

# SENATE BILL REPORT

## SB 6620

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, February 4, 2010

**Title:** An act relating to recognizing successful schools and school districts by providing school district flexibility while maintaining the school district's governance authority and control of recognized schools.

**Brief Description:** Recognizing successful schools and school districts by providing flexibility for schools.

**Sponsors:** Senators McAuliffe and Kline.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/28/10, 2/03/10, 2/04/10 [DPS].

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** That Substitute Senate Bill No. 6620 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Oemig, Vice Chair, K-12; King, Ranking Minority Member; Brandland, Gordon, Hobbs and McDermott.

**Staff:** Kimberly Cushing (786-7421)

**Background:** In 2005 the Legislature directed the State Board of Education (SBE) to implement a statewide accountability system. In 2009 the Legislature directed the SBE to continue to refine its development of an accountability framework that creates a unified system of support for schools. The SBE must develop an accountability index based on student growth using fair, consistent, transparent criteria and multiple indicators including graduation rates and assessment results. The index is intended to provide feedback to schools and districts to self-assess their progress, and to identify schools with exemplary student performance and those that need assistance to overcome challenges in order to achieve exemplary student performance.

**Summary of Bill (Recommended Substitute):** The Legislature intends to reward schools and school districts with greater autonomy, flexibility, and control over the operation of the schools and districts recognized by the SBE as having exemplary performance. The

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*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.*

Legislature has no intent to interfere with the governance authority of recognized schools or school districts.

Once the SBE uses the accountability index to identify schools and school districts for a specific exemplary performance award, as defined by the SBE, then the schools and districts must meet only the minimal state-level requirements for the two school years following the year of recognition. The school district board of directors of the district where a school is recognized must retain governance authority and control of the school. The recognized school districts must comply only with the following state-level requirements:

- hire, manage, and discharge any school employee in accordance with the terms of the relevant state law and rules and the local collective bargaining agreement;
- comply with the employee record check requirements;
- adhere to the state and federal health, safety, parents' and students' rights, civil rights, special education, privacy, and nondiscrimination laws, rules, and regulations;
- participate in free and reduced-priced meal programs;
- provide the program of basic education and administer the required statewide assessments to assess whether a student has met state standards;
- meet the terms of the performance goals and reporting requirements for school board directors and schools;
- be subject to state and federal student accountability requirements;
- be subject to annual adoptions and filing of the district budget and financial statement;
- be subject to financial examinations and audits as determined by the State Auditor and the Office of the Superintendent of Public Instruction (OSPI);
- comply with the requirements for local effort assistance;
- follow the requirements for the election of school district directors;
- comply with the Open Public Meetings and Public Records Acts; and
- adhere to the provisions of the interstate compact on educational opportunity for military children.

In most chapters of the education code, language is added to (1) ensure that schools and school districts that are recognized by the SBE for exemplary performance are subject only to the specified state-level requirements and (2) allow the Superintendent of Public Instruction (SPI) and the SBE to jointly adopt rules to implement each section in the bill.

Includes state and federal severability clauses.

**EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Substitute):** Changes exemplary student performance to exemplary performance throughout the bill. Clarifies that once the SBE uses the accountability index to identify schools and school districts for a specific exemplary performance award, as defined by the SBE, then the schools or districts must be rewarded. Removes the chapters pertaining to private schools and home-based instruction. Allows the SPI and the SBE to jointly adopt rules to implement each section in the bill. Adds state and federal severability clauses. Makes a technical fix to the citation for the Public Records Act.

**Appropriation:** None.

**Fiscal Note:** Requested on January 19, 2010.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on Original Bill:** PRO: Under the Education Reform Act, the goal and intent was to set standards, develop assessments, and get out of the way to let school districts do what they need to do to educate children. Districts are overburdened. When the SBE identifies successful schools, these schools need to have the flexibility to do what they do. When schools are struggling, perhaps they need regulations. The bill is backward because flexibility should not be a reward. All schools should have flexibility, but if they are not successful then their flexibility should be removed. The recognition for school boards to retain local authority is appreciated.

CON: Rewarding schools and deleting mandates are good concepts, but successful schools would be measured against faulty standards. If we drop various regulations, would it be a violation of the state constitution, which requires education to be uniform? Remove the chapters pertaining to home schools, private schools, and preschools.

OTHER: The bill concept is appreciated. The SBE is developing a program for recognizing schools for performance. (There is not a program for districts yet). The SBE will be giving multiple awards for achievement, improvement, and closing the achievement gap. The SBE suggests giving additional flexibility for one award for truly outstanding performance. There needs to be more detail about the requirements that are being waived. Perhaps an application process would help think through what requirements are being waived. It would be useful to see what successful schools are not using.

**Persons Testifying:** PRO: Senator McAuliffe, prime sponsor; Dan Steele, Washington State School Directors Association; Barbara Mertens, Washington Association of School Administrators.

CON: Joyce Fiess, Citizens United for Responsible Education.

OTHER: Robert Butts, OSPI; Edie Harding, Washington State Board of Education.