

# HOUSE BILL REPORT

## HB 1606

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### As Reported By House Committee On:

Education  
Appropriations

**Title:** An act relating to education.

**Brief Description:** Clarifying the determination of "years of service" for certain educational employees.

**Sponsors:** Representatives Carlson, Johnson, Linville, Cole and Keiser.

### Brief History:

#### Committee Activity:

Education: 2/25/97, 3/4/97 [DP];

Appropriations: 3/10/97 [DPS].

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 11 members: Representatives Johnson, Chairman; Hickel, Vice Chairman; Cole, Ranking Minority Member; Keiser, Assistant Ranking Minority Member; Linville; Quall; Smith; Sterk; Sump; Talcott and Veloria.

**Staff:** Bronwyn Mauldin (786-7093).

**Background:** Each year the Legislature must establish a statewide salary allocation schedule for the purpose of allocating funds for basic education certificated instructional staff salaries. This schedule allocates higher salaries for certificated instructional staff with more education and more years of experience. The Superintendent of Public Instruction calculates salary allocations for state funded basic education certificated instructional staff based on the salary schedule set by the Legislature.

Basic education certificated instructional staff includes teachers, nurses, occupational therapists, and physical therapists. For the purpose of salary calculations, years of experience for certificated instructional staff includes all years of documented full-time and part-time professional education employment accumulated in Washington, other states, or other countries.

All school nurses, occupational therapists, and physical therapists must be certified by the Superintendent of Public Instruction in order to work in Washington schools. Each must have completed certain educational requirements and have an appropriate state license in order to receive an initial or continuing certificate.

**Summary of Bill:** Calculations of years of experience for all school nurses, occupational therapists, and physical therapists must include not only the employee's experience working in schools, but also any years worked in nonschool positions as a licensed nurse, occupational therapist, or physical therapist.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Including nonschool years of service would attract more experienced and better nurses, occupational therapists, and physical therapists to work in schools. Speech pathologists and audiologists should be added to this bill.

**Testimony Against:** None.

**Testified:** Ann Simons and Jeanne Baranski, School Nurse Organization of Washington; Jan Galvin, Washington State Physical Therapy Association; Pat Gabrielse, Washington Speech and Hearing Association; and Judy Hartmann, Washington Education Association.

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## HOUSE COMMITTEE ON APPROPRIATIONS

‘ **Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Huff, Chairman; Alexander, Vice Chairman; Clements, Vice Chairman; Wensman, Vice Chairman; Benson; Cooke; Crouse; Lambert; Lisk; Mastin; McMorris; Parlette; D. Schmidt; Sehlin; Sheahan and Talcott.

**Minority Report:** Do not pass. Signed by 14 members: Representatives H. Sommers, Ranking Minority Member; Doumit, Assistant Ranking Minority Member; Gombosky, Assistant Ranking Minority Member; Carlson; Chopp; Cody; Grant; Keiser; Kenney; Kessler; Linville; Poulsen; Regala and Tokuda.

**Staff:** Elissa Benson (786-7191).

**New Background:** Under the state constitution, the state has a paramount duty to make ample provision for the education of all children residing within its borders. The court has interpreted this provision to require the state to define basic education and fully fund it in a general and uniform manner. The definition of basic education consists of program requirements and funding requirements. The program requirement component requires school districts to offer students at various grade levels a certain number of hours in various classes and skills. For example, each school district must offer students in grades one through three at least a total program hour offering of 2700 hours. A minimum of those hours must be devoted to basic skills such as reading, language arts, mathematics, social studies, science, music, art, health, and physical education. Basic education is considered to be fully funded with money appropriated by the Legislature to fund those program requirements.

In 1993, the Legislature passed the Education Reform Act. The act is intended to replace the current definition of the program component of basic education with a system that emphasizes performance-based education, assessment, and accountability. Under the new system, school districts must still make a certain number of instructional hours available, but the instruction is focused on mastery of essential academic learning requirements– based on four goals of basic education:

- Goal 1:** Reading, writing, communication;
- Goal 2:** Mathematics; social, physical, and life sciences; civics; history; geography; arts; and health and fitness;
- Goal 3:** Think analytically, logically, and creatively, and to integrate experience and knowledge to form reasoned judgments and solve problems;
- Goal 4:** Understand the importance of work and how performance, effort, and decisions directly affect future career and educational opportunities.

The Washington Commission on Student Learning (CSL) was assigned the tasks of developing the essential academic learning requirements and developing a student assessment system. The CSL has adopted the essential academic learning requirements for Goals 1 and 2. Goals 3 and 4 are integrated into the essential academic learning requirements for Goals 1 and 2.

Assessments measuring the essential academic learning requirements of certain goals of the Education Reform Act are to be implemented at various times, some in 1996-97 and others in 1998-99. Before 2000-2001, school districts may participate on a voluntary basis. After that, participation in the assessment system is mandatory. The elementary, middle and high school level assessments developed by the CSL for Goal 1 (reading, writing, and communication) and mathematics are required to be available for voluntary use in the 1996-97 school year. The elementary, middle, and high school level assessments developed for Goals 2 (the sciences, history, geography, civics, health/fitness and the arts), 3 (critical thinking) and, 4 (understanding the importance of work) are required to be available for voluntary use by the 1998-99

school year. The CSL is behind schedule in developing the assessments. The assessments must integrate knowledge and skill areas to the maximum extent possible. All school districts are required to administer the assessments beginning in the 2000-01 school year.

The CSL is also assigned the task of recommending a statewide accountability system to monitor and evaluate the level of learning occurring in individual schools and school districts. The accountability system must be designed to recognize the characteristics of the student population of schools and school districts such as gender, race, ethnicity, socioeconomic status, and other factors. This recommendation is due by June 30, 1999, before the state converts to the provisions of the Education Reform Act.

The CSL must also make recommendations regarding a system to assist schools and school districts that are having difficulty helping students meet the essential academic learning requirements. The accountability and assistance programs are to begin September 1, 2000.

The conversion under the Education Reform Act will take effect September 1, 2000, unless the Legislature passes a law that states that the school accountability and academic assessment system is not in place.

After the State Board of Education (SBE) has determined that the high school assessment system has been implemented and that it is sufficiently reliable, successful completion of the high school assessment leads to a Certificate of Mastery. It is anticipated that most students will obtain the Certificate of Mastery by age 16. The Certificate of Mastery is evidence that the student has mastered the essential academic learning requirements. The Certificate of Mastery will be required to graduate. The CSL must make recommendations to the SBE regarding the relationship between the Certificate of Mastery and other high school graduation requirements. Upon obtaining the Certificate of Mastery, the school must make additional education opportunities available for the student that emphasize integration of academic and vocational education. There is not a specific deadline for implementing the Certificate of Mastery.

**Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Education:** New provisions are substituted for the underlying bill.

The timelines for the availability of the assessments are modified.

For Goal 1 reading, writing, and communications; and Goal 2 mathematics, the elementary assessments must be available as under current law for 1996-97; the middle school assessments must be available for use 1997-98; and high school

assessments no later than 1998-99. The elementary assessment is optional until the 1997-98 school year. The middle and high school assessment is optional until the 2000-01 school year.

The Goal 2 science assessment for middle and high school must be available for use no later than 1998-99. The science assessment for elementary schools must be available for use no later than 2001-02. Participation in the science assessment for middle and high school students is optional until the school year 2000-01.

Assessments for Goal 2 history, civics, geography, and arts, are to be available for middle and high school no later than the 2000-01 school year. Assessments for Goal 2 health and fitness are to be available no later than the 2001-02 school year for middle and high school. By December 15, 1998, the CSL must recommend to the education committees a revised timeline for implementation of these assessments and when the assessments should become mandatory. There is no timeline for elementary assessments in history, civics, geography, arts, health, and fitness. All school districts will be required to participate in history, civics, geography, arts, health, and fitness assessments in the third year after they are available.

Specific reference to assessments measuring Goals 3 and 4 is deleted but a provision is added that assessments for Goals 3 and 4 shall be integrated into the assessments for Goals 1 and 2.

Specific reference to the Certificate of Mastery is deleted. Instead, if after June 30, 2005, the State Board of Education has determined that the high school assessment system has been implemented and is sufficiently reliable and valid, successful completion of the high school assessments will be required for graduation but will not be the only requirement for graduation. The high school assessment system will be administered to students at about age 16. The results must be included on the student's diploma.

The CSL must develop recommendations for consideration by the Higher Education Coordinating Board for developing entrance requirements based on assessments in reading, writing, communications, mathematics, and science.

The deadline of June 30, 1999, for the CSL to report to the Legislature about the statewide accountability system is replaced with a requirement that the CSL make recommendations by November 1, 1997, for reading in grades K-4 and by June 30, 1999, for the remaining subjects and grades. The school assistance programs must be designed to help those schools and districts with students performing poorly on assessments for reading, writing, communications, mathematics, and science.

The accountability system criteria are changed. The accountability system must assess each school individually against its own baseline, schools with similar characteristics, and schools statewide.

By September 30, 1997, the CSL, SBE, and the Office of the Superintendent of Public Instruction (SPI) must jointly make recommendations to the education committees regarding the connection between the high school assessments and high school graduation requirements. A number of questions must be asked.

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on March 3, 1997.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** (To striking amendment not adopted) The CSL is not in compliance with the original timelines for implementing the assessments, and those timelines need to be adjusted. The Legislature needs to strengthen its advisory and review role of this process before it is fully implemented. Reference to the Certificate of Mastery should be deleted because it was never defined in the statute when education reform was passed. The Legislature needs to be able to review and approve the recommendation regarding the link between the tenth grade assessments and graduation requirements.

**Testimony Against:** (To striking amendment not adopted) Delay of the availability of assessments is all right but deletion of the timelines for Goal 2 civics, history, geography, arts, health and fitness is not acceptable. Removal of the Certificate of Mastery references is cause for concern.

**Testified:** Representative Talcott (pro); Robert Butts, Office of the Superintendent of Public Instruction (pro with concerns); and Judy Hartman, Washington Education Association (con).