

HOUSE BILL REPORT

E2SSB 6673

As Reported by House Committee On:

Education
Appropriations

Title: An act relating to learning opportunities to assist students to obtain a high school diploma.

Brief Description: Creating learning opportunities.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators McAuliffe, Brandland, Hobbs, McDermott, Rasmussen, Weinstein, Oemig, Tom, Kauffman, Hargrove, Fairley, Franklin and Shin; by request of Superintendent of Public Instruction).

Brief History:

Committee Activity:

Education: 2/26/08, 2/28/08 [DPA];
Appropriations: 3/1/08 [DPA(APP w/o ED)].

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

- Requires enhanced training for school staff on how to most effectively counsel students who have completed all coursework requirements for graduation but have not yet passed the WASL.
- Requires OSPI to allocate funds for enhanced guidance counseling, and assistance, if funds are provided.
- Requires allocation of funds to create High School Plus programs, if funding is provided.
- Provides enhancements to the Learning Assistance Program for school districts with high poverty rates and high populations of students in the transitional bilingual program.
- Directs the office of the superintendent of public instruction to establish a geography education endowment in Washington, if funds are provided.

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.

- Requires school districts to provide 10th graders the option to take the Preliminary Scholastic Aptitude at no cost, if funds are provided.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 9 members: Representatives Quall, Chair; Barlow, Vice Chair; Priest, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Haigh, Lias, Roach, Santos and Sullivan.

Staff: Barbara McLain (786-7383).

Background:

Provisions for Students not on Track to Graduate. Beginning with the class of 2008, students will graduate from high school if they:

- (1) earn the 19 minimum course requirements established by the state and any additional local school district requirements;
- (2) meet the state standard on the Washington Assessment of Student Learning (WASL) or an approved alternative assessment in Reading and Writing, and through the class of 2013, either meet the standard in mathematics or earn additional mathematics credits;
- (3) complete a culminating project; and
- (4) create a high school and beyond plan.

There are a number of programs and funding sources that can provide extended learning opportunities for struggling students, such as the state Learning Assistance Program (LAP), federal Title I, Promoting Academic Success (PAS), and Student Achievement Program (I-728) funds. There are also competitive grant programs for extended learning, such as state and federal Community Learning Center Programs and dropout prevention through the Building Bridges Program authorized in 2007.

Under current law, students who have not yet received a high school diploma are eligible to continue attending public schools until they are 21 years old. School districts report the students as enrolled, and they generate state and federal funding allocations. Each year more than 7 percent of 12th grade students continue on to a 13th year. The degree to which school districts provide special programs for 13th year seniors is not clear.

School districts must prepare an individual student learning plan (SLP) for each fifth grade student and each eighth through 12th grade student who was not successful on any content area of the previous year's WASL. An SLP must include the courses, competencies, and other steps needed to be taken by the student to meet state academic standards. The student's parent or guardian must be notified about the SLP, and a student's progress must be reported to the parent at least annually.

The LAP and English Language Learner (ELL) Students. School districts receive supplemental funds through the LAP to provide struggling students with remediation. The

LAP funds are allocated based on the proportion of low income students in the district (those eligible for Free or Reduced Price Lunch). The LAP allocation reflects the high correlation between student poverty and low academic achievement, and within the formula there is an enhanced allocation for school districts with more than 40 percent low income students. In Washington, there is also a high correlation between ELL students and student poverty. Of the 25 school districts with more than 20 percent of student enrolled in the Transitional Bilingual Program (TBP), all but two also exceeded 40 percent low income students, and those two districts reported no low income data.

Curriculum in Non-English Languages. Although students in the TBP speak 177 different languages, two-thirds speak Spanish, and nearly 90 percent speak one of 10 major languages. The Office of the Superintendent of Public Instruction (OSPI), the Mexican Education Department, and the Yakima School District have entered a partnership to provide on-line curriculum in Spanish in core academic subjects. School districts that agree to provide a trained facilitator and the necessary computer support can access the curriculum at no charge.

College Readiness Assessments. Some high schools in Washington are working with local colleges and universities to administer college placement tests to students in grades 10 or 11 as a way to provide early information about college readiness and for guidance and counseling purposes. The PSAT is a national standardized test in reading, writing, and mathematics that students typically take in 11th grade, although some students take it in 10th grade. In addition to score information, the PSAT provides students with access to on-line information about career and college exploration and their potential for success in Advance Placement courses.

Dyslexia Pilot Reading Program. The 2005-07 and 2007-09 biennial budgets have provided funding for dyslexia pilot reading programs. A total of 14 schools have received two-year grants to provide professional development for teachers and implement research-based curricula that focuses on reading skills known to be a challenge for dyslexic students. Results from the first cohort of schools indicate increased student scores in reading fluency and phonological awareness, two of the target skill areas.

Teaching ELL Students. Legislation enacted in 2007 created a demonstration project for improving ELL instruction. Funding was provided for the Northwest Regional Educational Laboratory (NWREL) to study the competencies for developing academic English skills that all classroom teachers should acquire in initial teacher preparation programs and through professional development. An interim report is due November 1, 2008, and a final report by November 1, 2009.

The Professional Educator Standards Board (PESB) is the state agency with responsibility for policy and oversight of Washington's system of educator preparation and certification.

Washington College Bound Scholarship. The 2007 Legislature created a program where low-income students are notified that they can receive a college scholarship if they sign a pledge in seventh or eighth grade to graduate from high school with a C average and not have any felony convictions. Students who were in eighth grade in 2007-08 only had one year to sign up for the new scholarship program.

Geography Education. The National Geographic Society and the National Geographic Education Foundation (Foundation) have a program that matches local contributions in a state, up to \$500,000, for the express purpose of establishing an endowment for geography education. The earnings of each state endowment are used only to support geography education in that state. The Foundation manages the fund and covers administrative costs. To ensure local accountability, grants are recommended by a local advisory committee for approval by the Board of Trustees of the Foundation. To date, 23 other states have created geography education endowments through the Foundation.

Summary of Amended Bill:

Provisions for Students not on Track to Graduate. The Extended Learning Opportunities Program (ELO Program) is created for 11th and 12th grade students who are not on track to meet state or local high school graduation requirements, and for eighth grade students who are not on track to meet the state standard on the WASL. Under the ELO Program:

- Schools must provide early notice to students and their parents about their graduation status and information about remedial learning programs and courses available at the school, local skill center, or community and technical college. Beginning with the graduating class of 2008, students must be notified in the spring of eighth grade, in the spring of 11th grade, and if necessary in the spring of the 12th grade. The notice may be provided through school conferences, written notification, or in the SLP. If feasible, the notice must be translated into the primary language of the family.
- School districts must make available to 12th grade students who have failed to meet graduation requirements, the option for continuing enrollment in the school district. Basic education program funding can be used to support instruction for these students as allowed under current law.
- Assistance for eligible eighth, 11th, and 12th grade students can occur at various times and locations and include various types of instructional services. One of the services may be reading specialists at the Educational Service Districts (ESDs) to provide professional development to educators and direct services to students.
- Resources from the LAP can be used to support ELO Programs.

The ESDs must develop and provide a program of outreach to community-based organizations serving non-English speaking populations and minority, low-income, and special education students. The purpose of the outreach is to inform students about ELO Programs and other educational opportunities addressed in the bill. The ESDs must consult and coordinate with the Governor's minority commissions and the Office of Indian Affairs in conducting the outreach and are also encouraged to partner with local business communities.

LAP and ELL Students. In addition to funds allocated on the basis of income factors, enhanced funds are allocated through the LAP formula for school districts where more than 20

percent of students are eligible for and enrolled in the TBP and where the percent of K-12 enrollment who are eligible for Free or Reduced Price Lunch also exceeds 40 percent.

Curriculum in Non-English Languages. If funds are appropriated, the OSPI must explore on-line curriculum support currently available in languages other than English and report to the Legislature by December 1, 2008, with recommendations for online support in other languages that would most appropriately assist ELL students.

College Readiness Assessments. If funds are appropriated, school districts must provide all ninth grade students the option to take the PSAT at no cost. The OSPI enters an agreement with the firm administering the PSAT to reimburse the firm for the testing fees.

Dyslexia Pilot Reading Program. By September 15, 2008, the pilot schools must report to the OSPI regarding lessons learned about effective intervention, best practices for professional development, and strategies to build capacity among teaching staff. By December 31, 2008, the OSPI must aggregate the school reports and provide a report and recommendations to the appropriate committees of the Legislature, including how the lessons and best practices can be shared and implemented statewide.

Teaching ELL Students. The PESB must convene a workgroup to develop recommendations to improve the knowledge and skills standards for teacher preparation and expected teacher competencies in how students acquire language, how to teach academic content to ELL students, and how to demonstrate cultural competence. Recommendations must also include what professional development components are most effective for current teachers.

The workgroup membership is specified and must include members from diverse cultural backgrounds and a balanced geographic representation. The PESB must invite participation from the NWREL, and the workgroup will look to the ELL demonstration projects authorized in 2007 and the NWREL's research and evaluation. An interim report is due December 1, 2008, with a final report due December 1, 2009.

Washington College Bound Scholarship. Students who are in the eighth grade during the first year of the College Bound Scholarship (2007-08) have two years to sign up for the scholarship.

Geography Education. Subject to funding, the OSPI must contract with a national organization to establish, maintain, and operate an endowment for the promotion of geography education in Washington. The organization must have experience operating geography education endowments and provide equal non-state matching funds. Funds and interest on the endowment are used for geography education programs, including curriculum, resource collections, and professional development. The organization must have an affiliated advisory committee in the state to recommend local projects to be funded by the endowment and report annually on expenditures from the fund.

Amended Bill Compared to Engrossed Second Substitute Bill:

An enhanced funding allocation within the LAP is created for school districts with more than 20 percent of students in the TBP and where the percent of K-12 enrollment eligible for Free or Reduced Price Lunch also exceeds 40 percent. Subject to funding, the OSPI must contract with a national organization to establish and operate an endowment for the promotion of geography education. The organization must have experience operating geography education endowments and provide equal non-state matching funds.

Appropriation: None.

Fiscal Note: Available

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

Staff Summary of Public Testimony:

(In support) It is essential to put supports in place for students who are not on track to graduate. It will also be important to provide additional funding to help students be successful and to help school districts provide innovative programs. There are costs to starting new programs and hiring additional counselors of not being on track to graduate and teachers. Notice to parents on their students' graduation status is very important. We don't want to leave parents and students in the dark about either the consequences or their options for remediation. Participating school districts have seen significant benefits from the dyslexia pilot projects.

The bill is attempting to provide students and parents with the tools they need to become successful academically. This will ensure that students know what their graduation status is and have access to programming to meet the graduation requirements. We are challenging assumptions about a four-year high school experience. We are recognizing that some students will need additional time to graduate. The PESB is excited to get the workgroup together and build opportunities for greater connections between colleges and schools to develop teacher competencies in ELL instruction.

(Opposed) None.

Persons Testifying: Laura Bay, Washington State Parent Teacher Association; Isabel Munoz-Colon, Office of the Superintendent of Public Instruction; and Nasue Nishida, Professional Educator Standards Board.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education. Signed by 33 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant

Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Chandler, Cody, Conway, Darneille, Ericks, Fromhold, Grant, Green, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Linville, McDonald, McIntire, Morrell, Pettigrew, Priest, Ross, Schmick, Schual-Berke, Seaquist, Sullivan and Walsh.

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

Staff: Ben Rarick (786-7349).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Education:

The Appropriations Committee amendment strikes everything from the underlying bill and includes the following requirements:

The Office of the Superintendent of Public Instruction (OSPI) must develop information and training for counselors and mentor teachers regarding guidance and counseling for students who have completed other high school graduation requirements but have not passed the WASL and will not graduate with their class. The guidance and counseling programs for these students must include support for high school completion, plus assistance with career pathways.

OSPI is directed to allocate funds for enhanced guidance, counseling, and assistance for students struggling to meet graduation requirements, if funding is provided. The OSPI must also allocate grants to high schools, skill centers, and educational service districts to create High School Plus programs, if funding is provided, and requires a report on program outcomes by September 2009.

Beginning in the 2008-09 school year, enhanced funds are to be provided through Learning Assistance Program formula for school districts in which more than 20 percent of students are enrolled in the Transitional Bilingual Program and the percent of K-12 enrollment eligible for Free or Reduced-Price Lunch exceeds 40 percent.

The OSPI is also required to contract with a national organization to establish, and operate a geography education endowment in Washington, if funding is provided for this purpose.

School districts are required to provide all 10th graders the option to take the PSAT at no cost, if funds are provided, and directs the OSPI to enter into an agreement to reimburse the testing firm for the testing fees.

A null and void clause was added, making the bill null and void unless funded in the budget.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 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:

None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.