

HOUSE BILL REPORT

2SSB 5973

As Passed House - Amended:
April 13, 2009

Title: An act relating to closing the achievement gap in order to provide all students an excellent and equitable education.

Brief Description: Closing the achievement gap in K-12 schools.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Kauffman, McAuliffe, Oemig, Shin, Hobbs, Kohl-Welles and Kline).

Brief History:

Committee Activity:

Education: 3/20/09, 3/27/09 [DPA];

Education Appropriations: 4/1/09, 4/3/09 [DPA(APPE w/o ED)].

Floor Activity

Passed House - Amended: 4/13/09, 98-0.

**Brief Summary of Second Substitute Bill
(As Amended by House)**

- Creates an Achievement Gap Oversight and Accountability Committee to develop an implementation plan and recommend strategies to close the achievement gap to the Superintendent of Public Instruction, the State Board of Education, and the Professional Educator Standards Board (PESB).
- Requires all student-related data from the Office of Superintendent of Public Instruction (OSPI) to be disaggregated by six specified racial or ethnic subgroups and five specified characteristics.
- Directs the PESB to identify model standards for cultural competency and to assist school districts with the largest achievement gaps in developing partnership programs for alternative route teacher preparation.
- Requires the OSPI to take action to secure federal funds to support initiatives to close the achievement gap.

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 as amended. Signed by 13 members: Representatives Quall, Chair; Probst, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Cox, Dammeier, Hunt, Johnson, Liias, Maxwell, Orwall, Santos and Sullivan.

Staff: Barbara McLain (786-7383)

HOUSE COMMITTEE ON EDUCATION APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Education Appropriations and without amendment by Committee on Education. Signed by 14 members: Representatives Haigh, Chair; Sullivan, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Anderson, Carlyle, Cox, Haler, Hunter, Kagi, Probst, Quall, Rolfes and Wallace.

Staff: Ben Rarick (786-7349)

Background:

The 2008 Legislature commissioned five distinct studies of the achievement gap for groups of K-12 students. Four of the studies were directed by budget provisos in the 2008 supplemental operating budget, and one of the studies was directed by a separate bill. The agencies assigned to conduct the studies were:

- the Center for the Improvement of Student Learning (CISL) and an advisory committee to conduct the study for African American students;
- the Commission on Asian Pacific American Affairs to conduct two distinct studies for Asian American students and Pacific Islander American students;
- the Governor's Office of Indian Affairs to conduct the study for Native American students; and
- the Commission on Hispanic Affairs to conduct the study for Latino students.

The study groups submitted final reports on December 30, 2008. Recommendations from one or more of the achievement gap studies include:

- adopting a data collection, research, and evaluation plan to assess the reduction of gaps in achievement over time;
- revising school improvement plans to focus on efforts to close the achievement gap;
- improving collaboration between K-12 and higher education for preparation of teachers and recruitment and retention of diverse teachers and other educators;
- providing professional development in working with diverse students, parents, and communities; and
- improving parent and community involvement and engagement in public schools.

The Office of the Superintendent of Public Instruction (OSPI) is in the midst of a multi-year project to improve data collection from school districts. The current reporting capacity can provide information for the following student subgroups and characteristics: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, Low Income, Transitional Bilingual, Migrants, and Special Education. By the spring of 2010, the

reporting capacity will include students covered by Section 504 of the Federal Rehabilitation Act.

The Professional Educator Standards Board (PESB) establishes standards for educator certification and approves educator preparation programs. The PESB also oversees several alternate route teacher certification programs offered in collaboration between higher education institutions and school districts, as well as the Recruiting Washington Teachers grant program to encourage multi-cultural and multi-lingual high school students to consider teaching as a career.

Summary of Amended Bill:

The Legislature finds compelling evidence from the 2008 studies that additional progress must be made to address the achievement gap. Access to comprehensive data that is disaggregated is important in closing the gap. A consistent theme is the need for cultural competency in instruction, curriculum, assessment, and professional development.

Following the priority recommendations from the studies, the Legislature intends to:

- provide resources to support parent and community involvement and outreach efforts;
- require that teachers demonstrate cultural competency in the classroom and provide opportunities for professional development in cultural competency;
- create alternative routes to teacher certification in schools that are struggling to address the achievement gap;
- re-examine the study recommendations regarding data and accountability; and
- sustain efforts to close the achievement gap by creating a committee to provide ongoing advice to education agencies and report annually to the Legislature.

An Achievement Gap Oversight and Accountability Committee (Committee) is created to synthesize findings and recommendations from the 2008 studies into an implementation plan, and recommend policies and strategies in specified areas to the OSPI, the PESB, and the State Board of Education to close the achievement gap. The Committee is composed of six legislators, a representative of federally recognized tribes in Washington to be designated by the tribes, and four members appointed by the Governor in consultation with the state ethnic commissions and representing African Americans, Hispanic Americans, Asian Americans, and Pacific Islander Americans. The Governor and the tribes are encouraged to designate members with school experience. Staff support for the Committee is provided by the Center for the Improvement of Student Learning in the OSPI. The Committee reports annually to the Legislature on the strategies to address the achievement gap and improvement of education performance measures for groups of students.

All student data-related reports required of the OSPI must be disaggregated by at least the following subgroups: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, Low Income, Transitional Bilingual, Migrants, Special Education, and students covered by Section 504 of the Federal Rehabilitation Act.

The Professional Educator Standards Board (PESB), in consultation with the Committee, must identify model standards for cultural competency and make recommendations to the legislative education committees regarding the strengths and weaknesses of those standards.

"Cultural competency" includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.

The OSPI must identify school districts that have the largest achievement gaps and should receive priority for assistance in advancing cultural competency skills. The PESB provides assistance to the identified districts to develop partnerships with teacher preparation programs to offer alternative route certification programs and to recruit paraeducators and other individuals in the local community to become certified as teachers. A partnership grant program proposed by an identified district receives priority for alternative route partnership grants. To the maximum extent possible, the PESB must coordinate the Recruiting Washington Teachers program with the alternative route programs.

The OSPI must take actions to secure federal funds to support data collection and other model programs.

Appropriation: None.

Fiscal Note: Available for substitute bill.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Education):

(In support) The commissioned studies involved professional research, conducted statewide, as well as a tremendous effort from community leaders, advocates, and citizens. It is now the intent to find the commonalities among the study recommendations and move forward. Some commonalities are in the bill, such as the need for disaggregated data. The achievement gap is not a problem unique to Washington. However, what is unique is that the Legislature put forward a community-based effort to identify the root problems and make recommendations. The bill is a work in progress and we will continue to take meaningful steps and try to reach common ground. This brings into focus the achievement gap studies. Work has been done to simplify the language, and suggestions continue to be promoted. The various intent statements are supported, such as parent and community involvement and enhancing cultural responsiveness in current and future educators. If there are going to be Innovation Academies and other model schools, there must be an expectation of positive outcomes to be shared with the education community. There is language in another bill that can be supported to address these issues. Achievement gap studies are not new, but no other study has been done in consultation with students, parents, and elders in each community. This provides a unique and valuable perspective. The reports should be used for decision-making; there are some key items that stand out. At the very least, do no harm.

(In support with amendments) There is no shortage of will in terms of addressing these issues, even in difficult times. The bills can be merged in a way to address the various issues that have been raised. Data must be addressed. A committee is needed to assume an oversight and accountability function. Various programs and current efforts could be

redirected. The notion of creating Innovation Academies has been misinterpreted as a pilot project or experiment. We realize they can't be funded now, but science, technology, engineering, and mathematics are the future for many of our communities. What is needed is a plan for phasing-in this vision and retooling current programs.

(In support with concerns) The intent is strongly supported, and this is an important first step to continue the work of the studies. The various bills are very different and there is a fear that the differences are so wide that it will prevent progress. There should be a committee with leadership by community members to synthesize the findings into a single report. We need to find compromise language; we do not want to lose momentum.

(Opposed) None.

Staff Summary of Public Testimony (Education Appropriations):

(In support) The achievement gap studies were community-based efforts that involved elders, parents, and other community members. They took a hard look at the achievement gap, using data and research. The intent section of this bill says it all: there is a need to assure an equitable education for all students, and this presents an opportunity for the Legislature to make a strong commitment and to affirm the state's constitutional obligations for equal opportunity for all students. This has been a collaborative effort and it is still a work in progress. This bill keeps the topic of the achievement gap alive.

(Opposed) None.

Persons Testifying (Education): (In support) Senator Kauffman, prime sponsor; Ben Kodama, Equitable Opportunity Caucus; and Don Woodcock.

(In support with amendments) Vicki Austin, Black Education Strategy Roundtable.

(In support with concerns) Barbara Guzman, Latino/a Educational Achievement Project.

Persons Testifying (Education Appropriations): Thelma Jackson, Black Education Strategy Roundtable.

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

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