and the some policy questions for Board members and the Subcommittee to consider for the work ahead.

The Subcommittee will meet on January 17<sup>th</sup> to prioritize its work for the upcoming year. The information will then be shared with the Board on January 26<sup>th</sup>.

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## MEMORANDUM

**DATE:** January 11, 2007  
**TO:** State Board of Education Members  
**FROM:** Edie Harding  
**RE:** Educational Accountability – System Performance

The purpose of this memorandum is to provide you with a background briefing on the status of our current state accountability system as well as the federal requirements under No Child Left Behind (NCLB). There are several frameworks for reviewing accountability and system performance and some policy questions for Board members to consider for the work ahead.

### I. Brief History

The Commission on Student Learning (CSL) was originally charged in 1993 with developing an accountability system proposal for the Legislature. It formed a task force, which developed some general ideas, but stopped short of developing concrete policy proposals for such a system. In 1999 the Legislature created the Academic Achievement and Accountability Commission (A+) to take over the development of a statewide accountability system from the CSL. The A+ Commission proposed legislation over several years (2000–2004), but the Legislature did not enact any of the recommendations except a provision of funds for a voluntary focused assistance program for struggling schools. Reasons for the lack of legislative action include enactment of the new federal law – NCLB in 2001; strong reservations by legislators about adopting top down approaches for state interventions<sup>1</sup>; and no strong commitment on the part of A+ Commission members to continue to work toward a state accountability system.

The A+ Commission did, however, create annual performance goals in reading and mathematics in grades four, seven and ten (WAC 180-105-020) requiring school districts to show continuous improvement beginning in 2003. And, it also established two other performance goals: 1) “on time” high school graduation goals to increase the rate of on-time graduation from a base year in 2005 of 66 percent to 85 percent in 2014 and 2) unexcused absences in middle and elementary school. (These are accountability measures under NCLB as well.)

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<sup>1</sup> RWC 28A.655.005 “The legislature further finds that the accountability system should rely on local responsibility and leadership. Districts should be expected to improve and be evaluated based on their improvement over time.”

## II. Current Status

### A. State Laws

While there are a variety of different kinds of accountability systems built into the K–12 system such as political, financial and staff qualifications; the main focus for the State Board of Education is building a statewide accountability system to improve student achievement. Currently, the accountability for student achievement rests on our students and their performance on the Washington Assessment of Student Learning (WASL) in grades 3–8 and 10 in mathematics and reading. When our students do not pass the 10<sup>th</sup> grade WASL, the results are significant: no high school diploma or Certificate of Academic Achievement. The schools and districts, on the other hand, do not suffer significant consequences.

Beyond publicly reporting WASL results by different populations of students as required by federal and state law, **there are no provisions in state law or administrative rule for mandatory state interventions in schools or school districts based on student achievement.** However, there are ways to assist schools and districts that request help. The state focused assistance program was created in 2003, but it remains a voluntary grant program. **Hence if schools or districts choose not to obtain help in spite of continuing poor student performance, they are not required to do so.** OSPI receives \$3 million a year for the focused assistance program<sup>2</sup> for schools and districts that volunteer for assistance. It serves an average cohort of 25 schools for three years. Currently they are serving 28 districts and 79 schools.

The State Board of Education requires the school districts' board of directors to approve a school improvement plan for each of their schools annually. The plans should be data driven, promote a positive impact on student learning, and provide a process to monitor improvement (WAC 180-16-220 (2) (a)). While the **districts** must indicate the approval of their plans to the State Board of Education to receive their state basic education funding, they **are not required to share their school improvement plans with the Board or OSPI.** Local schools are required to do annual performance reports to the public, which among other things requires a summary of student scores on all mandated tests, student attendance, dropout and graduation rates, and a brief description of their student learning plans (RCW 28A.665.110).

There are limited state programs to reward schools based on student performance, including the Apple Award (RCW 28A.655.185) to reward ten public elementary schools a year based on the highest average percent increase in WASL test scores. A state capital projects award of \$25,000 is made to each of the ten schools whose

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<sup>2</sup> There are other state funded programs to help schools and students in need – Promoting Academic Success, the Mathematics Helping Corps, Reading First, the Learning Assistance Program, the Bilingual Program, etc.

WASL performance significantly increased. In addition, schools whose students show annual improvement in reading, writing and mathematics in 4<sup>th</sup>, 7<sup>th</sup> and 10<sup>th</sup> grade on the WASL receive a plaque from OSPI recognizing their accomplishments.

Washington also requires each school district to report annually on the number of dropouts by student population in grades 7–12 for ethnicity, gender, socioeconomic status, disability status, and provide the reasons for students dropping out of school (RCW 28A.175.010). The State (and NCLB) also requires school districts to report district-wide graduation rates beginning in 2006 based on nine categories of students.

The minimum graduation goals for each group start at 66 percent and must increase 2 percent each year from 2006–2009 and then increase 4 percent per year from 2010–2013. By 2014, the graduation goal is 85 percent (WAC 180-105-060). **Currently there are no consequences under state law for school districts that do not meet these on-time graduation requirements.** However, under federal law, the on-time graduation rates may determine if a high school makes Adequate Yearly Progress.

Another state agency, the Workforce Training and Education Coordinating Board (WTB), also has some requirements for student achievement. The WTB serves as the state board for the federal Carl D. Perkins Career and Technical Education Act (Perkins). Perkins requires the WTB to maintain a performance accountability system for secondary and postsecondary career and technical education (CTE). This accountability system applies to all CTE students, not just those funded by Perkins.

## **B. Federal Laws**

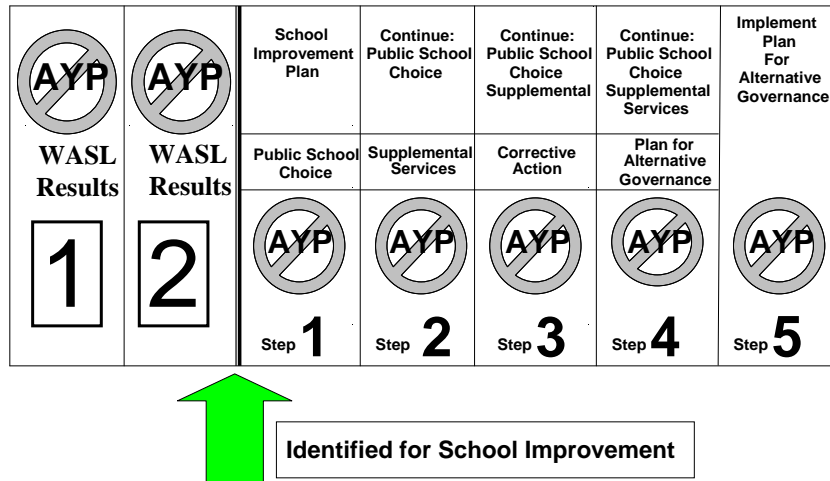
NCLB requires that each state publish a formula called Adequate Yearly Progress (AYP). This formula is used to determine how much progress each school makes annually in the student categories of race, ethnicity, disability, English language learners, and poverty. The schools and districts affected by the NCLB are those receiving Title I funds.

The goal is to have all students proficient in grades 3–8 and 10 as defined by state standards and assessments in reading and mathematics by 2014. Each state must raise a uniform bar for all categories of student in gradual increments from 2005–2014. If schools and districts do not meet proficiency in one or more categories of students listed above, those receiving Title I funds must meet the following consequences in the two charts on the following page:

### AYP TIMELINE FOR SCHOOLS

(Consequences apply only to schools receiving Title I funds)

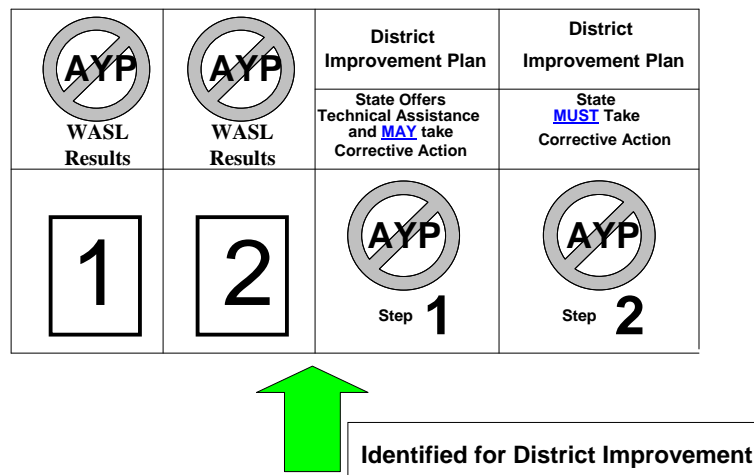
#### District Responsibility



### AYP TIMELINE FOR DISTRICTS

(Consequences apply only to districts receiving Title I funds)

#### State Responsibility



Source: OSPI Presentation to State Board of Education September 14, 2006

Washington does not currently have the authority to take over schools or districts that do not meet AYP. Currently, OSPI is working with schools and districts to assist them with their school improvement plans if the district is willing, but no other corrective action has been taken. For 2006 Washington has 17 districts in step 1 (indicating the district has not made AYP for two years in a row). Washington has 11 districts in step 2 (indicating the district has not made AYP for three years in a row).

**OSPI will provide information on the number of schools and districts that are not succeeding and not getting help.**

Additional elements for AYP include on-time graduation for high schools (discussed above) and unexcused absence rates in middle and elementary schools. AYP is a less visible process to the public about how well students perform. Schools and districts that do not “make” AYP have a number of consequences based on the number of years they have not made AYP. (See the charts on page 4.)

NCLB also requires “each State shall implement a system of corrective action”. Currently the only corrective action Washington state law permits is the withholding of federal funds. **Currently the State Superintendent, under Washington State law, has no authority to intervene with schools whose students have low performance nor is the State Superintendent required to participate in any school district improvement efforts.** The Legislature would need to approve any intervention authority (RCW 28A.305.130(9)(e)).

Although NCLB encourages states to provide a system of rewards, assistance and state intervention, NCLB does not by itself authorize the creation or operation of such systems. NCLB encourages – but cannot require – states to treat non-Title I and Title I schools the same. The sanctions included in NCLB do not apply to schools or school districts that do not receive Title I funds. While the number of districts in Washington not receiving such funds is quite small, a majority of schools statewide get no Title I funds, thus falling outside of the Title I program and outside its accountability provisions.

The appendices attached provide more detailed charts on Washington State and federal accountability provisions.

There are several federal incentive programs to recognize schools, including a Blue Ribbon Schools award and a Title I Distinguished School Award Program. The U.S. Department of Education recognizes Blue Ribbon Schools based on either of the following two assessment criteria: 1) schools must have at least 40 percent of their students from disadvantaged backgrounds dramatically improve student performance in accordance with state assessment systems; or 2) schools score in the top 10 percent on state assessments.

The Title I Distinguished Schools Award is based on the following criteria: Title I schools that: 1) have successfully met AYP standards in mathematics or reading for the past three school years; or 2) have shown significant progress in closing the achievement gap between student groups in reading or mathematics for the last three school years.

### **C. Frameworks to View Accountability and System Performance**

Several frameworks to examine accountability and system performance are proposed here. Consultants Scott Palmer and Jon Furr, from Holland and Knight, presented to the Board in October. They recommended a framework to create a statewide accountability system that would encompass the following: 1) establish clear, appropriate goals for educational outcomes (i.e. what should students know); 2) create measures aligned with these goals (i.e. growth models, integration with AYP and state criteria, use of multiple measures, assessment systems, and teacher performance); and 3) provide assistance and interventions to achieve these goals (i.e. differentiated supports and interventions).

The Consortium for Policy Research in Education (CPRE)<sup>3</sup> discusses new accountability systems that focus on school-level performance and consequences for that performance rather than district compliance with state regulations. To ensure that policy makers develop valid, fair and effective systems for accountability, the following should be taken into account: 1) technical information about assessment and accountability must be shared to know how the assessments align with the standards and what additional measures could be used; 2) system performance data is critical for schools (i.e., classroom-level curriculum and instruction, what are students being taught in schools so they have the opportunity to learn); 3) capacity building investment to help struggling schools; and 4) political stamina at the state level to support accountability policies adopted. Additional conversations with Dr. Richard Elmore from CPRE and Harvard, suggest the need to make big investments in building school capacity and ensure teachers have the ability to do the work in instruction and diagnostic assessments.

Dr. Andy Calkins from Mass Insight (a non profit organization in Boston) has worked with colleagues to review all research on what underperforming schools need to do to improve. His main interest is in focusing on interventions to help schools dramatically beat the odds based on their student demographics. He maintains that to turn a chronically underperforming school around, dramatic change is needed. The state must provide new approaches to allow the leadership at local schools that are not performing well to make significant changes including the ability to hire and remove teachers and staff to ensure students get the best teachers and staff to help them learn. He says state takeovers do not work; states must find ways to enable local schools and districts to make the changes themselves. Dr. Calkins is working with a number of schools in Massachusetts and some large urban school districts (including Philadelphia, Chicago and Miami Dade) to implement his recommendations, but widespread implementation has not yet occurred.

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<sup>3</sup> A CPRE article by Susan Furrman was provided to the subcommittee.

### **III. Next Steps**

What is the role of the State Board in addressing a statewide accountability performance system?

The Legislature has set out the following components for the Board to consider:

- Performance improvement goals
- Criteria for successful schools and districts
- Criteria for schools and districts where intervention is needed
- Possible state interventions
- Performance incentives
- Review of assessment reporting system – focus on special circumstances and unique populations

Board members have also raised additional issues including – level of responsibility, models to provide and build capacity, data systems to track educational outcomes, issues on the opportunity to learn (teacher quality, types of classes, extended learning time), public school accreditation, and performance pay.

### **IV. Policy questions the Subcommittee and Board may wish to consider:**

#### **A. What are clear appropriate goals for education outcomes?**

- What results do we want, in what areas and for whom? (Proficiency for all or fundamentals for all?)
  - Who is responsible?
  - What is the gap between the responsibility and the desired outcomes?
- Where are the gaps between what we want and the results we are getting – student achievement, graduation rates/dropout reduction?
  - What are the means for tracking the results? How effective are they at revealing the true picture of what is happening?
  - What is the system for setting expectations for results and the accompanying tracking mechanisms?
  - How do we know underperforming schools/districts are ‘on track’ to turn around and meet goals?
  - What additional indicators of school effectiveness do we need beyond AYP?
  - How do we identify the management and information systems needed to improve the flow of information and use of performance data to school districts as well as individual schools?
  - What kind of reporting do we want for English language learners, special education students, alternative programs and “late” high school graduates?



**B. What measures are aligned with those goals?**

- Are the standards, assessments, opportunity to learn and access to teaching talent fairly and equitably distributed?
  - How can we measure student progress over time as well as snap shot results? What is the value in doing so?
- Are the standards and assessments the best they can be? How can the independent review be utilized in this process?

**C. What system of assistance and interventions is needed to achieve those goals?**

- What should the priorities be for changing the system?
- What is the evidence our current interventions are producing results?
  - What are the levers for triggering additional supports or greater intervention? Whose responsibility?
  - At what point should the state say a school or district is NOT 'on track' to succeed and intervene? Whose responsibility?
  - What is our responsibility to the schools that are not receiving Title I funds under NCLB and are not volunteering to get assistance, and students are not achieving?
  - How do we support schools and districts to make significant changes?
  - How do we address schools that 'missed AYP by an inch, not a mile'?
- How can we build capacity in the system to improve?
  - Sanctions and incentives are known to not produce particularly impressive results – it is motivation + wherewithal = results; what will it take?
  - Who should provide capacity building and how do we assess their effectiveness?
- How can we hold the system (and the adults in it) accountable for performance to balance the individual student accountability we already have?

**D. What kind of an infrastructure system do we want?**

- How can we develop an inquiry model that has the right mechanisms for review, mid-course correction and continual improvement over time?

**E. Other Issues**

- Do we want to consider the accreditation process for public schools or use of education performance audits as an accountability tool?
- Do we want to examine the issues of extended learning time as a way to address some of our accountability issues?

## Status of Washington State Accountability Provisions

Revised Code of Washington (law) 28A.305.130, Section 4  
Washington Administrative Code (rules) 180-105

	<b>SBE Actions</b> (formerly A+ Commission or Commission on Student Learning)	<b>Comments</b>
<b>Adopt Performance Improvement Goals</b>		Goals must be presented to the legislative education committees before the SBE adopts
Reading	Adopted for Grades 4,7, and 10	
Mathematics	Adopted for Grades 4,7, and 10	
Writing		
Science (Class of 2010)		
Career and Tech Ed		
High School Graduation Rates	Adopted for Grades 7-12	
Student Attendance (to improve student learning)		
Drop out rates for grades 7-12		
<b>Set WASL cut scores to meet standards and performance below and above standard</b>		
Reading	Adopted Grades 4,7,10	Done 2003, adjustments 2004
	Adopted Grades 3,5,6,8	Done Summer 2006
Mathematics	Adopted Grades 4,7,10	Done 2003, adjustments 2004
	Adopted Grades 3,5,6,8	Done Summer 2006
Writing	Adopted Grades 4,7,10	Done 2003, adjustments 2004
Science (Class of 2010)	Adopted Grades 5,8, 10	Done 2004

	<b>SBE Actions</b> (formerly A+ Commission or Commission on Student Learning)	<b>Comments</b>
<b>Adopt objective systematic criteria to identify successful schools and school districts to SPI</b>		
<b>Adopt objective systematic criteria to identify schools and districts in need of assistance (defined by norm and criterion tests)</b>		OSPI does this using the No Child Left Behind (NCLB) Annual Yearly Progress measurements
<b>Identify schools and districts where intervention is needed and range of interventions to recommend to Leg</b>		OSPI requests a budget for focused assistance to help schools that are not making annual yearly progress as defined under No Child Left Behind
<b>Possible State Interventions (as Defined by the No Child Left Behind Law)</b>		Intervention strategies must be approved by the Legislature
Defer program or reduce administrative funding		While the state can use this intervention, it penalizes schools that need resources to improve
Institute new curriculum based on state and local standards		No current state authority available
Provide professional development		No current state authority available
Replace school personnel who are relevant to failure to make AYP		No current state authority available
Takeover specific schools for governance		No current state authority available
Takeover district for governance		No current state authority available

	<b>SBE Actions</b> (formerly A+ Commission or Commission on Student Learning)	<b>Comments</b>
Abolish district		No current state authority available
Authorize students to transfer from one district to another to high performing school		Current state law provides that students may transfer to another district if that district is willing to accept them ( transportation is not provided)
<b>Identify performance incentive systems to improve student achievement</b>		OSPI awards plaques to school districts based on school performance
<b>Annually review the assessment reporting system, especially for schools with special circumstances and unique populations</b>		

**Accountability: State & Federal Statutory Provisions**

R	=	Required
O	=	Optional
AYP	=	Annual Yearly Progress

	<b>SBE Accountability</b>	<b>No Child Left Behind (NCLB) Title I Schools</b>
<b>Adopt and Revise Performance Goals</b>		
Reading	R – 4,7, & 10 grades	R – all elementary and secondary; plus AYP in grades 3–8
Mathematics	R – 4,7,&10 grades	R – all elementary and secondary; plus AYP in grades 3–8
Writing	R – 4,7,10 grades	
Science (Class of 2010)	R – 5,8,10 grades	R – all elementary and secondary
Career and Tech Ed	R – secondary grades	
<b>Student Attendance (to improve student learning)</b>	R	R – Unexcused absence rates for K–8
<b>High School Grad Rates (grades 7–12 for school and district)</b>	O	R – on time high school graduation rates
<b>Drop Out Rates (grades 7–12 for school and district)</b>	O	
<b>Set scores on Assessments</b>		
to meet standard on WASL and CAA	R	R – proficient
Below and beyond standard	R	R – basic and advanced

	<b>SBE Accountability</b>	<b>No Child Left Behind (NCLB) Title I Schools</b>
<b>Adopt objective systematic criteria to identify successful schools and school districts to SPI</b>		
Increase in percent of students meeting standards	R	R – rewards to schools/teachers that exceed their AYP
Positive progress on improvement index for all levels	R	
Improvements despite challenges (mobility, poverty, ELL, special pop.)	R	R – rewards to schools/teachers that close the achievement gap
<b>Adopt objective systematic criteria to identify schools and districts in need of assistance (defined by norm and criterion tests)</b>	R	
<b>Identify schools and districts where intervention is needed and range of interventions to recommend to Leg</b>	R	R – State provides technical assistance to: schools/districts in corrective action, schools/districts in need of improvement
<b>State Corrective Action</b>		R/O – after 2nd year of identified as school in need of improvement (insufficient progress on AYP)
Defer program or reduce admin funding		R/O – 2 <sup>nd</sup> year no AYP
Institute new curriculum based on state and local standards		R/O – 2 <sup>nd</sup> year no AYP

	<b>SBE Accountability</b>	<b>No Child Left Behind (NCLB) Title I Schools</b>
Replace school personnel who are relevant to failure to make AYP		R/O – 2 <sup>nd</sup> year no AYP
Takeover specific schools for governance		R/O – 2 <sup>nd</sup> year no AYP
Takeover district for governance		R/O – 2 <sup>nd</sup> year no AYP
Abolish district		R/O – 2 <sup>nd</sup> year no AYP
Authorize students to transfer from one district to another to high performing school.		R/O – 2 <sup>nd</sup> year no AYP
<b>Identify performance incentive systems to improve student achievement</b>	R	R – Teacher bonuses
<b>Annually review the assessment reporting system, especially for schools with special circumstances and unique populations</b>	R	
<b>Accredit private schools</b>	R	
<b>Articulate with higher ed., work force, early learning</b>	R	
		<b>NCLB Title III</b>
Develop annual measurable achievement objectives for ELL students		R

	<b>SBE Accountability</b>	<b>No Child Left Behind (NCLB) Title I Schools</b>
Require district/school to modify curriculum, program, method of instruction		R – if no AYP for 4 years based on objectives created for ELL students
Determine whether district/school should continue to get funds		R – if no AYP for 4 years based on objectives created for ELL students
Require entity to replace educational personnel related to failure		R – if no AYP for 4 years based on objectives created for ELL students



## **RCW 28A.305.130(4) State Board of Education Powers and Duties—Purpose for Accountability**

(4) For purposes of statewide accountability:

(a) **Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level**, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning. The goals shall be consistent with student privacy protection provisions of RCW [28A.655.090\(7\)](#) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students from disproportionately academically underachieving racial and ethnic backgrounds. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b) **Identify the scores students must achieve in order to meet the standard on the Washington assessment of student learning** and, for high school students, to obtain a certificate of academic achievement. The board shall also determine student scores that identify levels of student performance below and beyond the standard. The board shall consider the incorporation of the standard error of measurement into the decision regarding the award of the certificates. The board shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose. The initial performance standards and any changes recommended by the board in the performance standards for the tenth grade assessment shall be presented to the education committees of the house of representatives and the senate by November 30th of the school year in which the changes will take place to permit the legislature to take statutory action before the changes are implemented if such action is deemed warranted by the legislature. The legislature shall be advised of the initial performance standards and any changes made to the elementary level performance standards and the middle school level performance standards;

(c) **Adopt objective, systematic criteria to identify successful schools and school districts and recommend to the superintendent of public instruction schools and districts to be recognized for two types of accomplishments, student achievement and improvements in student achievement.** Recognition for improvements in student achievement shall include consideration of one or more of the following accomplishments:

(i) **An increase in the percent of students meeting standards.** The level of achievement required for recognition may be based on the achievement goals established by the legislature and by the board under (a) of this subsection;

(ii) **Positive progress on an improvement index that measures improvement in all levels of the assessment;** and

(iii) **Improvements despite challenges such as high levels of mobility, poverty, English as a second language learners, and large numbers of students in special populations** as measured by either the percent of students meeting the standard, or the improvement index. When determining the baseline year or years for recognizing individual schools, the board may use the assessment results from the initial years the assessments were administered, if doing so with individual schools would be appropriate;

(d) **Adopt objective, systematic criteria to identify schools and school districts in need of assistance and those in which significant numbers of students persistently fail to meet state standards.** In its deliberations, the board shall consider the use of all statewide mandated criterion-referenced and norm-referenced standardized tests;

(e) **Identify schools and school districts in which state intervention measures will be needed and a range of appropriate intervention strategies after the legislature has authorized a set of intervention strategies.** After the legislature has authorized a set of intervention strategies, at the request of the board, the superintendent shall intervene in the school or school district and take corrective actions. This chapter does not provide additional authority for the board or the superintendent of public instruction to intervene in a school or school district;

(f) **Identify performance incentive systems that have improved or have the potential to improve student achievement;**

(g) **Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity,** especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system; and

(h) **Include in the biennial report required under RCW [28A.305.035](#), information on the progress that has been made in achieving goals adopted by the board.**