

HOUSE BILL REPORT

ESHB 2913

As Passed Legislature

Title: An act relating to authorizing innovative interdistrict cooperative high school programs.

Brief Description: Authorizing innovative interdistrict cooperative high school programs.

Sponsors: House Committee on Education Appropriations (originally sponsored by Representatives Haigh, Priest, Quall, Haler, Kessler, Kagi, Nealey, Finn, Maxwell, Sullivan and Kenney).

Brief History:

Committee Activity:

Education: 1/26/10, 2/2/10 [DP];

Education Appropriations: 2/4/10 [DPS].

Floor Activity:

Passed House: 2/13/10, 95-0.

Passed Senate: 3/3/10, 45-0.

Passed Legislature.

Brief Summary of Engrossed Substitute Bill

- Authorizes non-high districts to form an inter-district cooperative to offer an Innovation Academy Cooperative (Academy) for their high school students.
- Describes characteristics of an Academy.
- Provides for funding of Academies based on small high school allocations in the appropriations act.
- Requires the non-high districts to submit their cooperative agreement and proposed plan for an Academy to the Office of the Superintendent of Public Instruction for approval before an Academy begins operation.
- Requires continued non-high payments for high school students not enrolled in an Academy.

HOUSE COMMITTEE ON EDUCATION

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: Do pass. Signed by 13 members: Representatives Quall, Chair; Maxwell, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Dammeier, Fagan, Hunt, Johnson, Lias, Orwall, Probst, Santos and Sullivan.

Staff: Barbara McLain (786-7383).

HOUSE COMMITTEE ON EDUCATION APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Haigh, Chair; Probst, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Anderson, Carlyle, Haler, Hunter, Kagi, Maxwell, Nealey, Quall and Rolfes.

Staff: Ben Rarick (786-7349).

Background:

There are 47 school districts that do not offer a full range of grades K through 12 for their resident students. These are known as non-high districts. Students in non-high districts enroll in neighboring high school districts when they reach the grade levels not offered in their home district. In 2008-09, there were 2,315 full-time equivalent students from non-high districts who attended school in another district under these provisions.

The high school districts report the enrollment of the non-high district students and receive all state funding allocations for those students. The non-high district makes a payment to the high school district to cover the per-student cost of any local levies in the high school district. If there are no local levies, there is no non-high payment. There is also a process outlined in statute for non-high districts to participate in paying their share of capital facilities costs in high school districts that serve more than one-third of the non-high districts' students.

The Superintendent of Public Instruction (SPI) must adopt rules governing the establishment of any secondary program or new grades 9th through 12th in a non-high district. Any new program must be approved by the SPI. One of the rules requires enrollment of at least 400 students in 9th through 12th grade, with a lesser number permitted if there is substantial evidence that this level will be reached within three years and be a relatively stable population. Only three of the non-high districts reported enrollment of more than 350 secondary students in 2008-09.

To assure a minimum level of staffing, the appropriations act provides enhanced basic education allocations of instructional, administrative, and classified staff units for school districts that operate two or fewer high schools with an enrollment of 300 or fewer students (not including alternative schools).

Summary of Engrossed Substitute Bill:

Two or more non-high school districts may form an inter-district cooperative to offer an Innovation Academy Cooperative (Academy) for their resident high school students. Student enrollment in an Academy is optional. For students in the participating non-high districts

who attend school in a high school district instead of the Academy, current laws regarding non-high payments and capital facilities payments still apply. State basic education funding allocations for the Academy are based on small high school allocations under the appropriations act. One of the participating districts reports the students enrolled in an Academy for purposes of state funding allocations, but the levy bases of all participating districts are adjusted to reflect each district's proportional share of enrollment.

An Academy is defined as a high school program with one or more of the following characteristics:

- interdisciplinary curriculum and instruction organized into subject-focused Academies, with encouragement for an initial focus on Academies in science, technology, engineering, and mathematics (STEM);
- a combination of service delivery models, including alternative learning experiences, online learning, work-based learning, experiential and field-based learning, and direct instruction offered at multiple and varying locations;
- intensive and accelerated learning to enable students to complete credits in a short time period; and
- creative scheduling and use of existing school or community facilities to minimize costs and maximize access for students who may be geographically dispersed.

The non-high districts must also work with community and technical colleges and four-year higher education institutions to expand the options offered through an Academy.

Non-high districts proposing to offer an Academy must submit a copy of the proposed inter-district cooperative agreement and an operating and instructional plan for the Academy to the SPI for review. The purpose of the review is to provide technical assistance and advice and to assure the agreement addresses issues such as data reporting, correct calculation of payments, and proper budgeting. The review must also assure that the program will enable students to earn high school credit and complete a high school diploma. Approval of the agreement and plans by the SPI is required before an Academy begins operation.

Changes are made to laws pertaining to non-high payments, enrollment of students in other districts, and the establishment of new secondary programs in non-high districts to permit Academies as authorized under the bill.

The SPI must conduct a review of the implementation of the bill to identify keys to success and any barriers to successful implementation of Academies and submit a report to the legislative Education committees by January 1, 2013.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed, except section 6 which makes a technical amendment to a prior law that is reinstated after a scheduled expiration and takes effect September 1, 2011, and section 11 which amends the prior law dealing with levy bases that is reinstated after a scheduled expiration date and takes effect January 1, 2012.

Staff Summary of Public Testimony (Education):

(In support) State law requires a school district to have 400 students to start a high school program, but there are very few non-high districts who could even come close to this number. These districts are looking for different models and options to offer their students. They want to find creative opportunities, and STEM programs offer a possibility. Sometimes it is easier to start fresh with a new model. Instead of asking for money, they are only asking for the leeway to join together and create a new program. This is an "out-of-the-box" idea. It offers a unique approach to permit community schools to provide another option for students. We should see how far it can go.

(Opposed) None.

Staff Summary of Public Testimony (Education Appropriations):

(In support) This is an attempt to bring forward an innovative proposal for non-high districts. This would allow neighboring non-high districts to come together cooperatively to create a new model of education at the high school level. This bill is brought forward to build the framework for an innovative and individualized form of instruction. The Washington Association of School Administrators supports this bill. There may need to be a look at the relationship between this proposal and online learning more closely.

(Opposed) None.

Persons Testifying (Education): (In support) Representative Haigh, prime sponsor; Dan Steele, Washington State School Directors' Association; and Barbara Mertens, Washington Association of School Administrators.

Persons Testifying (Education Appropriations): Representative Haigh, prime sponsor; and Barbara Mertens, Washington Association of School Administrators.

Persons Signed In To Testify But Not Testifying (Education): None.

Persons Signed In To Testify But Not Testifying (Education Appropriations): None.