

**Changes in January 4, 2010 SBE Approved Bill:
Required Action for Districts with Low Achieving Schools
January 15, 2010**

Revised timelines:

- Districts with low achieving schools may volunteer in 2010 based on initial OSPI identification in February 2010, but will be mandated to participate in 2011 in the Required Action Process. Timelines specified in law for annual required action process beginning in 2011 except for identification (which begins in 2010) as follows:
 - Identification of five percent of lowest achieving schools (by December 1, 2010 and each year after that).
 - Designation of required action (January 2011).
 - Mediation of disagreement over local required action plan (by April 15).
 - Superior court will decide disagreement over local required action plan if mediation is unsuccessful (by June 15).
 - Implementation of required action plan.
- Effect: Extends deadline for mandatory process to begin in January 2011, not April 2010 and create deadlines to address potential impasses.

Identification of lowest achieving schools:

- Additional state criteria eliminated.
 - Effect: Use the federal guidelines that permit state flexibility to examine how to weight student achievement and improvement as well as number of years of performance to examine.

Academic Performance Audit:

- Use OSPI rubric for examining school and district performance for areas of academic performance audit on student achievement.
 - Effect: Enables smooth transition from OSPI Summit District. Needs assessment rubric to be used as a tool to help districts examine their practices and what federal model of intervention will be most appropriate.

Required Action Plan:

- Under the four federal models, the use of charter schools must be authorized by the legislature.
 - Effect: Clarifies ability to use charter schools only when the legislature authorizes them. The bill continues to allow districts to use education management organizations for school turnaround.
- Local school board must hold a public hearing on its proposed required action plan.
 - Effect: Ensures an official record of public input in addition the collaborative effort to create a required action plan.
- OSPI must review and approve that the local district's required action plan meets federal requirements for school improvement funding.
 - Effect: Ensures that district required action plan fully meets the federal requirements before SBE reviews plan. SBE will ensure that the required action plan meets the audit findings.

Impasse provisions:

- Required action districts must create an addendum to collective bargaining agreements when they expire on or after the effective date of this act to provide that the addendum be negotiated based on the need to develop and implement a required action plan.
 - Effect: Ensures that required action districts will have future collective bargaining agreements with required reopening of contract to address the implementation of the required action plan.
- Required action district parties that cannot come to agreement on the local district required action plan must go to mediation through PERC and if that is unsuccessful, to the Superior Court with no appeal.
 - Effect: Allow for disagreements to be concluded first through mediation and then through several different options after mediation.
- Required action districts that do not submit a required action plan within the specified deadlines will have their Title I funds redirected by OSPI based on the audit findings.
 - Effect: The Title I funds in the district will be redirected based on the performance academic audit.
- Required action districts will not have Title I funds withheld if plan is not submitted.

**Summary of SBE Required Action Final Bill Key Components
January 14, 2010 Approved Version**

Key Bill Elements	
Section 101: Intent	<p>State's responsibility to create a coherent and effective accountability framework to provide an excellent and equitable education for all students.</p> <p>Roles of Superintendent of Public Instruction (OSPI) and the State Board of Education (SBE) for accountability.</p> <p>Phase I will recognize schools for exceptional achievement and improvement through SBE Accountability Index and use of federal guidelines to identify the lowest five percent of persistently low achieving schools to use federal funds and federal intervention models beginning in 2010 (voluntary) and 2011 (required).</p> <p>Phase II will implement SBE Accountability Index for identification of schools including non Title I schools in need of improvement and develop state and local intervention models with state and local funds beginning in 2013.</p>
Section 102: Identification of the Persistently Lowest Achieving Schools	<p>Beginning no later than December 1, 2010, and annually thereafter, use the federal criteria set forth in the final federal rules for school improvement to identify the persistently lowest achieving schools and their districts. This requires OSPI to do the following:</p> <ul style="list-style-type: none"> • First, OSPI must identify and rank Tier I schools that are the lowest achieving five percent of the state's Title I public schools (elementary, middle, high school), based on: 1) low student achievement in math and reading combined on the state assessments; and 2) a lack of progress on those assessments over a number of years for all students. • Second, OSPI must identify and rank the Tier II lowest achieving five percent of the state's public secondary schools that are eligible for, but do not receive, Title I funds using the same criteria set forth above.
Section 103: Required Action Districts	<p>Beginning in January 2011, OSPI shall annually recommend SBE districts for designation as required action districts. Districts must have at least one of the</p>

	<p>persistently lowest achieving schools. School districts that have volunteered in 2010 or have improved shall not be included in this designation.</p> <p>OSPI will provide districts with written notice. School districts may request reconsideration of this designation within ten days.</p> <p>SBE will annually designate those districts recommended by OSPI. Districts must notify all parents with students in persistently low achieving schools that the district is in required action.</p>
<p>Section 104: Academic Performance Audit</p>	<p>OSPI will contract with an external review team to conduct an academic performance audit of the required action district. The review team shall have expertise in comprehensive school and district reform and shall not be from a state agency or school district subject to audit.</p> <p>OSPI shall establish audit criteria. The audit shall include, but not be limited to: student demographics, mobility patterns, school feeder patterns, performance of different student groups on assessments, effective school leadership, strategic allocation of resources, clear and shared focus on student learning, high standard and expectations for all students, high level of collaboration and communication, aligned curriculum, instruction and assessment to state standards, frequency of monitoring learning and teaching, focused professional development, supportive learning environment, high level of family and community involvement, and alternative secondary schools best practices.</p> <p>Audit findings shall be made available to the local school district, staff, community, and the State Board of Education.</p>
<p>Section 105: Required Action Plan</p>	<p>The local school district superintendent and local board of a required action district shall submit a required action plan to SBE upon a schedule SBE develops.</p> <p>The required action plan must be developed in collaboration with administrators, teachers, staff, parents, union (representing any employees in district), students, and representatives of the local community. OSPI will assist district as requested in plan development (subject to availability of funding).</p>

	<p>The local school board will hold a public hearing on the proposed required action plan.</p> <p>The required action plan must include:</p> <ul style="list-style-type: none"> a) Implementation of one of four federal intervention models, including turnaround, restart, closure, and transformation (no charters unless expressly authorized by legislature). b) An application for a federal school improvement grant to OSPI. c) Budget for adequate resources to implement. d) Description of changes in district or school policies and practices to improve student achievement. e) Metrics used to assess student achievement to improve reading, math, and graduation rates. <p>OSPI will review the local school district required action plan and approve that it is consistent with federal guidelines prior to the local superintendent and board submitting the plan to the SBE.</p> <p>Expiring collective bargaining agreements for all school districts that are designated required action districts as of the effective date of this act must have the authority to reopen its collective bargaining agreements if that is needed to develop and implement an appropriate required action plan.</p> <p>If no agreement can be reached, mediation must start no later than April 15 and be completed by May 15 or it will be go to Superior Court with decision by June 15. Each party will bear its own costs for mediation or courts.</p>
<p>Section 106: SBE Approves Required Action Plan</p>	<p>SBE shall approve the local district required action plan if it meets the requirements identified in Section 5. If SBE does not approve the plan, a reason must be provided. The district will then have an opportunity to revise the plan. OSPI will help district with resubmission of plan.</p> <p>The required action plan goes into effect for the next school year (thus a district designated in January 2011 would implement the plan in the immediate school year following designation as a required action district). Federal funds must be available to implement the plan or else it will not go into effect.</p>

	Any addendum to the collective bargaining agreement related to student achievement or school improvement shall not go into effect until SBE approves the plan. If SBE does not approve the plan, it notifies the district in writing and district must submit new plan within 40 days.
Section 107: Redirect of Title I funds if no required action plan	SBE may charge OSPI to redirect district's Title I funds based on the academic performance audit findings if a school district has not submitted a required action plan for approval or the final plan submitted has not received approval by SBE.
Section 108: Implementation of Required Action Plan	The district will provide regular updates to OSPI as specified by OSPI. OSPI will provide technical assistance and financial resources to the district as needed.
Section 109: Biannual reports and delisting districts	OSPI will inform SBE at least biannually (twice a year) of the progress of the Required Action District's progress on its plan implementation and metrics. OSPI will recommend to SBE that a district is no longer in required action based on improvement in state- identified metrics. At the minimum, schools will be expected to improve student achievement in math and reading within three years based on a state definition of improvement, which will include no longer ranking of lowest five percent of persistently lowest achieving schools and making gains similar to the state average in reading and math for all students. SBE will remove district from required action or recommend that the district remain in required action.

SBE Estimated Timeline (but only bold will be in statute, rest can be in rule)
January 15, 2010

Required Action Schedule if Parties Agree

- Winter 2010: OSPI invites districts to volunteer, based on list of five percent lowest achieving schools.
- **By December 1, 2010: OSPI creates list of five percent lowest achieving schools and identifies schools/districts for required action (if they did not volunteer)**
- **January 2011 (before January SBE meeting): OSPI recommends and SBE designates Required Action Districts (annual process).**
- January-February: OSPI conducts audit.
- By March 30: Local districts submit draft federal school improvement application and potential model to OSPI.
- BY April 15: Local district submits its required action plan to OSPI.
- By May 1: OSPI confirms alignment with federal school improvement guidelines.
- By May 5: Local school board submits required action plan to SBE.
- By May 15: SBE approves required action plan or sends back to district.
- By July 1: Local board will submit a revised plan if SBE does not approve the first plan.
- By July 15: SBE approves revised plan.
- **School year 2011-12 (next school year after district is designated a required action district): Required Action District implements plan).**

Required Action Schedule if Parties Do Not Agree:

A. Mediation

- **By April 15: A required action district must begin mediation with PERC if the parties are unable to resolve issues.**
- **By May 15: parties must agree to mediation or go to Superior Court.**
- By June 1: local board submits plan agreed to under mediation to OSPI and SBE.
- By June 15: OSPI confirms alignment with federal school improvement guidelines; SBE approves local district required action plan based on audit findings.
- **School year 2011-12 (next school year after district is designated a required action district): Required Action District implements plan).**

B. Superior Court (if Mediation is Unsuccessful)

- **By June 15: Superior Court determines the issues needed to complete required action plan with no appeal.**
- By June 30: Local board will submit a plan based on Superior Court decisions.
- By July 15: SBE will approve plan (pieces that Superior Court did not decide).
- **School year 2011-12 (next school year after district is designated a required action district): Required Action District implements plan).**