

HOUSE BILL REPORT

ESHB 1209

As Passed Legislature

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;
Passed Legislature, April 25, 1993, 81-17.

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).

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; civics and 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; and
- (4) Understand the importance of work, and how effort, performance, and decisions directly affect future career and educational opportunities.

II. COMMISSION ON STUDENT LEARNING

The definitions, duties, and membership of the Commission on Student Learning, which was created in SSB 5953 (1992 Session), are modified. The major responsibilities of the commission are to develop essential academic learning requirements and student assessment and school accountability systems.

Definitions

Definitions of essential academic learning requirements, standards, performance-based education system, and other terms in the bill are provided.

The term "performance-based education system" is defined as an education system in which a significantly greater emphasis is placed on how well students are learning, and significantly less emphasis is placed on state-level laws and rules that dictate how instruction is to be provided. According to the definition, the "performance-based education system" does not require schools to use an outcome-based instructional model. Decisions regarding how instruction is provided are to be made, to the greatest extent possible, by school and school district personnel, not by the state.

Duties

- Essential Academic Learning Requirements and Assessments

The timelines for establishing the "essential academic learning requirements" (EALRs) and for implementing the assessments are modified. EALRs and assessments for Goal 1 and the math component of Goal 2 to be completed first, with the remainder of Goal 2 and goals 3 and 4 are to be completed one year later. Prior to the 2000-2001 school year, participation in the student assessments and school accountability system is optional. Beginning in the 2000-2001 school year, all public schools must participate.

- Certificate of Mastery

Most students shall complete the high school assessment, which will lead to a "Certificate of Mastery," 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 part of high school graduation requirements is delegated to the State Board of Education.

A requirement is removed that would have required elementary students to pass an assessment before progressing.

- School Accountability, Assistance, Intervention, and Incentives

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

- (1) requiring school-site, school district, and state-level accountability reporting systems;
- (2) creating a school assistance program to help schools and districts having difficulty helping students learn the essential learning requirements;
- (3) creating a system to intervene in schools or districts in which significant numbers of students persistently fail to learn the essential academic learning requirements; and
- (4) creating an awards program to provide incentives to school staff to help their students learn the essential academic 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).

Responsibility for making recommendations regarding the repeal or modification of state education laws is transferred to a Legislative Joint Select Committee on Education Restructuring.

Membership

The size of the commission's membership is increased from nine to 11. The governor will appoint the two additional members and appoint the chair.

III. STUDENT LEARNING IMPROVEMENT GRANTS

The OSPI is directed to provide Student Learning Improvement grants to schools for the 1994-95, 1995-96, and 1996-97 school years. The purpose of the grants is to provide funds for additional time and resources for staff development and planning intended to improve student learning for all students consistent with the student learning goals.

To the extent funds are appropriated, and for allocation purposes only, the amount of grants for the 1994-95 school year shall be based on time equivalent to no fewer than three days and not more than five days depending upon the number of grant applications received and on the number of full-time equivalent certificated staff, classified instructional aides, and classified secretaries who work in the school at the time of application. For the 1995-96 and 1996-97 school years, the equivalent of five days annually shall be provided. The allocation per full-time equivalent staff shall be determined in the budget.

To be eligible for student learning improvement grants, school district boards of directors are required to:

- (a) adopt a policy regarding the sharing of instructional decisions with school staff, parents, and community members; and
- (b) submit school-based applications that have been developed by school building personnel, parents, and community members. Each application shall list the activities to be carried-out, identify technical resources, include a proposed budget, and show that the application was approved by the school principal and representatives of teachers, parents, and the community.

Procedures for school board approval of the applications are provided. If the above requirements are met, SPI is directed to approve the grant application.

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.

- Mentorship Pilot Program

A pilot program is created to support the pairing of full-time mentor teachers with beginning teachers and experienced teachers who are having difficulties. SPI is to submit a report to the Legislature by December 31, 1995, with findings about the pilot program.

- Principal and Superintendent/Program Administrator Internship Programs

Principal and superintendent/program administrator internship support programs are created. The programs will provide funds to school districts to hire substitutes for district employees who are in principal, superintendent or program administrator preparation programs so employees can complete their internships.

- 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 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 academic learning requirements. The center is to work in conjunction with the Commission on Student Learning, educational service districts, and institutions of higher education.

The center will serve as a clearinghouse for school improvement and other programs; provide technical assistance; contract out for the development of parental involvement materials; and take other actions to increase public awareness of the importance of parental involvement in education.

VI. SCHOOL-TO-WORK TRANSITIONS

The importance of the School-to-Work Transitions Program created in HB 1820 is recognized. 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.

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 technical assistance, the continued development of a network, and methods to equitably increase the use of

education technology by students and school personnel throughout the state.

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.

VIII. EDUCATOR PERFORMANCE ASSESSMENT

The current examination requirement for new teachers, which was to be implemented in August 1993, is postponed until May 1996. However, if funding for development of the examination is not provided, the examination will not be required. The subject matter to be included in the examination is broadened, and the State Board of Education and OSPI are given the authority to charge applicants for the examination and to hire a contractor to develop and administer the exam.

IX. READINESS TO LEARN

To the extent funds are appropriated, the Family Policy Council is directed to award grants to community-based consortiums that submit comprehensive plans that include strategies to assist students in being ready to learn.

X. LEGISLATIVE OVERSIGHT, DEREGULATION & TRANSFER FEES

- Legislative Oversight Committee

A 12-member Legislative Joint Select Committee on Education Restructuring is created. The select committee is directed to monitor, review, and periodically report upon the enactment and implementation of education restructuring in Washington.

In addition, the select committee is to review all laws pertaining to K-12 public education and submit proposed legislation that repeals or modifies those laws that inhibit the new system of performance-based education.

- Fiscal Study

A 12-member Legislative Fiscal Study Committee is created. The committee is to study the common school funding system, and by January 16, 1995, report to the Legislature with recommendations for a new funding model for the common school system.

- School Reports

Beginning in the 1994-95 school year, each school is directed to publish annually a school performance report. The type of data to be included in the report is specified. OSPI is directed to develop a model report form schools may use for the reports.

- Choice Transfer Fees

Beginning with the 1993-94 school year, school districts are prohibited from charging transfer fees or tuition for students living outside the district who are enrolled under the state's "Educational 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 state board also may not require private school or home schooled students to meet the student learning goals, to master the essential learning requirements, or to take the assessments that will be developed by the Commission on Student Learning.

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

Effective Date: Section 101 takes effect September 1, 1994. All other sections take effect 90 days after adjournment of session in which bill is passed.

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.