

## **SUMMARY OF 2010 LEGISLATIVE SESSION**

A summary of the State Board of Education's Accountability Framework legislation as it exited on March 9, 2010, in the Race to the Top bill (E2SSB 6696) has been included for your review. During session, the legislature amended it to include technical fixes and policy changes. The policy changes and some of the technical fixes have been highlighted in the summary.

As of March 9, E2SSB 6696 was waiting for the House and Senate to resolve differences for final passage. The major differences are related to the recommendations of the Quality Education Council (QEC) because the House had previously amended E2SSB 6696 to include the text of their QEC bill, SHB 2776.

At the meeting, staff will present a summary of the 2010 Legislative Session, which will include information on the status of SBE's Accountability Framework legislation, the supplemental operating budgets, and other bills of interest. A handout will be provided at the meeting.

**SUMMARY OF PART I ACCOUNTABILITY FRAMEWORK IN ENGROSSED  
SECOND SUBSTITUTE SENATE BILL 6696**

(Policy changes and some technical fixes have been highlighted)

**Part I: Accountability Framework**

<p>Section 101: Intent</p>	<p>State's responsibility to create a coherent and effective accountability framework for the continuous improvement for all schools and districts. This system must provide an excellent and equitable education for all students; an aligned federal/state accountability system; and the tools necessary for schools and districts to be accountable. These tools include the necessary accounting and data reporting systems, assessment systems to monitor student achievement, and a system of general support, targeted assistance, and if necessary, intervention.</p> <p>Definitions of the roles of the Superintendent of Public Instruction (OSPI) and the State Board of Education (SBE) for accountability are outlined.</p> <p>Phase I will recognize schools that have done an exemplary job of raising student achievement and closing the achievement gaps through the SBE Accountability Index. SBE will have ongoing collaboration with the achievement gap oversight and accountability committee regarding the measures used to measure the closing of the achievement gaps and the recognition provided to the school districts for closing the achievement gaps.</p> <p>Phase I will also use federal guidelines to identify the lowest five percent of persistently low achieving schools to use federal funds and federal intervention models beginning in 2010 (voluntary) and 2011 (required).</p> <p>Phase II will implement the SBE Accountability Index for identification of schools including non Title I schools in need of improvement and develop state and local intervention models with state and local funds beginning in 2013. Federal approval of the state board of education's accountability index must be obtained or the federal guidelines for persistently low-achieving schools will continue to be used.</p> <p>The expectation from implementation of this accountability system is the improvement of student achievement for all students to prepare them for postsecondary education, work, and global citizenship in the twenty-first century.</p>
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<p>Section 102: Identification of the Persistently Lowest Achieving Schools</p>	<p>Beginning no later than December 1, 2010, and annually thereafter, OSPI will use the federal criteria set forth in the final federal rules for school improvement to identify the persistently lowest achieving schools and their districts. The criteria for determining whether a school is among the persistently lowest-achieving five percent of Title I schools, or Title I eligible schools, shall be established by OSPI. The criteria must meet all applicable requirements for the receipt of a federal school improvement grant under the American recovery and reinvestment act of 2009 and Title I of the elementary and secondary education act of 1965, and take into account:</p> <ul style="list-style-type: none"> <li>• The academic achievement of the "all students" group in a school in terms of proficiency on the state's assessment, and any alternative assessments, in reading and mathematics combined; and</li> <li>• The school's lack of progress on the mathematics and reading assessments over a number of years in the "all students" group.</li> </ul>
<p>Section 103: Required Action Districts</p>	<p>Beginning in January 2011, OSPI shall annually recommend, to SBE, districts for designation as required action districts based on the availability of federal funds and criteria developed by SPI. Districts must have at least one of the persistently lowest achieving schools. School districts that have volunteered in 2010, or have improved, shall not be included in this designation. SBE may designate a district that received a school improvement grant in 2010 as a required action district if after three years of voluntarily implementing a plan the district continues to have a school identified as persistently lowest-achieving and meets the criteria for designation established by the superintendent of public instruction.</p> <p>OSPI will provide districts with written notice. School districts may request reconsideration of this designation within ten days.</p> <p>SBE will annually designate those districts recommended by OSPI. Districts must notify all parents with students in persistently low achieving schools that the district is in required action.</p>
<p>Section 104: Academic Performance Audit</p>	<p>OSPI will contract with an external review team to conduct an academic performance audit of the required action district. The review team shall have expertise in comprehensive school and district reform and shall not be from OSPI, SBE, or a school district subject to audit.</p> <p>OSPI shall establish audit criteria. The audit shall include, but not be limited to: student demographics, mobility patterns, school feeder patterns, performance of different student groups on assessments, effective school leadership, strategic allocation of resources, clear and shared focus on student learning, high standards and expectations for all students, high level of collaboration and communication, aligned curriculum, instruction and assessment to state standards, frequency of monitoring learning and teaching, focused professional development, supportive learning environment,</p>

	<p>high level of family and community involvement, alternative secondary schools best practices, and any unique circumstances or characteristics of the school or district.</p> <p>Audit findings shall be made available to the local school district, its staff, community, and the State Board of Education.</p>
<p>Section 105: Required Action Plan</p>	<p>The local school district superintendent and local board of a required action district shall submit a required action plan to SBE upon a schedule SBE develops.</p> <p>The required action plan must be developed in collaboration with administrators, teachers, staff, parents, union (representing any employees in district), students, and representatives of the local community. OSPI will assist district as requested in plan development. The local school board will hold a public hearing on the proposed required action plan.</p> <p>The required action plan must address the concerns raised in the audit and include:</p> <ol style="list-style-type: none"> <li>a) Implementation of one of four federal intervention models, including turnaround, restart, closure, and transformation (no charters unless expressly authorized by legislature). The intervention model selected must address the concerns raised in the academic performance audit and be intended to improve student performance to allow a school district to be removed from the list of districts designated as a required action district by the state board of education within three years of implementation of the plan.</li> <li>b) An application for a federal school improvement grant or a grant from other federal funds for school improvement to OSPI.</li> <li>c) Budget for adequate resources to implement.</li> <li>d) Description of changes in district or school policies and practices to improve student achievement.</li> <li>e) Metrics used to assess student achievement to improve reading, math, and graduation rates.</li> </ol> <p>The plan will have to be implemented over a three year period. OSPI will review the local school district required action plan and approve that it is consistent with federal guidelines prior to the local superintendent and Board submitting the plan to the SBE. Expiring collective bargaining agreements for all school districts that are designated required action districts as of the effective date of this section must have the authority to reopen its collective bargaining agreements if needed to develop and implement an appropriate required action plan.</p> <p>If no agreement can be reached between district and employee organizations, then:</p> <ul style="list-style-type: none"> <li>• Mediation through the Public Employment Relations Commission must start no later than April 15 and be completed by May 15,</li> </ul>

	<ul style="list-style-type: none"> <li>• Or it will be go to Superior Court with decision by June 15.</li> </ul> <p>If it goes to Superior Court, then:</p> <ul style="list-style-type: none"> <li>• The school district must file a petition with the superior court by May 20, and</li> <li>• Within seven days of filing the petition each party must file a proposal to be implemented in a final required action plan.</li> <li>• The court's decision must be issued no later than June 15.</li> </ul> <p>Each party will bear its own costs for mediation or courts. All mediation shall include the employer and representatives of all affected bargaining units.</p>
<p>Section 106: SBE Approves Required Action Plan</p>	<p>SBE shall approve the local district required action plan if it meets the requirements identified in Section 105 and provides sufficient remedies to address the findings in the academic performance audit to improve student achievement. The SBE must accept for inclusion any final decision by the superior court.</p> <p>The required action plan goes into effect for the next school year (thus a district designated in January 2011 would implement the plan in the immediate school year following designation as a required action district). Federal funds must be available to implement the plan or else it will not go into effect.</p> <p>Any addendum to the collective bargaining agreement related to student achievement or school improvement shall not go into effect until SBE approves the plan.</p> <p>If SBE does not approve the plan. SBE must notify the district in writing and provide reasons. <b>The district may either:</b></p> <ul style="list-style-type: none"> <li>• Submit new plan within 40 days with OSPI assisting the district with resubmission of the plan; or</li> <li>• <b>Submit a request to the Required Action Plan Review Panel (established under section 107) for reconsideration of SBE's rejection within ten days of the notification that the plan was rejected.</b></li> </ul> <p>If federal funds are not available, the plan is not required to be implemented until such funding becomes available. If federal funds for this purpose are available, a required action plan must be implemented in the next immediate school year.</p>
<p>Section 107: Required Action Review Panel</p>	<p><b>A Required Action Review Panel composed of four legislators (two appointed by the House and two by the Senate) and individual appointed by the Governor. The Panel members are appointed for a four-year term, with opportunity for re-appointment.</b></p> <p><b>If SBE does not approve a district's Required Action Plan, then the district may appeal the decision to the Panel for consideration. The Panel will be convened as needed.</b></p> <p><b>The Panel may reaffirm the decision of SBE, recommend that the</b></p>

	<p>SBE reconsider the rejection, or recommend changes to the required action plan that should be considered by the district and SBE to secure approval of the plan. SBE shall consider the recommendations of the panel and issue a decision in writing to the local school district and the panel. If the school district must submit a new required action plan to the State Board of Education, the district must submit the plan within forty days of the Board's decision.</p> <p>SBE and OSPI must develop timelines and procedures for the deliberations under this section so that school districts can implement a required action plan within the time frame required under section 106.</p>
Section 108: Redirect of Title I funds if no Required Action Plan	SBE may charge OSPI to redirect district's Title I funds based on the academic performance audit findings if a school district has not submitted a required action plan for approval or the final plan submitted has not received approval by SBE.
Section 109: Implementation of Required Action Plan	<p>A school district must implement a required action plan upon approval by the State Board of Education. OSPI must provide the required action district with technical assistance and federal school improvement grant funds or other federal funds for school improvement, if available, to implement an approved plan.</p> <p>The district will provide regular updates to OSPI on its progress in meeting the student achievement goals based on the state's assessments, identifying strategies and assets used to solve audit findings, and establishing evidence of meeting plan implementation benchmarks as set forth in the required action plan.</p>
Section 110: Biannual reports and delisting districts	<p>OSPI will inform SBE at least biannually (twice a year) of the progress of the Required Action District's progress on its plan implementation and metrics.</p> <p>OSPI will recommend to SBE that a district is no longer in required action after three years of district implementation based on improvement as defined by OSPI, in reading and mathematics on the state's assessment over the past three consecutive years.</p> <p>SBE will release a school district from the designation as a required action district upon confirmation that the district has met the requirements for a release or SBE will recommend that the district remain in required action.</p>
Sec. 111: Recognition of Exemplary Performance and Collaboration with the Achievement Gap Oversight and Accountability Committee	SBE, in cooperation with OSPI, shall annually recognize schools for exemplary performance as measured on the State Board of Education accountability index. SBE shall have ongoing collaboration with the achievement gap oversight and accountability committee regarding the measures used to measure the closing of the achievement gaps and the recognition provided to the school districts for closing the achievement gaps.
Sec. 112: Definitions	<p>Definitions for the Chapter:</p> <ul style="list-style-type: none"> <li>"All students group" means those students in grades three</li> </ul>

	<p>through eight and high school who take the state's assessment in reading and mathematics; and</p> <ul style="list-style-type: none"> <li>• "Title I" means Title I, part A of the federal elementary and secondary education act of 1965.</li> </ul>
Sec. 113: Adopting Rules	OSPI and SBE may each adopt rules in accordance with chapter 34.05 RCW as necessary to implement this chapter.
Sec. 114: Joint Select Committee on Education Accountability	<p>A joint select committee on education accountability is established beginning no earlier than May 1, 2012, to:</p> <ul style="list-style-type: none"> <li>• Identify and analyze options for a complete system of education accountability, particularly consequences in the case of persistent lack of improvement by a required action district;</li> <li>• Identify and analyze appropriate decision-making responsibilities and accompanying consequences at the building, district, and state level within such an accountability system;</li> <li>• Examine models and experiences in other states;</li> <li>• Identify the circumstances under which significant state action may be required; and</li> <li>• Analyze the financial, legal, and practical considerations that would accompany significant state action.</li> </ul> <p>The committee shall submit an interim report to the education committees of the legislature by September 1, 2012, and a final report with recommendations by September 1, 2013.</p>

Other components of E2SSB 6696:

- Part II Evaluations
- Part III Principal Performance
- Part IV Encouraging Innovations
- Part V Expanding Professional Preparation Options And Workforce Information
- Part VI Common Core Standards
- Part VII Parents and Community
- Part VIII Collective Bargaining
- Part IX Closing the Achievement Gap
- Part X Education Reform Finance
- Part XI Miscellaneous Provisions

To review the entire bill please visit the Legislature's Bill Information Page for E2SSB 6696 at: <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=6696&year=2009>