

SENATE BILL REPORT

E2SSB 5941

As Passed Senate, March 9, 2009

Title: An act relating to comprehensive education data.

Brief Description: Regarding a comprehensive education data improvement system.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Oemig, Kastama, Jarrett, McAuliffe, Marr, Hobbs and Tom).

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/12/09, 2/18/09 [DPS-WM, DNP].

Ways & Means: 2/27/09, 3/02/09 [DP2S, DNP, w/oRec].

Passed Senate: 3/09/09, 35-13.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5941 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; Hobbs, Jarrett, McDermott, Roach and Tom.

Minority Report: Do not pass.

Signed by Senators King, Ranking Minority Member; Brandland and Holmquist.

Staff: Susan Mielke (786-7422)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5941 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Fairley, Hobbs, Keiser, Kline, Kohl-Welles, McDermott, Murray, Oemig, Parlette, Pridemore, Rockefeller and Schoesler.

Minority Report: Do not pass.

Signed by Senator Carrell.

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.

Minority Report: That it be referred without recommendation.

Signed by Senator Brandland.

Staff: Elise Greef (786-7708)

Background: In 1977 the Legislature created the Legislative Evaluation and Accountability Program (LEAP) Committee to be the Legislature's independent source of information and technology for developing budgets, communicating budget decisions, and tracking revenue, expenditure, and staffing activity. LEAP also provides consulting to legislative committees and staffs, and provides analysis and reporting on special issues at legislative request. The LEAP Committee is composed of four senators and four representatives with a current staff of eleven and a budget of \$5.5 million in the 2007-09 biennium.

The Office of the Superintendent of Public Instruction (OSPI) has long maintained financial, enrollment, personnel, and assessment information from the state's school districts. However, because the data was collected and stored in separate locations questions about the relationships between data sets could not be answered accurately or consistently. OSPI is in the process of creating a comprehensive education data and research system (CEDARS). CEDARS is expected to be completed by June 2009 and implemented for the 2009-10 school year. Since 2008 the Legislature has provided \$1.5 million for development and piloting of the database.

In 2007 the Legislature created an Education Data Center (Center) within the Office of Financial Management and required the Center to work jointly with LEAP in conducting collaborative analyses of early learning, K-12, and higher education programs and issues. State education agencies must work with the Center in developing data-sharing and research agreements, consistent with applicable security confidentiality requirements.

Summary of Engrossed Second Substitute Bill: The Legislature intends to establish a K-12 comprehensive education data improvement system for financial, student, and educator data with the compatibility to make reports; and provide an independent review of the K-12 education data systems by the Center and LEAP. To the extent data is available and consistent with the technical requirements of LEAP and the Center, OSPI must make specified reports available on the Internet.

A Data Governance Group (Group), composed of specified agency representatives and others with expertise, must be established in the Center to assist in the design and implementation of an education data improvement system. The Group is given a number of specified tasks, including identifying critical research and policy questions that need to be addressed by the K-12 education data improvement system, creating a comprehensive needs requirement document, conducting a gap analysis, and defining operating rules and a governance structure for K-12 data collections. The Group must provide updates on its work as requested by the Center and LEAP.

The Center, in consultation with LEAP, must identify critical research and policy questions and annually provide the Group a list of data elements and improvements that are necessary to answer the research and policy questions identified by the Center so the Group can develop a feasibility analysis of obtaining or improving the data. If necessary, the Center

must submit a recommendation to the Legislature regarding any statutory changes or resources that would be needed to collect or improve the data and to help ensure the goals and objectives of this act are being met.

By November 15, 2009, OSPI must submit a preliminary report to the Legislature including the analysis by the Group and preliminary options for addressing identified gaps. By September 1, 2010, OSPI must provide a final report to the Legislature including a proposed phase-in plan and preliminary cost estimates for implementation of comprehensive data accountability systems for financial, student, and educator data.

The Center and OSPI must take all actions necessary to secure federal funds to implement the act.

Appropriation: None.

Fiscal Note: Requested on February 6, 2009.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Early Learning & K-12 Education): PRO: The bill takes the recommendations of the Basic Education Task Force and the elements from SB 5444 and fine tunes them using the input of others. The key thing about data is that it has to be the right data and that evolves over time. It is important to put a framework in place to identify and define the data needed, and then leverage the data systems that are already in place. Data by itself is meaningless and to be helpful, a report must be generated. Therefore, a minimal number of reports are required and the group is charged with determining other appropriate reports so that the data that is collected is helpful. Many of the reports can be done now. Good data governance can clearly establish lines of authority, help coordinate people and processes, and improve data quality.

OTHER: We agree that the state is lacking an appropriate education data system but have a concern about what this will cost and that it will be collecting data without connecting it to the outcomes that you want from basic education. Having said that, we think you need even more data than what is listed. You need to collect class size information, student demographics, resources available to teachers, mobility of students, and the first language of students. Some of the data listed is confusing since there may be no teacher evaluation scores available and it is unclear whether the list addresses classroom teachers or all certificated instructional staff. There has been a working group on data for the last two years and they should be consulted.

Persons Testifying (Early Learning & K-12 Education): PRO: Senator Oemig, prime sponsor, Peter Tamayo, OSPI, Kathy Stuehrenberg, WSIPC.

OTHER: Lucinda Young, Washington Education Association; Barbara Mertens, WASA.

Staff Summary of Public Testimony (Ways & Means): PRO: The single biggest part of our operating budget is in educational spending. This bill is going to make sure we invest that money smartly and effectively, linking spending with student outcomes. There were two mistakes on that fiscal note. The first was forgetting to total the numbers on the first page which understated the estimate. The second was a misinterpretation of the bill that overstated the numbers. We will have a substitute to eliminate that absolutely enormous fiscal note. This bill sets a minimum set of requirements for the collection and reporting of education data and then establishes the Data Governance Group to oversee that data. This bill provides the absolutely necessary infrastructure and governance and rules to ensure return on investment for the state. It also provides third-party researchers to ensure access to state data to make other assessments about the relationship between state expenditures, school and district expenditures, and student achievement. Anything this body may do in this session related to Basic Education funding cannot be done with any assurance without this bill. We believe this bill and the underlying structure that would be created is absolutely necessary to truly identify the benefits of basic education. Finally, the federal stimulus dollars will be a critical piece. Congress and the U. S. Department of Education have identified innovation dollars for longitudinal data systems to be set up in the states. There are critical pieces in this bill that put our state in a square position to be competitive for those dollars. This bill is a foundation for the governance and organization of school data. The Washington Association of School Business Officers is pleased to be mentioned in the bill as part of the Data Governance Group because they work with the fiscal data, student data, and teacher data – all that are covered in the bill. The fiscal impact of the original bill is of concern. We appreciate the information is here; we have concerns about the fiscal impact on school districts. We hope that any changes to the final bill ensure it is fully funded.

Persons Testifying (Ways & Means): PRO: Senator Oemig, prime sponsor; Brian Jeffries, Washington Roundtable; Mitch Denning, Alliance of Educational Association, Washington Association of School Business Officials, Maintenance and Operations Administrators, School Nutrition Association.