

SENATE BILL REPORT

ESHB 2546

AS REPORTED BY COMMITTEE ON EDUCATION, FEBRUARY 26, 1992

Brief Description: Developing a performance-based school system.

SPONSORS: House Committee on Education (originally sponsored by Representatives Peery, Brough, D. Sommers, Brumsickle, Vance, Wineberry, Dorn, Franklin, Orr, Wang, Scott, Broback, J. Kohl, Wood, Rayburn, Roland, Bray, Ogden, Cooper, Pruitt, Sheldon, Sprenkle, Spanel, Hine, Rasmussen and H. Myers)

HOUSE COMMITTEE ON EDUCATION

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended.

Signed by Senators Bailey, Chairman; Erwin, Vice Chairman; Anderson, Craswell, Metcalf, and Oke.

Minority Report: Do not pass as amended.

Signed by Senators Murray, Pelz, and Rinehart.

Staff: Larry Davis (786-7422)

Hearing Dates: February 26, 1992

BACKGROUND:

In mid-1991, the Governor appointed a Council on Education Reform and Funding. The council will provide recommendations to the Governor and Legislature in December 1992. In preparing the recommendations, the council is developing student learning goals. These goals are intended to be the foundation for developing a comprehensive framework that will determine what students need to know and be able to do as they progress through the school system.

Many think that current state-imposed requirements place too much emphasis on complying with requirements and not enough emphasis on what, and whether, students are learning. In their view, the state should dramatically reduce its current requirements, but hold school districts accountable for the educational achievement of their students. In addition, high school completion should not be based on how many hours a student sits in specified classes, but on what students know and are able to do.

Beginning in August 1992, school teachers will be required to have a master's degree prior to obtaining a continuing teaching certificate. This requirement was imposed to enhance teaching as a profession and to improve the state's educational system. Teachers and others have questioned

whether the master's requirement will, in fact, achieve these two objectives.

SUMMARY:

PART I: DEFINITIONS

Definitions are provided for "academic assessment system" and "essential academic learning requirements."

PART II: COMMISSION ON STUDENT LEARNING

A 10-member Commission on Student Learning is established. The Governor appoints nine of the members and appoints one of the members to chair the commission. The Superintendent of Public Instruction also is a member of the commission. Educators, business leaders, and parents are to be represented on the commission and the appointments are to reflect the cultural diversity of the state's K-12 student population.

The commission is required to coordinate its activities with the State Board of Education and the state Superintendent, seek advice broadly from the public, and report annually to the Legislature and the State Board of Education. The commission terminates September 1, 1998.

The commission must establish technical advisory committees to assist the commission with its major responsibilities:

- o Identify essential academic learning requirements for elementary and secondary students. At a minimum, these requirements shall include reading, writing, speaking, science, history, geography, mathematics, and critical thinking. In developing these essential learning requirements, the commission shall incorporate the student learning goals identified by the Governor's Council on Education Reform and Funding.
- o Present to the State Board of Education (SBE) and the state Superintendent of Public Instruction (SPI) state-wide elementary and secondary academic assessment systems to determine if students are mastering the learning requirements. The elementary assessment system is presented to the SBE and SPI by December 1, 1995, and implemented beginning the 1996-97 school year unless delayed or prevented by the Legislature. Mastery of each component of the learning requirements is required before students can progress in subsequent components.

The secondary assessment is presented to the SBE and SPI by December 1, 1996, and implemented in the 1997-98 school year, unless the Legislature acts to delay or prevent implementation. The secondary assessment shall lead to a certificate of mastery.

- o By December 1, 1996, recommend to the Legislature, SBE and SPI a statewide accountability system to evaluate accurately and fairly the level of learning occurring in

schools. The commission shall also recommend to the Legislature steps that should be taken to assist districts and schools in which learning is significantly below expected levels of performance.

- o Develop strategies to assist educators in helping students master the essential learning requirements.
- o Establish a Quality Schools Center to plan, implement, and evaluate a professional development process. The center shall: have an advisory council; coordinate its activities with the SBE and SPI; employ and contract with individuals committed to quality reform; develop a six-year plan; and use best practices research regarding instruction, management, curriculum development, and assessment.
- o Develop recommendations on the time, support and resources needed by schools and districts to help students achieve the essential learning requirements, and estimate the expected cost of implementing the academic assessment systems during the 1995-97 biennium and beyond.
- o Develop recommendations for repeal or amendment of federal, state, and local laws and rules that inhibit schools.
- o Develop recommendations for the Higher Education Coordinating Board for entrance requirements that would assist schools in adopting strategies designed to help students achieve the essential learning requirements.

PART III: INTERIM WAIVERS OF BASIC EDUCATION REQUIREMENTS

Any school or school district may receive a waiver from the statutory requirements pertaining to school building self-study, teacher classroom contact hours, and the basic education program hour requirements.

To receive the waiver the school district must submit to the state Board of Education a plan for restructuring its educational program or the educational program of individual schools in the district. The plan must include specific standards for increased student learning the district expects to achieve, how the district plans to achieve the higher standards and eliminate learning disparities based on gender and ethnicity, and how the district will determine if the standards are being met. The plan does not have to be approved by the State Board.

If a district intends to waive the program hour offerings requirement, it must provide at least a district-wide annual average of 1,000 instructional hours for grades one through 12, and 450 instructional hours in kindergarten.

Waivers shall be renewed every three years upon the SBE receiving a renewal request from the school district board of directors.

The Student Learning Objectives Law is repealed.

PART IV: BASIC EDUCATION AMENDMENTS -- EFFECTIVE 1998

Effective September 1, 1998:

- o The goal of the Basic Education Act is to provide students an opportunity to master the essential learning requirements as identified by the Commission on Student Learning.
- o The Basic Education Program program hour offering requirement is amended to require a total instructional offering of 450 hours for students enrolled in kindergarten, and a district-wide annual average total instructional offering of 1,000 hours for students enrolled in grades one through 12. The instructional program shall include the essential learning requirements and such other subjects and activities the school district determines.
- o The requirement for school building self-study is repealed.

All Basic Education Act amendments and the repeal of the self-study requirement shall become effective September 1, 1998, unless a law is enacted stating that a school accountability and assessment system is not in place.

PART V: SCHOOL BOARD POWERS

School board powers are broadened to include the broad discretionary power to adopt policies not in conflict with other laws that provide for the development and implementation of programs, activities, services, or practices that promote the education of the district's students, or promotes the effective, efficient, or safe management and operation of the district.

PART VI: HIGH SCHOOL GRADUATION REQUIREMENTS

For a seventh or eighth grader to receive high school graduation credit for taking a high school class, the content of the class must exceed the requirements of a seventh or eighth grade class.

PART VII: LEGISLATIVE OVERSIGHT

If both houses of the Legislature do not adopt a joint memorial or legislation ratifying the student learning goals of the Governor's Council on Education Reform and Funding by July 1993, sections of the act pertaining to the Commission on Student Learning and the modification of basic education requirements in 1998 shall be null and void.

PART VIII: EDUCATOR CERTIFICATION REQUIREMENTS

The requirement that teachers obtain a master's degree before receiving continuing certification is repealed. The statutory limitation on the term of validity of initial certificates is also repealed.

The State Board is no longer required to adopt BA degree equivalency standards for certification of vocational instructors.

The State Board of Education, in conjunction with the Governor's Council on Education Reform and Funding, is directed to study the current requirements for the certification of teachers and administrators, and present to the Legislature by December 1, 1992, options for improving the current certification system.

Appropriation: none

Revenue: none

Fiscal Note: requested January 16, 1992

SUMMARY OF PROPOSED SENATE AMENDMENT:

All provisions of the House bill are stricken and the following provisions inserted:

PART I: ENHANCING THE TEACHING PROFESSION

The masters degree requirement for continuing teacher certification is repealed. The initial certificate is valid for seven years and may be reinstated pursuant to State Board of Education rules.

The entrance-to-practice exam for initial teacher certification, effective August 31, 1993, is amended to also test a candidate's knowledge of subject matter. The exam shall include rather than consist primarily of essay questions. The State Board shall adopt rules for handling cases in which a candidate passes only one part of the entrance-to-practice exam.

The period of nonrenewal of employment contract for teachers and other nonsupervisory certificated personnel is extended from one to three years during the person's first three years of employment with the district. This does not apply to persons who have completed at least three years of certificated employment in another district in Washington, in which case the period of nonrenewal of employment contract in the new district is limited to one year.

PART II: PARENTS' RIGHTS

By May 30 annually, each school board must establish the schedule of student attendance days for the following school year. A public hearing must be held prior to the board's

adoption of the student school calendar. Student attendance days are designated employee work days and are removed from collective bargaining. Employee work days beyond student attendance days may be subject to collective bargaining.

Each school board shall publish annually a school district accountability report. A copy must be available for public inspection at each school in the district, at the district office, and in public libraries. Information in the report includes: mission of the district, student enrollment and demographic data, annual expenditures per pupil and the average compensation for teachers, student scores on mandated tests and college entrance exams, student dropout-absenteeism-graduation rates, and budget information.

School boards are given broad discretionary power to adopt policies that provide for the development and implementation of programs and practices that benefit the education of citizens, and promote the effective, efficient, or safe maintenance and operation of school district programs, activities, services, or practices. School boards must give prior notice before adopting policies and provide reasonable opportunity for public written or oral comment.

PART III: STUDENT ASSESSMENT AND LEARNING OPPORTUNITIES

If a student's scores on the state 4th, 8th, or 11th grade tests indicate that the student needs help in identified areas, the district must adjust the curriculum in the identified areas.

If funding is provided, the Superintendent of Public Instruction is directed to prepare and administer an annual assessment of all students in grade twelve and after October 1, 1998, no student may graduate from high school who has not successfully passed the statewide grade twelve assessment. The purpose of the assessment is to determine student competence in reading, writing, math, language, science and technology, economics, history, geography, and reasoning and thinking skills.

The statutory state minimum high school graduation requirements are repealed and the State Board of Education is again directed to establish state high school graduation requirements in rule.

PART IV: EDUCATIONAL REFORM PROGRESS MONITORING

The Washington Educational Progress Oversight Panel is created. The panel will report annually to the Legislature and the Governor on the progress of educational restructuring efforts throughout the state. The members of the panel are the Superintendent of Public Instruction, the president of the State Board of Education, and the executive directors of the following: Washington State School Directors' Association, the State Board for Community and Technical Colleges, the Higher Education Coordinating Board, and the Work Force Training and Education Coordinating Board.

TESTIMONY FOR:

In anticipation of legislative action in response to recommendations of the Governor's Council on Education Reform and Funding, the commission puts into place a structure that can carry forward the work of the Governor's Council. Establishing an independent commission now will allow it to work with the Governor's Council the remainder of this year and help assure that participants in the Governor's Council process will also be involved in the process of implementing the Council's recommendations.

The bill focuses on academic achievement and performance and establishes a balance between a state level performance assessment system while supporting maximum local decision-making. There is a need for deregulation and to broaden school board powers to give districts added flexibility to engage in restructuring efforts. The Quality Schools Center is needed to provide a particular focus on professional development and providing the system state-level technical expertise.

In moving toward a performance-based education system it makes sense to give back to the State Board the responsibility to establish graduation requirements in rule rather than keep them in statute. This also provides greater flexibility to adjust the requirements as the new assessment systems come on-line.

TESTIMONY AGAINST:

The commission represents more bureaucratic restructuring, another layer of bureaucracy that may never be of benefit to anyone. The bill will not help the state to become more competitive nor does it encourage academic excellence. The bill puts too much power into the hands of too few people. The duties of the commission are already responsibilities of the State Board and state Superintendent.

The bill is an intrusion into the private schools sector. Private schools should be left alone and the state concentrate on fixing the public school system.

The bill ignores math and science, as well as the basic issue that the state and nation are paying the price for not teaching children to read in an appropriate manner. Critical thinking is really values clarification and the only way it can be tested is through psychological or attitudinal testing.

TESTIMONY:

Make the State Board of Education the commission, or if there must be a commission, make it advisory only to the Legislature, State Board and State Superintendent.

Commission duties should be consistent with the work of the Governor's Council. The commission is not accountable to anyone until about the mid-1990's. There must be closer

linkage between the commission and the State Board and the State Superintendent.

Give the State Superintendent the funds and responsibility for the Quality Schools Center. Agency staff are professionally capable of handling the responsibility and ready to take it on. The Quality Schools Center would also be a natural extension of the State Board's responsibilities in the area of teacher preparation and certification.

The authority for districts to receive waivers should not be automatic but permissive and consistent with waiver rules adopted by the State Board.

TESTIFIED: Walter Ball, Association of Washington School Principals; Linda Byrnes, State Board of Education; Marcia Costello, Office of the Superintendent of Public Instruction; Judy Hartmann, Washington Education Association; Dwayne Slate, Washington State School Directors' Association; Norm Wisner, Washington Association of School Administrators; **PRO:** Rep. Kim Peery; Rep. Jean Marie Brough; Rep. John Betrozoff; Correne Beaudoin-Hall, American Association of University Women; **CON:** Edwin Pund; Erika Cranmer; Marian Hinds; Nancy Lindquist; Pari Johnson

The effect of the committee striking amendment to ESHB 2546 was to insert most of the provisions of 2SSB 6178. The following testimony was given on SB 6178 on January 21, 1992.

TESTIMONY FOR (Master's Repeal):

Public higher education institutions bear the burden of having to offer masters programs to meet student demand, but have little state funding to support necessary additional staff. Program quality is being affected. A better incentive to encourage teachers to get a masters degree is to reward them on the salary schedule.

TESTIFIED: (Pro) Dr. Gerald Stacy, Central Washington University; Linda Byrnes, State Board of Education; John Kvamme, Tacoma School District; Dwayne Slate, Washington State School Directors' Association; Perry Keithley, Office of the Superintendent of Public Instruction; Walter Ball, Association of Washington School Principals; Judy Hartmann, Washington Education Association

TESTIMONY (Entrance-to-Practice Exam):

Consideration should be given to delaying the effective date for the full exam or the subject matter portion of the exam. There will be additional costs to expanding the entrance-to-practice exam to include subject matter.

TESTIFIED: Linda Byrnes, State Board of Education; Perry Keithley, Office of the Superintendent of Public Instruction; Walter

Ball, Association of Washington School Principals; Judy Hartmann, Washington Education Association

TESTIMONY FOR (Extending Teacher Probation Period):

It is important that more time be given to evaluate the performance and growth of new teachers. Extending the period of probation is good for both new teachers and administrators with the responsibility for evaluating them. Extending the probation period for evaluative purposes could be especially important if there is a supply-demand problem and the recruiting pool becomes more shallow.

TESTIMONY AGAINST:

Lengthening the period of probation for new teachers will not assure that more evaluation will occur.

TESTIFIED: PRO: Linda Byrnes, State Board of Education; John Kvamme, Tacoma School District; Dwayne Slate, Washington State School Directors' Association; Walter Ball, Association of Washington School Principals. CON: Judy Hartmann, Washington Education Association

TESTIMONY FOR (Student School Calendar):

Removing the student school calendar from collective bargaining would increase the likelihood of more uniform calendars between districts. In some cases, removal of the calendar from collective bargaining would add some stability to districts.

TESTIMONY AGAINST:

Bargaining over the student school calendar has not been a problem in school districts.

TESTIFIED: John Kvamme, Tacoma School District. PRO: Dwayne Slate, Washington State School Directors' Association; Perry Keithley, Office of the Superintendent of Public Instruction; Walter Ball, Association of Washington School Principals. CON: Judy Hartmann, Washington Education Association

TESTIMONY FOR (Annual District Accountability Report):

The accountability report is a good idea. The information is important to get to parents and the community. There are very few requests now to see the school district descriptive guide.

TESTIFIED: PRO: John Kvamme, Tacoma School District; Dwayne Slate, Washington State School Directors' Association; Perry Keithley, Office of the Superintendent of Public Instruction; Walter Ball, Association of Washington School Principals

TESTIMONY FOR (Broaden School Board Powers):

It is appropriate to give greater flexibility to school boards.

TESTIFIED: Dwayne Slate, Washington State School Directors' Association (pro)

TESTIMONY (Student Learning Opportunities):

Use of the word "appropriate" needs to be more clearly defined. Lack of clarity could lead to litigation. It is not clear if the requirement is meant to apply to all students.

TESTIFIED: John Kvamme, Tacoma School District; Dwayne Slate, Washington State School Directors' Association; Perry Keithley, Office of the Superintendent of Public Instruction; Walter Ball, Association of Washington School Principals

TESTIMONY FOR (High School Graduation Test): None

TESTIMONY AGAINST:

A new statewide test will have cost implications, including maintaining test security and providing retake opportunities. An exit test will not serve the interests of all students. Wait for the report of the Governor's Council on Education Reform and Funding.

TESTIFIED: John Kvamme, Tacoma School District. CON: Dwayne Slate, Washington State School Directors' Association; Perry Keithley, Office of the Superintendent of Public Instruction; Walter Ball, Association of Washington School Principals; Judy Hartmann, Washington Education Association

TESTIMONY FOR (Graduation Requirements to SBE):

Returning the establishment of graduation requirements to the rule-making process of the State Board would make it easier to change the requirements. The public would still know there are minimum graduation requirements.

TESTIFIED: PRO: Linda Byrnes, State Board of Education; John Kvamme, Tacoma School District; Dwayne Slate, Washington State School Directors' Association; Perry Keithley, Office of the Superintendent of Public Instruction

TESTIMONY FOR (Educational Progress Panel):

An Educational Progress Panel is a good idea. The annual progress report would also serve as a means to foster greater communication and cooperation between the agencies represented on the panel.

TESTIFIED: PRO: Linda Byrnes, State Board of Education; Dwayne Slate, Washington State School Directors' Association; Perry Keithley, Office of the Superintendent of Public Instruction

TESTIFIED BEFORE WAYS & MEANS (February 3, 1992): Judy Hartmann, WEA (pro master's repeal) (con entrance-to-practice exam); Lorraine Wilson, Washington School Directors Association (pro master's repeal, school board powers expansion, extending

teacher probation) (con requiring provision of individual student learning opportunities)