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## Education Committee

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### E2SSB 5329

**Brief Description:** Assisting persistently lowest-achieving schools to become more accountable.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Hobbs, Fain, Hatfield, Tom, Frockt and Roach).

#### Brief Summary of Engrossed Second Substitute Bill

- Requires the Office of the Superintendent of Public Instruction (OSPI) to identify the ten most persistently lowest-achieving schools by December 1, 2013.
- Provides for designation of a school district with an identified school as a Required Action District (RAD) using the process in current law, to the extent state funding is provided to support the process.
- Establishes a Level II designation for a RAD that has received funding to implement a required action plan for three years and has not made adequate progress.
- Provides that the OSPI develop a new three-year plan for a Level II RAD, implement the plan using a management structure chosen by the OSPI, and act as the employer for the school.
- Provides for closure of the school if a Level II RAD does not improve after three years.

**Hearing Date:** 3/15/13

**Staff:** Barbara McLain (786-7383).

#### Background:

In 2010 the Legislature enacted a law to establish criteria and a process for identifying and requiring intervention in persistently lowest-achieving schools. Each year the Office of the Superintendent of Public Instruction (OSPI) identifies the schools and recommends that the State

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Board of Education (SBE) designate school districts as Required Action Districts (RADs) if the districts have a persistently lowest-achieving school.

The RADs must undergo an academic audit, develop a required action plan, have the plan approved by the SBE, and then implement the plan using federal funds for school improvement. A procedure is established for re-opening collective bargaining agreements in order to implement a required action plan. The OSPI recommends release of a district from required action after at least three years if the school has made sufficient progress; a district that fails to make the necessary improvement must submit a new plan.

The 2010 law was enacted concurrently with a significant increase in federal funding for School Improvement Grants (SIGs). Various aspects of the law are designed to assure eligibility for the SIGs:

- A persistently lowest-achieving school is defined as one of the lowest performing 5 percent of schools either receiving or eligible to receive federal Title I funds.
- School performance is measured using federal criteria, including results on state reading and mathematics assessments and high school graduation rates.
- Recipients of the SIGs must implement one of four intervention models specified by the U.S. Department of Education: turnaround, restart (including as a charter school), school closure, or transformation.
- The RAD process is to be implemented only if federal SIGs or other federal funds are available.

Since 2010 the OSPI has annually identified the list of persistently lowest-achieving schools, and 28 schools have received \$67 million from the SIGs, to be used over a three-year period. Four of these schools were also designated under the state RAD process.

The OSPI is not anticipating additional federal funding for the SIGs and thus did not designate any RADs for the 2012-13 school year. State funding for school improvement grants was eliminated in the 2011-13 biennial budget.

In 2012 the Legislature established a pilot project called Collaborative Schools for Innovation and Success (CSIS) where a College of Education and a school district implement a residency model of teacher preparation and development in a low-performing elementary school. Four pilot projects received approval, three of which also receive state funding for implementation.

### **Summary of Bill:**

By December 1, 2013, the OSPI must identify the ten most persistently lowest-achieving schools using results on the state reading and mathematics assessments. A school district with an identified school must be designated as a RAD and must follow the RAD process identified in current law.

The laws that establish the RAD process are modified to permit use of state funds for implementation of a required action plan for the newly designated RADs. In addition to one of the four federal intervention models, a new RAD may implement a CSIS model. If a new RAD establishes a charter school, the school counts toward the established limit on the number of charter schools.

If the SBE determines that a RAD (either previously or newly designated) has not met the performance requirements for release from required action, and the RAD has received adequate federal or state funding for three years to implement one of the intervention models, then the school district enters Level II of the RAD process.

Under Level II of the RAD process, the OSPI must:

- review the previous actions and create a new three-year plan with input from the school district;
- implement the three-year plan using a management structure chosen by the OSPI;
- assure that the three-year plan contains a performance framework setting out the indicators, measures, and metrics for improvement of student learning;
- implement one of the four federal intervention models or the CSIS model;
- exercise the powers of a school board with regard to employing certificated and classified employees assigned to the persistently lowest-achieving school; and
- provide a progress report twice per year to the SBE.

A school district that falls under Level II of the RAD process must notify parents. Certificated and classified employees assigned to the persistently lowest-achieving school may request a transfer of assignment. Parties to collective bargaining agreements must reopen or negotiate an addendum to an agreement if necessary to implement the three-year plan.

If at the end of the three-year plan the SBE determines that the Level II RAD has not made sufficient improvement, the school must be closed and the students assigned to another school, unless there is no viable option to accommodate the students.

**Appropriation:** None.

**Fiscal Note:** Requested on March 11, 2013.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.