The Washington State Board of Education
Governance I Achievement I High School and College Preparation I Math & Science I Effective Workforce

February 23, 2012
Special Board Meeting
Office of Superintendent of Public Instruction
Olympia, Washington

MINUTES

Thursday, February 23, 2012

Members Attending: Dr. Bernal Baca, Ms. Connie Fletcher, Dr. Sheila Fox, Ms. Phyllis (Bunker) Frank, Mr. Bob Hughes, Dr. Kris Mayer, Ms. Mary Jean Ryan, Mr. Tre' Maxie, Mr. Jack Schuster, Mr. Kevin Laverty, Ms. Cindy McMullen, Ms. Mary Jean Ryan (12)

Members Excused: Chair Jeff Vincent, Ms. Amy Bragdon, Mr. Jared Costanzo, Mr. Randy Dorn, Mr. Matthew Spencer (14)

Staff Attending: Mr. Ben Rarick, Ms. Sarah Rich, Dr. Kathe Taylor, Ms. Loy McColm, Mr. Aaron Wyatt, Ms. Colleen Warren, Mr. Jack Archer (7)

Staff Excused: Ms. Ashley Harris (1)

The meeting was called to order by Dr. Baca at 10:06 a.m.

Mr. Rarick recognized Dr. Taylor and Ms. Harris for their years of service to the Board. He recognized them as an integral part of the staff supporting the Board and wished them much success in their new career paths.

Innovation Schools/Zones Waivers
Ms. Sarah Rich, Research Director

E2SHB 1546, Innovation Schools/Zones, directed OSPI to establish an application process to encourage new Innovative Schools and Zones implementing innovative models focused on the arts, science, technology, engineering, and mathematics (A-STEM). It also directed the Office of Superintendent of Public Instruction (OSPI) and SBE, each within the existing scope of their statutory authority, to grant waivers of state statutes and administrative rules for designated Innovation Schools/Zones. Waivers for Innovative Schools/Zones may only be denied if SBE finds that implementing the waiver will likely result in decreased student achievement. The role of the Educational Service Districts and OSPI is to make final decisions about which applications to approve.

The SBE role for Innovation Waivers includes: 1) providing an expedited review of waiver requests; 2) granting waivers if they are necessary to implement the Innovation School/Zone.

The timeline for Innovation Waivers under HB 1546 is as follows (items in bold are in statute):

Applications distributed	September 19, 2011
Applications submitted to ESD's	**January 6, 2012**
SBE regular Board meeting	January 11-12, 2012
ESD recommend to OSPI	February 10, 2012
SBE special Board meeting	February 23, 2012
Approval Announcement	**March 1, 2012**
Districts implement innovation	SY 2012-2013 through 2018-2019

Stewart Middle School in Tacoma and Odyssey High School in Highline have requested SBE waivers as a part of their Innovative School applications. Members reviewed the applications and discussion followed.

Stewart Middle School (Tacoma) requested a waiver of 16 days from the 180 day requirement. If the waiver is granted, students will receive 1,031.5 hours of instruction within 164 days beginning in 2012-13. Students would participate in 80-minute classes, including math and humanities daily. Stewart currently has an approved Option One waiver of eight days. The school is in Cohort I of the federally funded program to turn around persistently lowest achieving schools known as School Improvement Grant (SIG). It will receive three years of SIG funding from 2010-11 through 2012-13.

Odyssey High School (Highline) applied for a recognition of its competency-based system, which is designed to allow students to learn at their own pace, and demonstrate mastery of content using an annual portfolio process. Odyssey uses an alternative grading system of Not Yet, Proficient, and Advanced grades. Odyssey High School's waiver request is for a waiver from credit-based graduation requirements, which is parallel to the current credit-based graduation waiver that SBE approved for Big Picture High School (also in Highline) in May 2008. An additional request from Odyssey High School was for a waiver of a total of five days from the 180 day requirement. Ms. Joan Ferrigno, Principal of Odyssey High School answered clarifying questions from the Board on the waiver days being requested.

Economy and Efficiency Waivers
Mr. Jack Archer, Policy Associate
Ms. Sarah Rich, Research Director

SBE has the statutory authority to grant waivers from the basic education requirement for a 180-day school year to districts that propose to operate schools on a flexible calendar for purposes of economy and efficiency. No more than five waivers may be granted at any time, including no more than two to districts with enrollment of less than 150, and no more than three to districts with enrollment of 150-500. SBE has received three applications for the current application period, all from districts with fewer than 150 students.

Members discussed draft criteria to be used in the evaluation of Economy and Efficiency Waivers. Staff recommended a three-point framework for consideration of current applications for economy and efficiency waivers. These include (1) the potential for savings in costs most affected by a flexible calendar, as indicated by OSPI financial data; (2) demonstration of the monetary savings to be gained through a flexible calendar; (3) demonstration of how those savings will be redirected to support student learning, and how other requirements of the application have been met.

The three applications will be considered at the March Board Meeting.

ESEA Flexibility Request
Ms. Sarah Rich, Research Director

Last September, the U.S. Department of Education (USED) announced guidelines for state educational agencies to apply for flexibility waivers that would allow relief from existing sanctions under the No Child Left Behind (NCLB) accountability system.

SBE has partnered with OSPI in the development of an application for flexibility. The flexibility proposal builds upon the Achievement Index as the backbone of the accountability system. Members discussed a resolution supporting the ESEA flexibility application that would be brought forward at the end of the meeting for approval.

A letter, signed by Superintendent Dorn and Chair Vincent, discussing the ESEA Waivers was sent to all legislators and the Board members. Superintendent Dorn plans to apply for the ESEA waiver on February 28. A new resolution was presented to the Board for approval, to move forward with OSPI staff and Board staff partnering together on the work. Approval of the Resolution occurred during the business meeting.

Leading System Indicators
Dr. Kathe Taylor, Policy Director

At the November 2011 meeting, Mr. Rarick introduced a way for the Board to build on the goal-setting work it began in July 2011 for the purpose of helping the system to define for itself what success is and to track its progress on meeting its goals. Members continued that discussion, exploring how SBE might synthesize the indicators of success identified by various policy bodies and to identify new indicators, if needed. The Board will discuss the project in greater depth at the March 2012 meeting, and design a way to engage stakeholders in the conversation.

Staff will be inviting a Board work group to review and recommend proposed Lead System Indicators and Foundation Indicators for consideration by the full Board. Once the full Board has approved the draft indicators, Board members and staff will engage in outreach with stakeholders to solicit input and build awareness and support for the project.

Legislative Update
Mr. Ben Rarick, Executive Director

Mr. Rarick presented the House budget summary for members review and discussion. The House budget came out on February 21 and SBE staff are reviewing it to determine what issues may arise with K-12 education. The House budget is not out of committee yet, so changes can still occur. This budget has more options than the Governor's budget. It would appear that the House took the money saved from the revenue forecast factors and dedicated it to the education budget. None of the cuts on school days exist in the House budget, unlike the Governor's budget. The McCleary decision completely changes the way the education budget should be looked at going forward. A letter, signed by Chair Vincent, to the House Ways and Means Committee regarding HB 2209, was sent out February 22 to the Committee and Board members. K-12 was spared the magnitude of the cuts. Highlighted items were presented to the Board for discussion.

Mr. Rarick gave an overview of the House bills listed in the Board packet as follows:

- 2209 – Alternative Learning Experience Programs hits on the Boards Strategic Plan. It changes funding and regulatory framework for ALE programs.
- 2538 – Reducing requirements on school districts. One version eliminates writing tests as a graduation requirement and creates broad exemptions to the Culminating Project and High School and Beyond Plan. A letter was sent to legislators from the Board and the bill has been amended to take those out.
- 2107 – Career Pathways Act. This Bill requires SBE and other agencies to create literature showing multiple career pathways. It eliminates SBE waivers and permissions as it relates to Algebra II.
- 2337 – Open source for K-12 textbooks. Charges OSPI with facilitating school district utilization of open source K-12 textbooks and materials subject to funding. Mr. Rarick supported the bill and it was funded in the House budget.
- 6232 – Regarding High education coordination. This Bill replaces the Higher Education Coordinating Board by creating an office of Student Achievement and Joint Committee on Higher Education. There are several mentions of SBE in the Bill.

- The following bills are currently dead: 2411 – regarding high school graduation requirements; 2493 – making membership on the SBE more representative; 2543 – regarding SBE rules that contain unfunded mandates; 6247 – regarding SBE and the Quality Education Council.

Public Comment

Joan Ferrigno, Odyssey High School
Ms. Ferrigno thanked the Board for recognizing innovation as a viable means to serve students and advance academic achievement. She said it takes time and effort to review student data and study alternative practices, such as the competency-based instruction and performance based assessment that is used at Odyssey. All of the work reflected in the innovation application takes countless extra hours of unpaid time for staff, who are already doing the challenging work of creating best practices in a high poverty school. Ms. Ferrigno hopes the Board recognizes that innovation requires much more review, study, reflection, and assessment. Odyssey is looking forward to sharing data next year and staff looks forward to working with the Board to continue the work of supporting students.

Marie Sullivan, Washington State School Directors' Association (WSSDA)
Ms. Sullivan extended the invitation for members to attend the regional meetings beginning in March. She explained the change in the format for agendas saying that all districts are now developing their own agenda so every meeting might have a different format. Some regional meeting agendas will not include time for an SBE update but she encouraged members to attend anyway.

Business Items

Approval of Waivers for Innovation Schools (RCW 28A.630.083)

1. Tacoma School District (Stewart Middle School)

Motion was made to grant to the Tacoma School District for Stewart Middle School a waiver of 16 school days from the 180 day school year requirement, and for a waiver from the requirements set forth in WAC 180-18-040(1), for school years commencing 2012-13 through 2018-19, for the purpose of implementing an innovation plan as authorized in RCW 28A.630.081; provided, however, that the waiver shall only take effect if the Superintendent of Public Instruction designates Stewart Middle School as an Innovation School and shall terminate automatically upon revocation of such designation by the Superintendent under RCW 28A.630.085.

Motion seconded

Motion carried with 10 ayes/0 nays
2. Highline School District (Odyssey High School)

Motion was made to grant a waiver to the Highline School District for Odyssey High School from the credit-based graduation requirements, and the requirements of WAC 180-18-055; and a waiver of five total school days from the 180-day school year requirement, and the requirements of 180-18-040(1), for school years commencing 2012-13 through 2018-19 for the purpose of implementing an innovation plan as authorized in RCW 28A.630.081; provided, however, that the waiver shall only take effect if the Superintendent of Public Instruction designates Odyssey High School as an Innovation School and shall terminate automatically upon revocation of such designation by the Superintendent under RCW 28A.630.085.

Motion seconded

Motion carried with 11 ayes/0 nays

Motion to adopt the ESEA State Accountability System Resolution as follows:

STATE ACCOUNTABILITY SYSTEM

WHEREAS, the State Board of Education believes that all students deserve an excellent and equitable education and that there is an urgent need to strengthen a system of continuous improvement in student achievement for all schools and districts; and

WHEREAS, the Legislature charged the State Board of Education with responsibility and oversight for creating a state accountability framework to provide a unified system of support for challenged schools, with increasing levels of support based upon magnitude of need, and using data for decisions; and

WHEREAS, the State Board of Education has developed an Achievement Index utilizing fair, consistent, and transparent criteria for the purposes of recognizing schools for exemplary performance, improvement, and closing gaps; and

WHEREAS, the State Board of Education believes the state accountability framework needs to be a part of the revisions made to the basic education funding system and that the Legislature will need to provide the State Board of Education, the Office of Superintendent of Public Instruction, and local school boards with the appropriate legal authority and resources to fully implement the new system; and

THEREFORE, BE IT RESOLVED that the State Board of Education supports the Superintendent of Public Instruction's application to the United States Department of Education for flexibility from the current Elementary and Secondary Education Act accountability system; and

THEREFORE, BE IT FURTHER RESOLVED that the State Board of Education will collaborate with the Office of Superintendent of Public Instruction to build a unified system of federal and state accountability using multiple measures, English language learner data, disaggregated subgroup data, and student growth measures.

Motion seconded

Motion carried

Mr. Schuster thanked Dr. Taylor for her work on the Core 24 Task Force and private schools. He commended her work with the Board and thanked her for making a significant difference to the work of the SBE.

The meeting was adjourned by Dr. Baca at **12:19** p.m.