

# SENATE BILL REPORT

## ESHB 2586

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, February 22, 2012  
Ways & Means, February 27, 2012

**Title:** An act relating to phasing-in statewide implementation of the Washington kindergarten inventory of developing skills.

**Brief Description:** Phasing-in statewide implementation of the Washington kindergarten inventory of developing skills.

**Sponsors:** House Committee on Ways & Means (originally sponsored by Representatives Kagi, Maxwell, Ladenburg, Dammeier, Kenney and Tharinger; by request of Department of Early Learning and Superintendent of Public Instruction).

**Brief History:** Passed House: 2/11/12, 84-11.

**Committee Activity:** Early Learning & K-12 Education: 2/20/12, 2/22/12 [DPA-WM, w/oRec].

Ways & Means: 2/27/12 [DPA, DNP, w/oRec].

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

**Majority Report:** Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Litzow, Ranking Minority Member; Eide, Fain, Harper, Hill, Hobbs, King, Nelson and Tom.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Rolfes, Vice Chair.

**Staff:** Lidia Mori (786-7755)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass as amended.

Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Parlette, Ranking Minority Member Capital; Baumgartner, Brown, Conway, Fraser, Harper, Hatfield, Hewitt, Kastama, Keiser, Kohl-Welles, Pridemore, Regala and Tom.

**Minority Report:** Do not pass.

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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.*

Signed by Senators Honeyford, Padden and Schoesler.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Zarelli, Ranking Minority Member; Holmquist Newbry.

**Staff:** Elise Greef (786-7708)

**Background:** The Washington Kindergarten Inventory of Developing Skills (WaKIDS) is a kindergarten assessment process developed in collaboration with stakeholders that included elementary teachers and principals, special education specialists, early care and education providers, parents, and representatives from Washington's Tribal communities. WaKIDS provides consistent statewide information about the developmental status and educational needs of children entering kindergarten across the state.

WaKIDS was piloted during the 2010-2011 school year and two reports were produced from the data obtained. The first report focused on the whole-child assessment and reported data across the three piloted assessment tools for all students. The second report provides information about the teachers' experiences with the assessment tool, the parents' opinions about the assessment tools and transition process, and the early learning collaboration. The information collected in the second report led to Teaching Strategies GOLD being the recommended assessment tool.

The 2011 Legislature passed Senate Bill 5427, which made the use of WaKIDS optional, and to the extent funds are available, for state-funded full-day kindergarten classrooms in the 2011-2012 school year and mandatory, to the extent funds are available, starting in the 2012-2013 school year, with the exception of students who have been excused from participation by their parents or guardians. State-supported all-day kindergarten is in the process of being phased in across the state, beginning with schools with the highest poverty levels. During the 2011-2012 school year, WaKIDS will include 68 school districts, 165 schools, 479 teachers, and 11,000 kindergarteners.

Until full implementation of state-funded all-day kindergarten, the Superintendent of Public Instruction (SPI), in consultation with the Director of the Department of Early Learning (DEL), may grant annually renewable waivers in order to allow the administration of kindergarten assessments other than WaKIDS. Before implementing WaKIDS, SPI and the Director of DEL were required to ensure that a fair and bias review of the assessment process has been conducted, including an opportunity for input from the Education Opportunity Gap Oversight and Accountability Committee and an additional diverse group of stakeholders. A report on this review process was issued in July of 2011.

**Summary of Bill (Recommended Amendments):** A WaKIDS implementation workgroup is established to include one representative from OSPI, DEL, and the nongovernmental private-public partnership; five representatives from WaKIDS pilot districts; two parents who participated in the WaKIDS pilot; and a representative from an independent nonprofit children's and family services organization based in North Bend, Washington. The workgroup will provide input and recommendations with respect to implementing WaKIDS, including implementation in both full-day and half-day kindergartens. A preliminary report will be submitted to the Legislature by December 1, 2012, with subsequent annual reports

until statewide implementation of full-day kindergarten is complete, at which time the workgroup will be terminated.

In order to receive an ongoing waiver from the requirement to administer WaKIDS, a school district must show the data from the district's alternative assessment meets the criteria of WaKIDS as determined by DEL and OSPI and that the same information is collected from all kindergarten students and reported to OSPI.

OSPI must collaborate with the nongovernmental private-public partnership when determining the administration of WaKIDS.

**EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Amendments):**

- Establishes a workgroup, to be convened by OSPI and DEL, to provide recommendations with respect to implementation of WaKIDS and to report recommendations to the Legislature annually. The workgroup includes representatives from OSPI, DEL, teachers, principals, parents, and other specified organizations. The workgroup is terminated upon full statewide implementation of full-day kindergarten.
- Removes the school year 2014-15 date for full implementation of WaKIDS, reverting to the requirement that WaKIDS be implemented in state-funded full-day kindergarten programs to the extent funds are available.
- Removes the provisions allowing for the time used to administer WaKIDS and meet with students and families to be considered part of the minimum instructional hours and school days under basic education.
- Allows a school district to obtain an ongoing waiver from the requirement to administer the WaKIDS if it can show the data from the alternative assessment meets the criteria of WaKIDS as determined by DEL and OSPI and that the same information is collected from all kindergarten students and reported to OSPI as is required for obtaining an original waiver.
- Directs OSPI to collaborate with the nongovernmental private-public partnership when determining the administration of the WaKIDS by kindergarten teachers.

**EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Amendments):** (1) Removes language from section 2 of the bill and places it in the basic education statutes, amending the definitions of instructional hours and school day to allow half-day kindergarten classroom teachers to be able to count the time they use for administering and meeting with students and families regarding WaKids until the 2017-18 school year. The expanded definitions expire in the 2017-18 school year when full-day kindergarten is scheduled to be fully implemented statewide.

(2) Allows a school district to obtain an ongoing waiver from the requirement to administer the WaKIDS if it can show the data from their alternative assessment supports the goals of WaKIDS as determined by DEL and OSPI and that the same information is reported to OSPI as is required for obtaining an original waiver.

(3) Requires OSPI, in consultation with DEL, to convene a workgroup to provide recommendations with respect to implementation of the WaKIDS and on the best way to administer WaKIDS to children in half-day kindergarten while ensuring that they receive the maximum instruction as required in the basic education provisions in the law.

(4) Provides that the workgroup includes one representative from OSPI, DEL, the nongovernmental private-public partnership, five representatives from the pilot districts, two parents who participated in the WaKIDS pilot, and a representative from an independent nonprofit children's and family services organization based in North Bend, Washington.

(5) Directs OSPI to collaborate with the nongovernmental private-public partnership when determining the administration of the WaKIDS by kindergarten teachers.

**Appropriation:** None.

**Fiscal Note:** Available.

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

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

**Staff Summary of Public Testimony as Heard in Committee (Early Learning & K-12 Education):** PRO: We need a way to assure early learning programs are producing children that are ready for kindergarten. WaKIDS is a foundation for the Race to the Top grant. The connection that is made between teachers and parents is very important and can make a world of difference in a child's educational life, so allowing up to three days to be considered as school days under basic education requirements seems reasonable. Many school districts have their own assessment, and they are requiring it in addition to the WaKIDS, so this may explain some of the rub we are experiencing. The Race to the Top grant will provide \$2.2 million, and the Gates Foundation is providing \$340,000; there are significant resources available to support this implementation. This bill helps the WaKIDS implementation, which is in line with our Race to the Top grant. We have been listening to feedback from teachers, and they are generally in agreement that WaKIDS is helpful in welcoming families. The assessment component is time-intensive, and this bill should help with that. There have been changes made to the web-based data entry piece so that it is less time intensive. We are looking at how to embed WaKIDS naturally into teachers' existing instruction, and we are taking a close look at what teachers can skip. We are supportive of the up-to-three-days provision in the bill. Superintendent Dorn is concerned about part-time kindergarten teachers and the burden that WaKIDS would impose.

CON: One of my concerns is that the concept of the kindergarten inventory is creating a profile of a child. Social emotional assessment concerns me because every child is different. When I look at the benchmarks, I see a cookie cutter approach. One-on-one teaching is being impacted and reduced by this. This inventory creates a burden on the teachers, and at-home visit evaluations can be tainted. I like the opt-out provision and feel that it should be widely publicized. Children should have teachers that teach, rather than assess. Preschool WASL's aren't going to work. WaKIDS was requested by DEL and OSPI, and they work together to

oversee it, along with Thrive by Five. These organizations are not a diverse representation of the industry. They are a small group funded by state dollars. I believe the workgroup suggested by Representative Kagi would be made up of people already in the industry and would maintain the conflict of interest I am seeing.

OTHER: Teachers have told us they don't get the best value and use out of the assessments. Some felt overwhelmed by WaKIDS and not able to get it all done. I am suggesting that if it is possible to create a more realistic roll out, we should limit it to a certain percentage of school districts. WaKIDS is especially difficult with the half-day kindergarten. We should scaffold the implementation so the best pieces of the assessment go forward first, take a look at what the kindergarten teachers find the most valuable, and streamline the data. Could more of the Race to the Top money go towards WaKIDS? Principals have expressed the same concerns that teachers have regarding implementation of WaKIDS. The taskforce is a good idea to address the issues that have come up. The three-day provision is worth considering. The taskforce should include an elementary school principal or two.

**Persons Testifying (Early Learning & K-12 Education):** PRO: Representative Kagi, prime sponsor; Amy Blondin, DEL; Bob Butts, OSPI; Surina Nash, parent; Ramona Hattendorf, WA State PTA; Frank Ordway, League of Education Voters.

CON: Sharon Hanek, parent; Shannon Bean, provider.

OTHER: Jerry Bender, Assn. of WA School Principals; Wendy Rader-Konofalski, WA Education Assn.

**Staff Summary of Public Testimony on Bill as Amended by Early Learning & K-12 Education (Ways & Means):** PRO: We have been working on a kindergarten inventory of diagnostic skills for a couple of years with robust philanthropic support. We have piloted the program; we have learned some lessons from that. Because of the Race to the Top grant, it is important that we make this commitment and move this policy forward. There are concerns regarding implementation. The House established an advisory committee to ensure those implementation issues were well-aired and worked through. It is very important to move forward and not just turn this into a study bill. We have studied this for a couple of years. The Senate added a couple of amendments. The House put in the three days of instructional time. That actually is done today in many kindergartens. The teachers spend the first few days meeting with parents and children. This is a critical time in a child's life regarding the first introduction to school. It is important a child feel comfortable and the parents be engaged as this could impact the next 13 years of education. The Senate added an amendment that is for only the part-time kindergarten teachers; it would be helpful to add this for the full-time kindergartens as well. There is also a very broad provision allowing for applying for waivers. If we do not know how to uniformly measure the skills of children coming into kindergarten, we will never know the value of the investments we're making in early learning. This is also critically important for the Race to the Top grant. Having a consistent statewide system of measuring incoming kindergarten skills and abilities allows teachers to conform their instruction to student needs. Meeting with parents at the beginning of the year is important. The workgroup will help implement this system with fidelity. To implement well requires additional resources. Federal and local resources have given a big step up but continued state resources are needed to further engage families, students, and

better realize what actual increases in student achievement we are realizing in early learning. This is all about figuring out what the child needs and teaching to the child, and we believe this will make the system far more effective. This ties in very well with the new teacher/principal evaluation system that is also being piloted now; specifically, there are three new criteria teachers will be assessed on – recognizing individual student needs, using data elements to modify instruction, and communicating and collaborating with parents. WaKIDS will help with all of these. We would like to see the instructional hours expanded back out to include full-day kindergarten teachers. We've learned a lot during the pilots and we really need to support teachers as they venture into the new system. There is currently no consistent measure of how children perform in our school districts until the end of third grade. That is far too late to begin to individualize and modify instruction. The waiver is of concern; we have committed to implement this program statewide. This program has been piloted with 3000 students last year and 11,000 this year. Sixty-one percent of pilot teachers claim this new instrument helps them know their students better this year than in past years, mostly because of this contact with parents. Quality early learning is the single best investment for closing the achievement gap. This bill leverages federal and private money but, mostly leverages the work of early-learning providers and parents

**Persons Testifying (Ways & Means):** PRO: Representative Kagi, prime sponsor; Shawn Lewis, Chief Financial, OSPI; Ramona Hattendorf, WA State Parent Teacher Assn.; Lauren Hipp, Thrive by Five; Dr. Betty Hyde, Director, DEL; George Scarola, League of Education Voters.