

# HOUSE BILL REPORT

## ESHB 1209

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As Amended by the Senate

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

**Brief Description:** Reforming education.

**Sponsors:** By House Committee on Education (originally sponsored by Representatives Peery, Ballard, Dorn, Jones, Brough, R. Meyers, Cothorn, Sheldon, Brumsickle, Roland, Eide, Holm, Jacobsen, Thomas, J. Kohl, Ogden, Franklin, G. Cole, Voloria, Wang, H. Myers, Horn, Scott, Karahalios, L. Johnson, Thibaudeau, Wolfe, Leonard, Locke, Basich, Orr, Kessler, Campbell, Linville, Pruitt and Wineberry; by request of Council on Education Reform and Funding.)

**Brief History:**

Reported by House Committee on:  
Education, February 25, 1993, DPS;  
Appropriations, March 6, 1993, DPS(ED-A APP);  
Passed House, March 10, 1993, 85-12;  
Amended by Senate.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Dorn, Chair; Cothorn, Vice Chair; Brough, Ranking Minority Member; Thomas, Assistant Ranking Minority Member; Brumsickle; Carlson; G. Cole; Eide; G. Fisher; Hansen; Holm; Jones; Karahalios; J. Kohl; Patterson; Pruitt; and Vance.

**Minority Report:** Do not pass. Signed by 1 member: Representative Stevens.

**Staff:** Robert Butts (786-7111).

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on Education be substituted therefor and the substitute bill as amended by Committee on Appropriations do pass. Signed by 22 members: Representatives Locke, Chair; Valle, Vice Chair; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dellwo; Dorn;

Dunshee; G. Fisher; Jacobsen; Lemmon; Leonard; Linville; Peery; Rust; Sehlin; Sommers; Wang; Wineberry; and Wolfe.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Silver, Ranking Minority Member; Sheahan; Stevens; and Talcott.

**Staff:** Jack Daray (786-7178).

**Background:** The 1992 Legislature approved legislation that established a process for developing and implementing new student assessment and school accountability systems for public K-12 schools. The act also began the process of reducing state-level control of how instruction is provided in local school districts.

With the "performance-based" system created in the act, state-level accountability will concentrate more on how well students are learning, and less on state-level regulation and control of how instruction is provided in schools and school districts.

The legislation created a Commission on Student Learning, which was given the responsibility for developing the new assessment and accountability system. The commission also was given the responsibility to take other actions to move the education system toward a "performance-based" system.

In May 1991, Governor Gardner created the Governor's Council on Education Reform and Funding. The council, which was composed of legislative, school, and business leaders, developed a series of recommendations designed to improve the education system. The final report of the council was completed in December 1992, and its legislative recommendations were incorporated into the initial version of the legislation.

**Summary of Bill:**

**I. STUDENT LEARNING GOALS**

The goals of the Basic Education Act are modified. The current skill areas are deleted, and the following goals for students are added:

- (1) Read with comprehension, write with skill, and communicate effectively and responsibly in a variety of ways and settings;
- (2) Know and apply the core concepts and principles of mathematics; social, physical, and life sciences; history; geography; arts; and health and fitness;

- (3) Think analytically, logically and creatively, and integrate experience and knowledge to form reasoned judgments and solve problems;
- (4) Understand the importance of work and how performance and decisions directly affect future career and educational opportunities; and
- (5) Function as responsible individuals and contributing members of families, work groups, and communities.

## **II. COMMISSION ON STUDENT LEARNING**

### **Definitions**

Changes are made to the definitions of "essential academic learning requirements" and "standards," and a definition of a "performance-based education system" is added.

### **Membership**

Two members are added to the commission. The governor will select the two additional members and appoint the chair. Vacancies on the commission will be filled by the appointing entity.

### **Duties**

#### **- Essential Academic Learning Requirements and Assessments**

The timelines for establishing the "Essential Academic Learning Requirements" (EALR's) and for implementing the assessments are modified. EALR's and assessments for goal 1 and the math component of goal 2 are to be completed first, with the remainder of goal 2 and goals 3 and 4 to be completed one year later. The EALR's for goal 5 are to be completed last, but development of assessments for goal 5 are not begun until the commission submits a report to the Legislature on the feasibility of developing assessments for this goal.

#### **- Certificate of Mastery**

It is specified that the high school assessment shall be completed for most students by about the age of 16. After students obtain certificates, students will pursue career and educational objectives through educational pathways that emphasize integration of academic and vocational education.

The implementation date for making the Certificate of Mastery a high school graduation requirement is delegated to the State Board of Education.

A requirement in the 1992 legislation is removed that would have required elementary students to pass the assessment before progressing.

**- School Accountability, Assistance, Intervention, and Incentives**

The commission's duties regarding accountability are made more specific, and include:

- (1) requiring new school-site, school district, and state-level accountability reporting systems;
- (2) creating a school assistance program to help schools and districts that are having difficulty helping students meet the essential learning requirements;
- (3) creating a system to intervene in districts or schools in which significant numbers of students dramatically and persistently fail to learn the essential learning requirements; and
- (4) creating an awards program to provide incentives to school staff to help their students learn the essential learning requirements. These building-based performance awards will be based on the rate of improvement of student performance in individual schools.

**- Duties Transferred/Deleted**

Responsibilities involving providing assistance to educators, including the Quality Schools Center, are transferred to a Center for the Improvement of Student Learning located in the Office of the Superintendent of Public Instruction (OSPI).

Recommendations regarding the repeal of state laws are transferred to a Legislative Joint Select Committee on Education Restructuring.

**Staffing**

The Superintendent of Public Instruction, instead of the Office of Financial Management, is to provide administrative oversight and serve as the fiscal agent for the commission.

**III. EDUCATION RESTRUCTURING GRANTS**

**- Development and Implementation: 1993-94 and 1994-95 School Years**

The OSPI is directed to provide Education Restructuring grants to eligible school districts for the 1993-94 and 1994-95 school years. The purpose of the grants is to develop and implement strategic restructuring plans that include school-based strategies and programs designed to improve student learning. Grant funds must be used for nonstudent days for staff, for participation in the

Commission on Student Learning's advisory committees, and for other activities intended to improve student learning.

Applications will be approved if they are submitted by January 15, 1994, and include:

- (1) either a completed district-wide restructuring plan, or the process to be used to develop or complete a district-wide restructuring plan. Restructuring plans must include the process the district has taken, or will take, to implement a process for continuous improvement in the quality of instruction, and for sharing instructional decisions with building staff and parents;
- (2) proposed actions to be funded by the grant;
- (3) how parents, business leaders, and other community members will be involved; and
- (4) a proposed budget.

OSPI is to approve the grants by March 1, 1994.

The size of grants shall be determined by the average number of certificated and classified staff employed by the district during the 1992-93 school year. Allocations will be figured on \$200/day multiplied by up to five days for each certificated staff person, and \$125/day for each classified staff person.

Schools receiving Schools for the 21st Century grants for the 1994-95 school year will not be eligible to receive these grants.

**- Implementation: 1995-96 and 1996-97 School Years**

A similar grant program is created for the 1995-96 and 1996-97 school years. However, these grants may be used only for **implementation**, not development, of a strategic restructuring plan. Another difference is that these grants are to be based on up to 10 days **annually**.

**IV. EDUCATOR TRAINING AND ASSISTANCE PROGRAMS**

**- Teacher Assistance Program**

It is made more explicit that mentors may be provided in the Teacher Assistance program for experienced teachers having difficulty.

**- Principal Internship Program**

An Principal Internship Support program is created. The purpose of the program is to provide funds to school districts to hire substitutes for district employees who are in principal preparation programs so that the employee can complete an internship.

A maximum of 175 internships will be funded annually. The maximum amount of state funding for each internship will be \$4,500.

Application and selection procedures are specified.

**- Superintendent/Program Administrator Internship Program**

A program similar to the Principal Internship program is created for individuals in school district superintendent and program administrator preparation programs. Up to 25 of these internships will be funded annually.

**- Paraprofessional Training Program**

The current program for training classroom assistants and the teachers with whom they work is established in statute.

**V. CENTER FOR THE IMPROVEMENT OF STUDENT LEARNING**

The Washington Center for the Improvement of Student Learning is created in OSPI. The primary purpose of the center is to provide assistance and advice to parents, educators and the public regarding strategies for assisting students to learn the essential learning requirements. The center is directed to work in conjunction with the Commission on Student Learning, education service districts, and institutions of higher education.

The center shall:

- (1) Serve as a clearinghouse;
- (2) Advise schools and districts regarding: strategic restructuring plans; shared decision-making models; academic and technical integration programs; programs to meet the diverse needs of students; and programs that will assist educators in helping students;
- (3) Develop and distribute parental involvement materials, and take other actions to increase public awareness of the importance of parental involvement in education;
- (4) Develop alternatives for grade designations in elementary schools; and
- (5) Provide training and consultation services.

The center will have an advisory committee. Advisory committee members are to be selected jointly by OSPI and the Commission on Student Learning.

**VI. SCHOOL-TO-WORK TRANSITIONS**

The Academic and Vocational Development grant program established in 1992 is expanded and renamed the School-to-

work Transitions Program. The purpose of the grant program is to fund and coordinate projects to develop model secondary school programs that combine academic and vocational education into a single instructional system that provides multiple educational pathway options for all secondary students.

In selecting projects, OSPI is directed to give additional consideration to proposals that include: (1) collaboration with middle schools or junior high schools; (2) work-based learning opportunities; (3) preparation of teachers; and (4) a "Tech Prep" site.

## **VII. TECHNOLOGY**

OSPI is directed to develop and implement a Washington State K-12 Education Technology Plan. The plan is to coordinate and expand the use of education technology in the common schools of the state.

The plan, at a minimum, is to address:

- (1) technical assistance;
- (2) the continued development of a network; and
- (3) methods to equitably increase the use of education technology by students and school personnel throughout the state.

OSPI is directed to appoint an Educational Technology Advisory Committee to assist in the development and implementation of the plan.

In conjunction with the plan, OSPI is directed to prepare recommendations to the Legislature regarding the development of a grant program for school districts for the purchase and installation of computers, computer software, telephones, and other types of education technology. The recommendations are to be submitted by December 15, 1993.

Educational service districts are to establish Regional Educational Technology Support Centers to provide technical assistance to school districts.

OSPI also is to distribute appropriated funds to schools and the Washington School Information Processing Cooperative to expand the current education state-wide network.

## **VIII. EDUCATOR PERFORMANCE ASSESSMENT**

The current teacher examination, which is to be implemented in August 1993, is:

- (1) broadened to be an individual assessment instead of an examination using primarily essay questions;
- (2) postponed until August 31, 1995; and
- (3) expanded to include oral and written language skills, assessment skills, and other knowledge, skills and attributes needed to successfully assist students in achieving mastery of the essential learning requirements.

The State Board of Education and OSPI are given the authority to charge applicants for the test and to hire a contractor to develop and administer the assessment.

By August 31, 1997, the State Board of Education is directed to develop and implement a new system for approving educator preparation programs based primarily on how successful the graduates of each preparation program are in passing the individual performance-based assessment.

#### **IX. COORDINATED SOCIAL AND HEALTH SERVICES**

The Family Policy Council is directed to provide grants for programs designed to provide coordinated social, health, and educational services to children and families. The purpose of the grants is to enhance the quantity, quality, efficiency, and effectiveness of services for children and families in order to enable all children to arrive at school ready to learn throughout their educational experience.

#### **X. LEGISLATIVE OVERSIGHT, DEREGULATION & TRANSFER FEES**

##### **- Legislative Oversight Committee**

A legislative Joint Select Committee on Education Restructuring is created with 12 members, six from the House and six from the Senate. The select committee is directed to monitor, review, and periodically report upon the enactment and implementation of education restructuring in Washington.

In addition, the Joint Select Committee on Education Restructuring is to:

- (1) by November 15, 1994, review all laws pertaining to K-12 public education, and submit proposed legislation that repeals those laws that inhibit the new system of performance-based education; and
- (2) by October 31, 1995, develop proposed legislation to create a new student performance-based funding system to be implemented, if adopted by the Legislature, beginning in the 1997-98 school year. Criteria to be included in the new system is specified.

**- Choice Transfer Fees**

Beginning with the 1993-94 school year, school districts are prohibited from charging transfer fees or tuition for nonresident students enrolled under the state's "Education Choice" program.

**XI. PRIVATE SCHOOL AND HOME SCHOOL STUDENT EXEMPTIONS**

Current requirements for private schools and for home-schooling are amended to **prohibit** the State Board of Education from requiring a Certificate of Mastery for graduation. The board also may not require private school or home schooled students to take the assessments that will be developed by the Commission on Student Learning.

**EFFECT OF SENATE AMENDMENT(S):** The amendment strikes the language in the House Bill and replaces it with an amended version of E2SSB 5306 - Reforming Education. The Senate striking amendment: makes the assessment system optional; modifies the timelines and requirements of the assessment and accountability systems; modifies the student learning goals; makes changes in the restructuring grant program, and requires site-based councils to receive restructuring grants; deletes the teacher entry-to-practice examination; and makes numerous other technical and program implementation changes.

**Fiscal Note:** Requested January 21, 1993. Requested on substitute February 26, 1993.

**Effective Date:** The act is null and void if an appropriation is not provided in the budget.

**Testimony For:** (Education) Our state needs a well-educated citizenry for both social and economic reasons. To ensure that we have a well-educated citizenry will require changes in our K-12 school system. These changes include: commonly agreed upon goals; a system that is more performance-based; setting higher expectations for students; greater involvement by parents, business, and the community; more efforts to help students be ready to learn; and additional time, resources, and training for educators. These changes must be system-wide, not piecemeal. This bill includes all of these important elements.

The cost of implementing this legislation is small compared to the positive changes it will create.

(Appropriations) Education restructuring takes time as evidenced in the timetables in the proposed bill. Beginning teacher assistance needs to be for all new teachers. The

children support system in the readiness to learn section is needed. Recommendations of Governor's Council on Education Reform and Funding (GCERF) are streamlined in proposed the bill.

**Testimony Against:** (Education) The changes that are proposed in this legislation, especially goals 3 and 5, will result in less time being spent learning basic skills and academic content areas, and too much time on self-esteem, value clarification, and other subjects that should not be taught in schools. If teachers would spend more time teaching the basics, our students would be doing much better. Parents should teach values and responsibility, not school teachers.

This bill will be costly to implement, with unknown results. Studies have shown that "outcome-based" education, as practiced in schools, results in poorer test scores.

We are concerned that these goals and essential academic learning requirements will be required for our home-schooled and private school students, or that they will be affected indirectly. Please leave home-schooled and private school students alone.

The provision of social services should not occur in our schools.

(Appropriations) None.

**Witnesses:** (Education) (Support): Judith Billings, Superintendent of Public Instruction; Marcia Costello, Washington Association of School Administrators; Kathleen Anderson and Linda Byrnes, State Board of Education; Elorie Slater, Washington Association of Student Councils; C.T. Purdom and Bob Maier, Washington Education Association; Dwayne Slate, Washington State School Directors' Association; Phil Bussey and Bill Hainer, Washington Roundtable; Bob Hughes, Seattle Chamber of Commerce; Walter Ball, Association of School Principals; Tom Dooley, Association of Washington Business; Linda Carlson, Barbara Webb and Jim Carpenter, Washington State PTA; Mark Sheppard, Washington Alliance for Arts Education; Susan Patrick and Tom Lopp, Office of the Superintendent of Public Instruction; Margaret Casey, Children's Alliance; Lynn McKinnon, Public School Employees; David Addicott, HARK Coalition; John Kvamme, Tacoma Public Schools; Tom Reese, Orondo School District; Dr. Larry Matsuda, Seattle School District; Dennis Milliken, Northshore School District and Washington Association of Vocational Administrators; Thelma Jackson, North Thurston School District; Larry Parsons, Central Valley High School; Kathleen Lopp, Washington

Vocational Education; and Elaine Jones, Higher Education Coordinating Board.

(Education) (Opposed): Pari Johnson, citizen; Jesse Barnett, citizen; Daniel Soltan, citizen; Sharon Clark, citizen; Erika Cranmer, taxpayer; Glen Reid, citizen; Denise Holland, citizen; Rita Drohman, citizen; M.E. Shardelman, citizen; Jennifer Duncan; student; Jack Darragh, LIMIT; Roger Gray, citizen; Barb Grams, citizen; Debbi Ogden, citizen; Cris Shardelman, citizen; Tim McDonald, citizen; Tim Boles, citizen; Ray Reid, Superintendent, Stanwood School District; Rene Drake, citizen; Talgen Riggs, citizen; Lynn Harsh, Evergreen Foundation; Barbara Riggs, citizen; Mark Heimlich, Puyallup Coalition of Parents; John Kiser, citizen; and Dawn Siler, Consortium of Health and Education Professionals; .

(Education) (Other): Janeane Dubuar, Computer Professionals for Social Responsibility (concerned that student records will not be adequately protected); Judy McBroom, Citizens Education Center (supports parent involvement provisions); Kay Groves, Tacoma Highly Capable Parent Advisory Committee, Maggie Groves and Tara Arndt (maintain gifted programs); Stephen Dinger, Washington Federation of Independent Schools and Dr. Bond (do not include private schools); Kathleen McCurdy, Family Learning Organization, Paula Harper-Christensen, Luanne VanWerven, Donna Nicholas-White, and Annie Smith (keep home-schoolers out); Virginia DeForest and Correne Beaudoin-Hall, American Association of University Women (supports more gender equity provisions); Julie Sweeney, citizen (supports exemption of "Choice" transfer fees); and George Nelson, University of Washington (supports technology provisions).

(Appropriations) Walter Ball, Association of Washington Principals; Susan Trimmingham, Bellingham School District; Dwayne Slate, Washington Association of School Directors; Marsha Costello, Washington Association of School Administrators; Susan Patrick, Office of Superintendent of Public Instruction; Lynn McKinnon, Public Service Employees; Judy Hartman, Washington Education Association; and Laurie Lippold, Children Home Services.

**VOTE ON FINAL PASSAGE:**

Yeas 85; Nays 12; Excused 1

Nays: Representatives Ballard, Bray, Casada, Chandler, Edmondson, Fuhrman, Lisk, Ludwig, Padden, Silver, Stevens, Tate

Excused: Representative Romero