

2014 LEGISLATIVE PRIORITIES - DISCUSSION

Policy Consideration

The Board will consider potential legislative priorities for the 2014 legislative session. In this context, the Board will review its 2013 priorities and associated legislative outcomes.

Summary

Included below is a summary chart of the Board's 2013 Legislative Priorities, with a status update that indicates related legislative action.

While the Board successfully advocated for tangible forward movement on its accountability agenda and school funding priorities, issues such as formal adoption of the 24 credit graduation requirements, modification of the minimum compulsory school age, and strengthening basic education compliance requirements to put limits on school half days ultimately were not adopted.

The purpose of this memo is to reflect upon the Legislature's actions in the 2013 Legislative session, and begin a discussion toward establishment of 2014 Legislative Priorities.

2013 SBE Legislative Priorities	Status
<p>FULL FUNDING FOR BASIC EDUCATION</p> <ul style="list-style-type: none"> • Fund and implement the new program of basic education established in ESHB 2261 and SHB 2776. • Identify sustainable revenue sources which can ensure ample provision for K-12 schools over the long-term. 	<ul style="list-style-type: none"> • 2013-15 budget funds \$982 million in basic education enhancements, including major programs required under HB 2261/2776: <ul style="list-style-type: none"> ○ MSOC (\$374m) ○ LAP (\$143m) ○ Transportation (\$132m) ○ K-1 Class Size (\$104m) ○ Full-Day K (\$90m) ○ Instructional Hours (\$97m) • Budget heavily reliant on cash transfers, non-permanent revenues, one-time savings, suspension of I-732 COLA, and assumed federal funds to support increased funding for K-12. Long-term sustainability still a question.
<p>A UNIFIED STATE ACCOUNTABILITY SYSTEM UTILIZING THE INDEX</p> <ul style="list-style-type: none"> • Implement a unified state accountability system, as established in E2SSB 6696 (2009). • Ensure state funding to provide school improvement services to low-performing schools, regardless of federal title 1-eligibility. • Use the revised Achievement Index as the primary means of school recognition and identification of schools in need of assistance, as well as candidates for the Required Action District (RAD) process. 	<ul style="list-style-type: none"> • E2SSB 5329 establishes foundation for unified state-federal accountability system. • Budget provides \$10.3m for assistance to persistently low-performing schools. • E2SSB 5329 directs SBE to use renamed Achievement Index as basis for recognition and identification of schools in need of assistance.

<p>CAREER & COLLEGE-READY HIGH SCHOOL GRADUATION REQUIREMENTS</p> <ul style="list-style-type: none"> Phase in 24-credit graduation requirements as required by law. Includes a phase-in of adequate funding to support implementation of the Career- and College-Ready Graduation Requirements for the Class of 2018. Increase instructional hours in grades 7-12 for the 2014-15 school year. 	<ul style="list-style-type: none"> Legislature funded but did not authorize adoption of 24-credit, Career and College-Ready Graduation Requirements. Budget provides \$97.0m to increase minimum instructional hours to 1,080 in grades 7-12, \$12 million for guidance counselors, and \$12 million for parent engagement coordinators.
<p>STRENGTHENING THE 180-DAY SCHOOL YEAR</p> <ul style="list-style-type: none"> Provide a statutory, minimum school day definition, or limits on half days. Ensure funding for educator professional development, such that such services do not come at the expense of 180 full instructional days. Enact statutory changes to achieve consistency in what constitutes instructional time for the purposes of satisfying the 180-day and 1,000 hour statutory minimum requirements. 	<ul style="list-style-type: none"> Legislation introduced but not enacted to define school day in instructional hours. Budget funds study on use of instructional time, to be conducted by Joint Legislative Audit and Review Committee. \$15.0 million provided for teacher and principal evaluation training. No legislation streamlining statutory definition of instructional hours and days. However, exemption is provided for WaKIDS.
<p>COMPULSORY AGE OF SCHOOL ATTENDANCE</p> <ul style="list-style-type: none"> Lower Washington's minimum compulsory starting age of school attendance to six. 	<ul style="list-style-type: none"> HB 2283, lowering the compulsory age of attendance to six, passed House, but did not pass Senate.
<p>BLENDED LEARNING AND ALTERNATIVE LEARNING EXPERIENCES (ALE) FUNDING</p> <ul style="list-style-type: none"> Restore full funding for blended learning programs and alternative learning experiences, with provisions for program and fiscal accountability. 	<ul style="list-style-type: none"> Budget restores full funding for blended learning and alternative learning programs. SB 5667, which introduced more extensive reforms, was introduced but not enacted.
<p>STATE ASSESSMENT POLICIES</p> <ul style="list-style-type: none"> Ensure statewide assessments required for graduation support educators, are fair to students, and ensure career and college-readiness. 	<ul style="list-style-type: none"> HB 1450 establishes new graduation requirements that incorporate the new Common Core Standards and associated SBAC assessments. Directs the SBE to set minimum proficiency thresholds for new 11th grade SBAC test to be used as a graduation requirement beginning with the Class of 2017.
<p>COMMON CORE STANDARDS</p> <ul style="list-style-type: none"> Support sufficient funding for professional development of principals and teachers, Career and College-Ready graduation requirements, curriculum and materials, revised student assessments, and other costs associated with implementation of Common Core State Standards. 	<ul style="list-style-type: none"> Generalized support was provided for basic education, but dedicated professional development remains a need for Common Core implementation.

Consideration of Future Legislative Priorities

As the Board reflects on the 2013 legislative session and considers its future priorities, the Board should consider the fact that the 2014 legislative session will be a supplemental session in which the legislature will meet for only 60 days, as compared to the typical length of a long session: 105 days. (Most recently, special sessions have pushed the entire legislative session well beyond its standard length, but this atypical). During a supplemental session, the Legislature typically focuses on budget matters and incremental policy modifications, and tends to defer fundamental reform issues to the full-length session that occurs in odd-numbered years.

As the Board reviews progress towards its strategic plan and possible legislative priorities for the 2014 legislative session, it may consider the following items and issues for inclusion:

- **24 credit framework** – Seek formal authorization from the legislature to implement a 24-credit framework for high school graduation, effective for students who would be seniors during the 2018-2019 school year. Clarify application of standards to students pursuing career and technical programs of study.
- **K-12 education funding** -- Advocate for full funding of the legislature's prototypical school framework on the reforms included in ESHB 2261 and SHB 2776, and a reliable and dependable revenue source to sustain the reforms long-term.
- **Basic education compliance and school calendars** – Seek greater clarity and consistency in statutory definitions of instructional hours and instructional days. Seek limits on partial and half days in school year calendars, in tandem with dedicated state funding for professional development.
- **Outcomes-based education policy framework** – Pull together disparate parts of statute to establish a coherent, statewide outcomes-based funding and compliance policy for the K-12 system.

Among these items, the adoption of the 24-credit framework for graduation is perhaps most suitable for a special session. The issue presents some urgency, given the fact that ESHB 2261 included a commitment to full implementation of the revised program of basic education by 2018, and that the 24-credit graduation requirements were among the policy commitments in that bill.

The complexity of the issue is also reduced somewhat by the fact that the increased credit requirements are funded through the enhancement provided for implementation of 1,080 hours in each of grades 7-12 (the current requirement being 1,000 hours), and the enhancements for guidance counselors, parent engagement coordinators, and the Learning Assistance Program (LAP). The legislative conversation could therefore focus on policy with an acknowledgment that these requirements were funded by the approximately \$1 billion in basic education enhancement provided during the previous session.

Important to successful adoption of the 24-credit framework may be a re-branding of the proposal that more explicitly takes under consideration the focus on multiple pathways to post-secondary education. In particular, career and technical education stakeholders remain skeptical that a 'default pathway' approach toward the four-year university system adequately reflects a multiple pathways system, and potentially devalues -- and ultimately dissuades students from -- the applied rigor and economic reward that career-technical education can offer. Their support has been and remains critical, not only to its passage in the legislature, but also for its successful implementation in the field. Accordingly, it will be important for the Board to consider strategies that embrace career-technical education pathways in explicit ways.

Action

The Board will be asked to discuss potential 2014 Legislative priorities and provide staff direction as it generates a formal list for the board's consideration at the November Board meeting in Vancouver.

August 15, 2013

Senator David Frockt, Co-Chair
Representative Gary Alexander, Co-Chair
Joint Select Committee on Article IX Litigation
P.O. Box 40464
Olympia, WA 98504-0464

Dear Senator Frockt and Representative Alexander:

Thank you for the opportunity to comment on the state's report to the Supreme Court regarding compliance with the Article IX Constitutional requirements to make "ample provision" for the education of all children in Washington State. I am unable to attend the scheduled August 20th meeting, but I would like to offer several points for your consideration as you craft your Report.

As I understand the *McCleary* decision and the Supreme Court's subsequent December, 2012 Order, this Report is an opportunity for the State to demonstrate that it is on track for, in the words of the Order, "full Constitutional compliance" with its Article IX responsibilities by 2018. The Court has asked for the State to "lay out a detailed plan" for implementation of all the elements of ESHB 2261, and "then adhere to it."

While the state made some progress in funding basic education last session, its implementation of a strengthened program of education for all children may be behind schedule. One of the cornerstones of ESHB 2261 was increased funding for high school instructional hours, coupled with strengthened graduation requirements. However, the Class of 2018 will be entering 8th grade in about a month, and the Legislature has yet to authorize implementation of the 24-credit package contained in ESHB 2261. This is one important way in which the Legislature did not follow the recommendation of the Joint Task Force on Education Funding issued last January.¹ The upcoming supplemental session offers an opportunity to finalize these credit requirements, and I would encourage any "detailed plan" you produce to include that important milestone. The State Board regards strengthened high school course-taking as a 'cornerstone requirement' of ESHB 2261, ensuring that additional financial resources are targeted to educational outcomes for our graduates. It will also help address [Washington's disappointing ranking](#) among states in 'chance for college by age 19' – the organization Postsecondary Education Opportunity (PEO) ranked us 47th in the nation on this metric in its latest report.

Regarding funding, initial progress was made toward funding the core components of SHB 2776, including sizeable investments in the Learning Assistance Program (LAP), pupil transportation, non-salary related (MSOC) costs, reduced class size, increased instructional hours in grades 7-12, and additional full day kindergarten programs. Yet, the truly hard work remains to make "ample provision" a meaningful phrase for students in Washington State, and it is doubtful that additional investments of the magnitude required to ensure full Constitutional compliance in 2018 can be

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sustained through a budget approach that relies heavily on transfers from the Capital budget, a collection of one-time savings, and a seemingly on-going policy of annually exempting the requirement of Initiative 732 to provide cost-of-living adjustments to educators in our State.

The Supreme Court is likely to be agnostic on whether the Legislature increases revenues, reduces spending, or employs some combination of these approaches to support its Paramount Duty. Still, it is likely to want to know how that the Legislature's "spending plan" is supported by a long-term "funding plan" culminating in 2018. Needless to say, budget plans beyond two years are not how the legislature typically operates, but the Court seems aware of this fact, and their requirements are not vaguely worded.

It seems clear that something structural will need to happen before the Legislature can support a fully funded program of basic education and sustain it through good economic times and bad. However, the budget solutions offered during the 2013 session are arguably no more "reliable and dependable" -- to use the Court's term -- than the local excess levies the Supreme Court seeks to replace. And if the plan from last year's Joint Task Force on Education Funding is what is submitted to the Court, as has been publicly discussed, then the Court will likely want to know to what extent the Legislature's actions during the 2013 session adhered to it. I recommend that analysis be included in your Report.

I deeply respect your public service and the very difficult task you have ahead. Having served on the State Board of Education for eight years, and on the Quality Education Council for four years, I have a deep personal commitment to this work. I do not underestimate the magnitude of the challenges you are facing. As you confront these challenges, my hope is that the Legislature utilizes the Quality Education Council, and gives it the resources and time it needs to carry out the very important role it was given -- to "recommend and inform the ongoing implementation... of an evolving program of basic education and the financing necessary to support such program."

Ultimately, though, whether through the QEC or other means, my sincere hope is that the Legislature can sustain the work and leadership necessary to make the requirements of Article IX of the Constitution a reality for current and future students of Washington State.

Sincerely,



Mary Jean Ryan, Acting Chair
Washington State Board of Education

ⁱ For context, read the Tacoma News Tribune article on this topic here (retrieved August 13, 2013): <http://www.thenewstribune.com/2013/07/07/2668662/money-aside-legislature-missed.html>