

DT: 20 December 2017

TO: Chris Reykdal, Washington State Superintendent of Public Instruction
Member of the Washington State Board of Education Task Force: Kevin Lavery, Peter Maier, Connie Fletcher, Alan Burke

FR: Gavin Payne
CEO, GPC Advisors, LLC

RE: Final Report: SPI & SBE Roles and Responsibilities

You sought an independent third party to help facilitate a series of conversations between Task Force representatives of the State Board of Education (SBE) and the State Superintendent's Office (OSPI) on possible ways to improve the operations of your respective functions. It was my honor to serve you in that decision-making process.

As you all agree, Washington's students, families, educators, and community are best served when our State's educational organizations work together in cooperation. Through this process, the Superintendent of Public Instruction and the State Board of Education have demonstrated an abiding commitment to work together toward an equitable school system that delivers high-quality education for all students in Washington to prepare them for career, college and life.

Over a period of consultation and face-to-face meetings, you engaged forthrightly and efficiently to improve the effectiveness of the state's educational delivery system, as well as your own interactions together. As agreed, and subject to the approval by the full State Board of Education of the recommendations of its Task Force, it is your intent to jointly pursue legislation to memorialize the agreements appended below as part of this report.

Further, you intend to request the Governor to join as a possible co-sponsor of this legislation.

This final report will serve as the culmination of my service to you. As always, if you have any questions or concerns, please be sure to contact me. Best of luck to you all in your work together.

Recommendations from the SBE Roles and Responsibilities Taskforce

1. ESD boundary changes

- Approval responsibility transferred from SBE to OSPI. (RCW 28A.310.020)

2. Private schools

- Annual approval remains with SBE. (RCW 28A.195.130)
- Application process and pre-approval analysis transferred from OSPI to SBE. (RCW 28A.305.130) (RCW 28A.195.010, RCW 28A.195.030)
- Private school advisory committee and distribution of federal Title funds remain with OSPI.

3. CTE course equivalency determinations (RCW 28A.230.097, RCW 28A.700.070)

- Approval responsibility transferred from SBE to OSPI.
- Responsibility for analysis remains with OSPI.
- OSPI responsibility to recommend CTE course equivalencies to SBE eliminated. (RCW 28A.230.010)
- OSPI annual report to SBE added.

4. Learning Standards (RCW 28A. 150.210, RCW 28A.655.270, RCW 28A.305.215)

- Prior to filing pre-proposal statement of inquiry (CR 101), OSPI shall present proposals for a new standard or substantive change to an existing standard to the Board and the public at a SBE meeting.
- OSPI retains responsibility for developing new standards and changing existing standards
- Before filing notice of a proposed a new or modified standard (CR 103), OSPI shall present the proposal to the Board and the public at a SBE meeting.
- SBE provides a response to the proposal. OSPI retains authority for final adoption.
- SBE may propose to OSPI a new standard or change to an existing standard. OSPI provides a response to the proposal.

5. Waivers of 180-Day Requirements

- SBE retains responsibility for setting criteria and rulemaking. (RCW 28A. 305.140, WAC 180-18-xxx)
- Approval responsibility transferred from SBE to OSPI for approval of following waivers.
 - a. 180-day Option One waivers. (RCW 28A.305.140)
 - b. 180-day Option Two waivers shortening school week for limited number of small school districts. (RCW 28A.305.141)

- c. Waivers for parent-teacher conferences (RCW 28A.305.140 and 180-18-050)
- d. Waivers of CTE equivalences for districts under 2000 students. (RCW 28A.305.142)
- Annual public report by OSPI to SBE summarizing all applications for school and district waivers (including emergency and weather waivers under RCW 28A.xxx.xxx), with data on approvals/ non-approvals, links to applications, reason for approval/non-approval and related analysis.

6. BEA compliance

- SBE retains responsibility for the annual compliance process (RCW 28A.150.250)
- Amend RCW 28A.150.250 to state that OSPI has explicit authority to withhold state funds from local education agencies in whole or in part for the basic education allocation until program compliance is assured.
- Amend RCW 28A.150.250(3 to state that the State Board of Education may recommend that the Superintendent of Public Instruction withhold said funds until program compliance is assured (statute now states SBE “shall require” SPI to withhold said funds)

7. Waivers of credit-based high school graduation requirements

- SBE retains responsibility for setting criteria, rulemaking, and approval for waivers of credit-based high school graduation requirements. (RCW 28A.305.140, WAC 180-51-xxx)
- SBE retains responsibility for automatic one-year and two-year waivers of the 2019 deadline for the 24-credit graduation requirement. (RCW 28A.230.090(1)(d)(ii) and WAC 180-51-068)
- With respect to RCW 28A.655.180, which states that either SBE or OSPI may approve waivers for “restructuring educational programs,” amend statute to specify only SBE has responsibility to approve these waivers.

8. Operational Interactions (non-legislative)

- Data: SBE and OSPI will enter into a formal Data Sharing Agreement that insures processing and transmittal of data to SBE within xx days in order to facilitate SBE fulfillment of its accountability responsibilities. Said agreement will insure security of data and will seek to minimize impacts on OSPI staff.
- Office Space: OSPI and SBE agree that proximity of the organizations to each other promotes efficient and effective management of their respective responsibilities. Insofar as it is possible, OSPI will seek to maintain that proximity.