

# SENATE BILL REPORT

## ESSB 5328

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As Passed Senate, March 6, 2013

**Title:** An act relating to creating a school-grading program that relies on the accountability index.

**Brief Description:** Creating a school-grading program that relies on the accountability index.

**Sponsors:** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Litzow, Hobbs, Dammeier, Hatfield, Baumgartner, Roach, Hill, Braun and Tom).

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/30/13, 2/06/13 [DPS, DNP].  
Passed Senate: 3/06/13, 26-23.

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

**Majority Report:** That Substitute Senate Bill No. 5328 be substituted therefor, and the substitute bill do pass.

Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Brown, Fain, Hill and Rivers.

**Minority Report:** Do not pass.

Signed by Senators McAuliffe, Ranking Member; Rolfes, Assistant Ranking Member; Billig, Cleveland and Mullet.

**Staff:** Susan Mielke (786-7422)

**Background:** There are states that currently have A-F or five-star grading systems for the public schools in the state. Florida has had an A-F school grading system since 1999. Generally, the states use an index with weighted multiple measures, including student performance on statewide assessments. Some of the other measures used include the following:

- student growth and growth of the bottom 25 percent of students are used by Florida, and Oklahoma;
- high school graduation rates and attendance rates are used by New Mexico and Oklahoma;
- percent of English language learners that are reclassified is used by Arizona;
- closing the achievement gaps of subgroups of students are used by Ohio and South Carolina;

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- participation and performance in accelerated curricula and postsecondary readiness are used by Arizona, Florida, Ohio, and Nevada; and
- progress to target goals that schools must achieve an A letter grade or improve by one letter grade by 2015 and achieve an A or improve by two letter grades by 2020 is used by Indiana. All schools reaching the 90th percentile, for all student and subgroups of students is used by New Mexico.

The Washington achievement index is a joint project between the State Board of Education (SBE) and the Office of Superintendent of Public Instruction (OSPI). The achievement index is a snapshot of a school's performance based on statewide assessments and includes four indicators: achievement by students who are not from low-income families, achievement by students from low-income families, achievement compared to a school's statistical peers, i.e., schools with similar student characteristics, and a school's improvement from the previous year. A separate achievement gap matrix measures the progress a school is making in closing achievement gaps by comparing combined White and Asian student achievement to combined Hispanic, Black, American Indian/Alaska Native, and Hawaiian/Pacific Islander student achievement. The achievement gap measure indicates improvement from one year to the next as well as a peers rating. A workgroup has been established to help determine which other performance measures will be included in the index. The intent is to have the index completed by September 2013.

In 2010, an accountability system was created by the Legislature. The process included designating the persistently lowest-achieving schools to implement specified intervention models using a three-year plan after an academic performance audit is conducted to identify potential reasons for the low performance. The system was voluntary at first but a required action process was to begin in 2011. Initially the system used federal dollars to implement the intervention models, but the legislation included an intent to implement a phase II that would use state dollars.

**Summary of Engrossed Substitute Bill:** The School Grading Pilot Program is created for the 2013-14 school year. OSPI must conduct the pilot program in five geographically diverse school districts, including urban, rural, large, and small districts. The program requires SBE to use the accountability index to identify schools using the letter grades A through F, unless the school has less than ten students:

- A for schools making excellent progress;
- B for schools making above-average progress;
- C for schools making satisfactory progress;
- D for schools making less than satisfactory progress; and
- F for schools failing to make adequate progress.

SBE must adopt criteria for each school letter grade, giving added weight to student achievement in reading; and for schools serving any students in grades nine, ten, eleven, or twelve, giving added weight to the graduation rate of the school's at-risk students. In order for a high school to earn a grade of A, the school must demonstrate that its at-risk students are making adequate progress. Schools earning a C grade or higher must demonstrate that at least half of the students in the school who are in the lowest 25th percentile on the reading and mathematics statewide assessments are making adequate progress; if not, then the grade is decreased by one letter. School districts with at least one school designated as a grade F

must be designated as a required action district and receive state funding to support the implementation of a required action plan.

The accountability index must measure the increase in student achievement on the statewide assessments in reading, writing, mathematics, and science; and the reduction in student achievement gaps. The index may include additional student outcome measurements. For schools serving any students in grades nine, ten, eleven, and twelve, at least 50 percent of a school's grade must be determined using the accountability index and the remaining percentage must be based on the following:

- the high school's graduation rate and the graduation rate of at-risk students;
- post-secondary readiness of the school's on-time graduates' scores on the SAT, ACT, or a post-secondary placement test; and
- as valid data becomes available, student performance and participation in AP courses, international baccalaureate courses, and dual enrollment courses, and achievement of the national industry certification.

For the purposes of the school-grading program, at-risk students are students scoring at level one or level two on the eighth grade statewide student reading and mathematics assessments.

Schools that serve any students in kindergarten through third grade earn a grade designation instead of a school grade, which is given to the feeder school in which at least 60 percent of the students are expected to be assigned.

A school district's grade must be calculated using student performance and learning gains data from statewide assessments.

OSPI must contract for an evaluation of the pilot program. The evaluation with recommendations is due to OSPI, the Governor, and the Legislature by December 1, 2014. Any recommendations in the evaluation must be implemented when the program is implemented statewide in the 2014-15 school year.

OSPI must annually report each school district's grade to the Governor and the Legislature. Beginning August 1, 2014, OSPI must revise the model school performance report to include each school district's and school's grade and annually post on OSPI's website each district's and school's report cards, including the grade history of the district and school. Each school district must include each school's grade and the district's grade in the district's annual school performance report.

SBE and OSPI must adopt rules, if necessary, to implement the program.

**Appropriation:** None.

**Fiscal Note:** Available.

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

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

**Staff Summary of Public Testimony on Proposed Substitute as Heard in Committee:**

PRO: Florida has used a letter grading system for schools since 1999. It has provided a high level of public awareness in the health of the schools. School staff, students, and parents are proud of their schools that earn high grades. Schools that receive low scores often initiate school improvement efforts on their own because of greater community involvement and support. The current labels that Washington uses for schools are confusing. The public will better understand an A-F rating system. It will help parents and the community to understand the performance of schools. We grade our students, why not grade our schools?

CON: We are not against school accountability. But there are many reasons that students do not achieve or have slower gains: hunger, sickness, homelessness, family violence, etc. At-risk students are not those performing at level 1 or 2 but those who are suffering. We need to reward schools that are meeting the needs of each child instead of assigning them a grade. This is an effort to infuse our public schools with the business model of rewarding productivity. The schools that receive high grades would get more resources when it is the lower performing schools that need the resources. Is it more important to set up a punitive system of grading schools or to get our students out of overcrowded classrooms? The state must fully fund basic education and satisfy the *McCleary* court decision before starting any new programs. SBE and OSPI are currently revising the accountability index and using a very public process. The index should be completed by June so there is a timing issue – if this bill makes additional changes, then the index isn't going to be able to be used for federal accountability. SBE debated having such a letter grading system for schools but decided against it. The rewards that will be provided will not be extrinsic nor the most motivating for change.

OTHER: How will special education students figure into the grade? Most students with special needs need greater support. Let the process to revise the index be completed before moving to something like this.

**Persons Testifying:** PRO: Senator Litzow, prime sponsor; Alan Weiss, citizen; Dave Powell, Stand for Children; Anne Luce, Partnership for Learning, WA Roundtable.

CON: Edri Geiger, Vancouver Public Schools; Sarajane Siegfriedt, citizen; Wendy Rader-Konofalski, WA Education Assn.; Marie Sullivan, WA State School Directors Assn.; Alan Burke, Andy Kelly, OSPI; Ben Rarick, SBE; Jerry Bender, Assn. of WA Principals.

OTHER: Romona Hattendorf, WA State PTA.