

September 10-12, 2013  
Educational Service District 105  
Yakima, Washington

## **State Board of Education (SBE) Board Meeting Minutes**

### **September 10, 2013**

Members Attending: Acting Chair Mary Jean Ryan, Mr. Bob Hughes, Ms. Connie Fletcher, Ms. Judy Jennings, Ms. Mara Childs, Mr. Eli Ulmer, Mr. Peter Maier, Ms. Cindy McMullen, Ms. Isabel Munoz-Colon, Mr. Kevin Laverty, Ms. Phyllis (Bunker) Frank, Ms. Kris Mayer (12)

Members Excused: Mr. Randy Dorn, Mr. Tre' Maxie, Ms. Deborah Wilds (3)

Staff Attending: Mr. Ben Rarick (1)  
8:00-12:00

Staff Attending: Mr. Ben Rarick, Mr. Jack Archer, Ms. Denise Ross, Ms. Linda Drake, Ms. Sarah Lane, Mr. Parker Teed, (6)  
12:00-4:00

The meeting was called to order at 8:00 a.m.

### **Welcome from Steve Myers, Superintendent, Educational Service District 105**

Mr. Steve Myers offered welcoming remarks. He praised the State Board of Education for their work on the behalf of children and K-12 education.

### **Facilitated Retreat Discussion, Small Workgroups on Select Topics**

Mr. Jevon Powell, facilitator from Scontrino-Powell, introduced the morning activities. The Board worked in small groups on getting to know each other, developed shared group norms, and selected topics. The selected topics included 2014 policy, legislative, and communication and engagement goals.

### **Lunch**

## **Discussion of SBE Strategic Plan & Legislative Priorities**

Mr. Ben Rarick, Executive Director

Ms. Sarah Lane, Communications Manager

Staff presented WaKIDS, K-12, and postsecondary data to provide a snapshot of the current health of the education system in Washington.

The following indicators were discussed during the presentation:

- WaKIDS – Percentage of students demonstrating characteristics of entering kindergartners, opportunity gap starting in entering kindergartners;
- 4<sup>th</sup> Grade Reading – Gaps persist in achievement and growth, comparison of Washington NAEP scores to other states, use of NAEP as a proxy to Common Core State Standards (CCSS) to foresee a drop in test scores during the transition to CCSS;
- 8<sup>th</sup> Grade Math – Gaps persist in achievement and growth, comparison of Washington NAEP scores to other states, use of NAEP as a proxy to CCSS to foresee a drop in test scores during the transition to CCSS;
- Graduation rates – Opportunity gaps between subgroups persist, but Washington is close to Massachusetts, Global Challenge states, and the national average;
- Postsecondary education, training, and employment – Relatively similar rates of students going to college from year-to-year around 60%. There is a need to collaborate to produce the data for 5491;
- Remediation rates – Two-year colleges have a vastly different percentage of students enrolled in remedial classes than four-year colleges. Alignment can be improved by high school tests and community college entrance tests matching up.

The following topics were addressed during the presentation and board discussion:

- Characteristics of achievement and growth gaps, particularly the fact that achievement gaps have not been closed because there is also a gap in growth rates;
- The possible drop in percentage of students meeting standard and the need for “re-basing” during the transition to CCSS;
- Aiming to be the state that others look to for best practices and excellence in education.

Staff updated the Board on the Strategic Plan. Board members reviewed progress made toward the 2011-2014 strategic plan goals and discussed emerging areas of SBE work. The revised plan incorporates the same goals as the prior version, but adds new sections to reflect the board’s work on charter school implementation and ESSB 5491 goal setting.

Staff summarized the following documents:

- Two-month dashboard
- Annual progress chart
- Strategic plan with comments

- Major board achievements
- SBE accomplishments from 2013

Following the presentation, board members discussed the following administrative issues:

- Budget and managerial challenges of SBE
- Challenges with breadth and depth of knowledge on educational issues (i.e., available “mental bandwidth”)
- Board members requested that professional development opportunities should be made available to them.

Members discussed the following potential priorities for the 2014 Legislative Session:

- A rebranded 24-credit graduation requirement
- Funding for professional development of educators
- 180-day waivers.

### **Education Tour at Yakima Valley Museum**

Board members toured the Yakima Valley Museum guided by Mr. John Ball, director of the Yakima Valley Museum. The museum offers many exhibits showing the educational, economic, cultural, and geological history of the Yakima Valley. Members had the opportunity to learn about how the museum educates children on the lives of previous generations in the Yakima Valley.

**Meeting adjourned at 4:00 p.m.**

### **Wednesday, September 11, 2013**

Members Attending: Acting Chair Mary Jean Ryan, Mr. Bob Hughes, Ms. Connie Fletcher, Ms. Judy Jennings, Ms. Mara Childs, Ms. Deborah Wilds, Mr. Peter Maier, Ms. Cindy McMullen, Ms. Isabel Munoz-Colon, Mr. Kevin Laverty, Ms. Phyllis (Bunker) Frank, Ms. Kris Mayer (12)

Members excused: Mr. Randy Dorn, Mr. Tre Maxie, Mr. Elias Ulmer (3)

Staff Attending: Mr. Ben Rarick, Mr. Jack Archer, Ms. Denise Ross, Ms. Linda Drake, Ms. Sarah Lane, Mr. Parker Teed, Ms. Colleen Warren (7)

The meeting was called to order at 8:00 a.m. by Acting Chair Mary Jean Ryan, who then requested a moment of silence in remembrance of the lives lost on September 11, 2001.

### **Consent Agenda**

Items on the Consent Agenda for this meeting included:

#### **Approval of Minutes for the July 10-11, 2013 Board Meeting**

Motion made to approve the consent agenda.

Motion seconded.

Motion carried.

### **Student Presentation**

Ms. Mara Childs, Student Board Member

Ms. Mara Childs presented on her educational, social, and extracurricular experiences in the K-12 system.

Following the student presentation, members noted a letter they received from a student requesting support of anti-bullying policies. Members offered support of a resolution on anti-bullying. Student members and staff will draft a resolution that will be considered at the November board meeting.

### **OSPI Briefing on Progress of Required Action Districts**

Ms. Linda Drake, Director of Research

Mr. Andrew Kelly, OSPI, Assistant Superintendent of Student and School Success

Ms. Maria Flores, OSPI, Associate Director of Innovation, Research and Policy

OSPI staff presented an update on Required Action Districts as required by law. The RADs (Morton School District - Morton Junior/Senior High School, Soap Lake School District – Soap Lake Middle/High School, Onalaska School District – Onalaska Middle School, and Renton School District – Lakeridge Elementary School) are currently employing Required Action Plans in an effort to improve student achievement. OSPI staff provided an overview of the RADs' performance through an analysis of 2013 assessment data. In addition to monitoring SIG fund spending, OSPI is monitoring school improvement plans and providing feedback on how the RAD interventions are making a difference. OSPI staff presented information on how OSPI supports RADs and the communities that those schools serve. OSPI has focused energy on improving instructional practices and changing the learning environment within the school. OSPI uses a collaborative process that makes use of coaches to improve instructional practice and offers TPEP training.

OSPI staff stated that the following were top lessons learned from the RAD improvement process:

- Support must be different and flexible based on the needs of students.
- Required Action District intervention was originally based on compliance but it has shifted to reviewing intervention and turnaround strategies. OSPI's focus has shifted from inputs to outcomes, comparing the planned change to what actually happened during the intervention, making OSPI able to provide targeted support.
- Great teachers, great schools, and district leadership are the most important factors in student outcomes.

Staff updated the Board on the Accountability Framework. The Board is required by ESSB 5329 to provide policy guidance on moving RADs from RAD Level I to RAD Level II and exit criteria for leaving RAD status. Staff presented a timeline of the next three months and the next three years.

Staff summarized the following feedback from the Achievement and Accountability Workgroup (AAW):

- AAW members favored flexible support to schools.
- In entering and exiting the Persistently Lowest Achieving (PLA) list, the AAW members preferred a definite standard rather than a normative standard, which could lead to schools moving in and out of the PLA list based on other schools' performance.
- AAW members were concerned with the fallout from implementing CCSS.

Staff summarized the AAW feedback on goal-setting for ESSB 5491:

- A goal for the WaKIDS indicator should not be set until longitudinal data are available.
- An aspirational goal of 100% should be set for graduation rate, fourth-grade reading, and eighth-grade math, but realistic goals should be set to encourage incremental gains toward 100%.
- Significant interagency collaboration is needed to develop the definitions and datasets for the postsecondary indicators.

Staff summarized the following components of the Accountability Framework:

- School and System Indicators
- Intervention and Support
- Standards and Assessment.

Later in the year, staff will update the board on the other two components of the Accountability Framework:

- Performance Levels
- Reporting System.

Board discussion followed on:

- The current condition for leaving RAD status is the exit from the PLA list, a normative target.
- The possibility of a criterion-referenced goal for leaving RAD status instead of the current normative target
- How funding is distributed
- Turnaround strategies
- The reality that some indicators of school quality improve while other indicators do not. For example, the percentage of students graduating may increase while the percentage of students meeting standard in math may decrease at a RAD school.
- The possible identification of a new cohort of RAD schools.

## **Development of a School Performance Accountability Framework**

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Mr. Ben Rarick, Executive Director  
Ms. Linda Drake, Director of Research  
Mr. Greg Lobdell, CEE, President, Director of Research

Mr. Greg Lobdell presented on goal-setting for ESSB 5491. He summarized three critical issues for guidance: 1) methodology: discussion on endpoint (starts with desired endpoint) vs. base-plus (formula creates the amount of change in a period of time) goal selection methodology; 2) handling the transitions: discussion on the need to re-calibrate for CCSS and Smarter Balanced Assessment Consortium (SBAC) assessments; 3) timelines: discussion of timelines for goals given the overall theory of action vis-à-vis McCleary.

Mr. Lobdell offered detail on limitations and longitudinal characteristics of the data that will be used for the indicators required by ESSB 5491. He examined the stability of data sources, the baselines for each indicator, and the data acquisition methodology of each indicator. He stated that there will be a need for re-calibration over time and provided a timeline for a phased-in approach for goal-setting. He offered recommendations: 1) the use of endpoint methodology is warranted; 2) phased-in approach with re-calibration when new data is available from SBAC assessments; 3) goals should be set with a relationship to the McCleary decision and the full implementation of full-day kindergarten.

Staff updated the board on elements of the accountability framework including:

- The revised Index
- E2SSB 5329 process and timeline for school and district designations
- The definition of “recent and significant progress”
- The Achievement and Accountability Workgroup
- Options for ESSB 5491 indicators
- HB 1450 and transition to CCSS Assessments.

Board discussion followed on:

- The message that the Board would like to send during goal-setting
- The question of whether goals should be realistic or aspirational given the balance between resources and ideals
- The metrics used in the Washington Student Achievement Council (WSAC) Road Map and the Governor’s Results Washington plan
- Board members requested a crosswalk comparing ESSB 5491 indicators to the metrics used in Results Washington and the WSAC Road Map.

Key next steps for the Board include drafting rule language on how SBE decides on RAD Level II designations, how SBE decides on Level II action plan approval, and formalizing a timeline.

### **Update on rule-making to implement Senate Bill 5329**

Mr. Andrew Kelly, OSPI, Assistant Superintendent of Student and School Success  
Ms. Maria Flores, OSPI, Associate Director of Innovation, Research and Policy

Ms. Robin Munson, OSPI, Assistant Superintendent for Assessment and Student Information (by video conference)

Via K-20 video conference, Ms. Robin Munson provided information on the transition to SBAC testing. OSPI staff presented options that are being used to address double-testing issues during the field-testing of the SBAC. OSPI staff summarized accountability issues with transitioning to CCSS assessments, including calculating Student Growth Percentile (SGP) for schools that are field-testing the SBAC. OSPI staff stated that the Mr. Damian Betebenner, Index consultant, is confident that SGP can still be calculated for schools that are not field-testing the SBAC. For schools that are field-testing the SBAC, the SGP data from 2011-2012 will be carried forward through 2012-2013. Board members discussed the details of field-testing and the calculation of SGP during the transition to CCSS.

Staff updated the Board on the discussions with the U.S. Department of Education on the approval of the Achievement Index. Staff summarized the proposal to use an Ever-ELL cell in the Achievement Index, and reported that the U.S. Department of Education has indicated that such an approach is unlikely to be approved. Staff recommended that a two-cell ELL approach (current and former) be used while collaboration between states develops in support of the Ever-ELL cell. Board discussion followed on the approval process of the Index by the U.S. Department of Education.

Staff presented information on the development of an accountability framework proposal. Staff offered a timeline of the Required Action District Level I and Level II process. Staff described the relationship between OSPI and SBE throughout the Required Action District process.

Staff asked the Board to discuss how the policy decisions about Required Action Districts will be presented to the Required Action Plan Review Panel. Staff suggested a 45-day window for comment on the policy decisions. Staff asked Board members to discuss what constitutes “recent and significant progress.”

Board members discussed the following:

- Concerns with turnaround strategies and interventions
- The current normative condition of exiting the bottom 5% for the Persistently Lowest-Achieving (PLA) list in order to exit RAD status
- The relationship between SBE, OSPI, and the Legislature during the RAD process
- Board members requested the membership list of the Required Action Plan Review Panel from E2SSB 5329.

Key next steps include drafting rule language on how SBE decides on RAD Level II designations, how SBE decides on Level II action plan approval, and formalizing a timeline.

Staff described the elements of the accountability framework coming together through the Achievement Index, system-wide indicators, and the Required Action District process.

Staff provided an overview of the connection between ESSB 5491 and E2SSB 5329. Although the pieces of legislation are distinct, they come together to form an Accountability Framework. On ESSB 5491, SBE is collaborating with other agencies to establish system-wide indicators and goals. On E2SSB 5329, SBE is providing guidance to OSPI to hold persistently lowest-achieving schools accountable.

OSPI staff presented on rule-making for “Challenged Schools in Need of Improvement” Criteria and summarized E2SSB 5329 rules. There will be an online feedback form prior to the public hearing. The rules will have to align with federal rules on Title requirements. During implementation of E2SSB 5329, OSPI will look at three years of data and all school subgroups. OSPI will engage with stakeholder groups during rule-making.

OSPI staff asked board members to discuss the following question: “Given the creation and implementation of the Index, the implementation of E2SSB 5329, and moving forward with the ESEA Flexibility Request, what are your hopes and fears connected to our work as a state system?” Board members were asked to share their answers in small groups and, later, as a large group. The hopes and fears were recorded for the use of SBE and OSPI staff in moving forward with the Accountability Framework.

## **Public Comment**

Ms. Maria Flores, representing EOGOAC, read a letter from the EOGOAC regarding the representation of subgroups affected by the opportunity gap in the Achievement and Accountability Workgroup (AAW).

Ms. Marie Sullivan, representing WSSDA, covered the following:

- Invited members to attend WSSDA regional meetings and partner with WSSDA on important issues.
- Reviewed the recent letter from the WSSDA and WASA executive directors to the SBE that requested that the SBE:
  - Consider a different waiver process to dialogue with districts;
  - Hold broader conversation with districts
  - Partner with WSSDA and WASA for long-term planning on instructional days and professional development.
- Stated that the 24-credit graduation requirements are not fully funded. She welcomed a dialogue with SBE about the implementation and funding of the 24-credit graduation requirements.

Ms. Wendy Rader-Konofalski, representing WEA, and Ms. Jamie Downing, a teacher at Grandview School District, offered feedback on School Improvement Grants (SIG) and encouraged the Board to hear from students and teachers more often. Grandview High School received a SIG and was able to fund an extended school day, summer school, and extracurricular activities for students. Ms. Downing stated that the SIG funding allowed for impressive academic gains. Ms. Rader-Konofalski stated that the SIG schools were competitive and the RAD schools were mandatory. Ms. Rader-Konofalski summarized the results of listening sessions with educators at SIG schools. The booklet

of results from listening sessions and recommendations is called “Improving Student Achievement in High Poverty Schools: Lessons from Washington Schools.” Ms. Rader-Konofalski recommended that the Board hear from students and teachers more often.

## **Lunch**

## **Public Hearing**

Ms. Kajmere Houchins, a student from the Federal Way School District, petitioned the SBE to issue a resolution to have students participate in conversations and training on anti-bullying policymaking. She requested a resolution that would require all Washington schools to have students included in discussions on bullying in their schools.

## **Executive Session for the Purpose of the Executive Director Evaluation**

### **Call for Nominations to the Executive Committee**

Ms. Mary Jean Ryan, Acting Chair

Board members decided that, during business items, they would move to suspend Article IV, Section 3, (1) of the Board’s Bylaws to allow for officer elections to take place at the November 2013 meeting. Ms. Phyllis “Bunker” Frank will be the nominations chair for the Executive Committee. She requested that nominations be submitted to her by November 1, but offered clarification that board members were not required to do so. Board members requested that staff provide them with a document on the rules and procedures for nominations.

### **Charter School Authorizer Application - Spokane Public Schools**

Mr. Jack Archer, Director of Basic Education Oversight

Spokane School District submitted a charter authorizer application to the SBE by the required July 1, 2013, due date for consideration for approval in calendar year 2013. A high-quality team of evaluators reviewed the application, assigned a rating to each part based on criteria in adopted SBE rules, and interviewed school district representatives. The board reviewed the evaluation of the application and district responses in the interview, and discussed whether to approve or deny the application. Staff recommended approval of Spokane’s application. If the application is approved, staff will work with Spokane school district to develop an authorizing contract by the required date of October 11, 2013. Board members requested to see the contract and provide feedback before it is finalized.

Staff summarized the application and approval process for authorizer applicants. Staff covered the following five elements of the Spokane authorizer application:

- Strategic Vision for Chartering
- Capacity and Commitment
- Draft Request For Proposal (RFP)
- Draft Performance Framework

- Draft Renewal, Revocation, Nonrenewal Processes

### **Charter School Rules and Public Hearing**

Mr. Jack Archer, Director of Basic Education Oversight

Mr. T.J. Kelly, Director of School Apportionment & Financial Services, OSPI (by video conference)

Staff reported on the charter school rule-making process and the status of charter school rules in Washington. Staff introduced the Board to the need for future work on rule-making about oversight on charter schools. In particular, upcoming board work includes rule-making on charter school termination or dissolution.

Each charter authorizer, whether a school district or the Washington Charter School Commission, is required to submit an annual report to the SBE. At its July 2013 meeting the Board approved the filing of a CR 102 on proposed WAC 180-19-210, which:

- Sets the date by which the report must be submitted,
- Specifies the required information that must be submitted in the report, and
- Establishes the form and manner in which the report must be submitted.

The SBE has solicited public comment on the rules through its public website, e-mail outreach to a broad list of interested parties including education organizations, and communication with the Washington Charter School Commission.

OSPI prepared a fiscal impact statement on the proposed rules as required by RCW 28A.305.135. Mr. T.J. Kelly presented the fiscal impact statement via K-20 video conference. Mr. Kelly said the fiscal note was developed through outreach to school districts about the financial impact. OSPI staff stated that the rule has no fiscal impact.

The Board received public comment from Mr. Steve Sundquist, Chair of the Washington Charter School Commission, that the rules are thorough, balanced and realistic. Mr. Sundquist requested that the Board add a requirement for charter schools to report on organizational performance and compliance.

### **Upcoming Board Work: Option Two Waiver Report and Charter School Rule-Making**

Mr. Jack Archer, Director of Basic Education Oversight

**Charter School Rule-Making:** Staff said the SBE has two essential duties for the charter school law. The first is to review and approve or deny applications by school districts to be authorizers of charter schools. The second is to oversee the performance of school districts it has approved to be authorizers. Over the next few months the board will initiate rule-making on oversight of district authorizers

RCW 28A.710.120 establishes the responsibility of the SBE for authorizer oversight. Subsection (7) requires the State Board to establish timelines and a process

for taking action under this section in response to performance deficiencies by an authorizer.

Timelines may need to address:

- The opportunity afforded an authorizer to respond and remedy identified problems, after notification by the SBE;
- The “reasonable amount of time” before the SBE, if the authorizer persists in violating a material provision of a charter contract or its authorizing contract, or fails to remedy other identified problems, notifies it that it intends to revoke its chartering authority.

Processes that may need to be established in rule include:

- Receipt and investigation of complaints about an authorizer or its charter schools;
- Special reviews by the SBE, in response to persistently unsatisfactory performance of an authorizer’s portfolio of charter schools, a pattern of well-founded complaints about the authorizer or its schools, or other objective circumstances.
- Notification of the authorizer of identified problems and, if warranted, intent to revoke chartering authority.
- Transfer of a charter contract to another authorizer, in the event of revocation of the authorizers’ charting authority.

**Option Two Waiver Report:** RCW 28A.305.141 authorizes SBE to grant waivers of the basic education requirement of a minimum 180-day school year to no more than five small school districts “for purposes of economy and efficiency” (Option Two Waivers). The statute directs SBE to make a recommendation to the education committees of the Legislature by December 31, 2013, regarding whether the program of economy and efficiency waivers should be continued, modified, or allowed to terminate when the statute expires on August 31, 2014.

The board discussed what information they will need to make a recommendation regarding whether the “Option Two” program should be continued beyond the statutory August 31, 2014 expiration date, modified, or allowed to terminate as scheduled.

## **Board Discussion**

Staff highlighted major policy issues:

- Option 2 Waiver: Economy and Efficiency Waivers Study (presentation upcoming in November)
- Charter School Rule-Making (for instance, operationalizing oversight role)
- ESSB 5491 Goals (and alignment with WSAC Road Map and Results Washington).
- Ever-ELL Issues with US ED Index Approval (ELL and Former-ELL versus Ever-ELL)
- Stakeholder Engagement (EOGOAC letter)

- 24-Credit Graduation Requirement

Discussion of these policy issues and next steps followed.

## **Business Items and Discussion**

### Change of Mr. Ben Rarick's salary level

Motion made to increase the SBE Executive Director salary to \$125,000 effective September 1, 2013, for exceptional service to the Board

Motion seconded.

Motion carried.

### Private Schools for the 2013-2014 School Year under RCW 28A.195.040 and Chapter 180-90 WAC

Motion made to approve the schools submitted by the Superintendent of Public Instruction set forth on pages 202 to 206 of the Board's packet as Private Schools for the 2013-2014 Academic School Year.

Motion seconded.

Motion carried.

### Approval of the Charter Authorizer Application for Spokane Public Schools

Motion made to approve Spokane Public School District Board of Directors as a charter school authorizer under RCW 28A.710.090, with direction to the executive director to execute an authorizing contract under (4) of this section that includes, as additional performance terms, completion of a request for proposals that fully meets the requirement of RCW 28A.710.130(1)(b) for criteria that will guide the decision to approve or deny a charter application, and demonstration of a fully articulated plan for ongoing monitoring, oversight, and reporting on school performance.

Motion seconded.

Motion carried.

### Approval of the 2013-2015 Budget

Motion made to approve the SBE Budget for 2013-2014 subject to the executive director's authority to make adjustments subject to the review of the executive committee.

Motion seconded.

Motion carried.

### Nominations of Officers to the Executive Committee

Motion made to suspend Article IV, Section 3, (1) of the Board's Bylaws to allow for officer elections to take place at the November 2013 meeting.

Motion seconded.

Motion carried.

Motion made to appoint Phyllis Bunker Frank as the nominations chair for the Board's Executive Committee officer elections.

Motion seconded.

Motion carried.

**The board meeting was adjourned at 3:45.**

### **Thursday, September 12, 2013 Site Visits**

Members Attending: Mr. Bob Hughes, Ms. Connie Fletcher, Ms. Judy Jennings, Ms. Deborah Wilds, Mr. Peter Maier, Ms. Cindy McMullen, Ms. Isabel Munoz-Colon, Mr. Kevin Laverty, Ms. Phyllis (Bunker) Frank, Ms. Kris Mayer (11)

Members excused: Mr. Randy Dorn, Mr. Tre Maxie, Mr. Elias Ulmer, Ms. Mara Childs (4)

Staff Attending: Mr. Ben Rarick, Mr. Jack Archer, Ms. Denise Ross, Ms. Linda Drake, Ms. Sarah Lane, Mr. Parker Teed, (6)

Yakima Superintendent Dr. Elaine Beraza provided a tour of several Yakima public schools' programs and classrooms. The itinerary included stops at Eisenhower High School, Adams Elementary and Yakima Valley Technical Skills Center. Members had the opportunity to engage with educators and students, observing firsthand the programs Yakima employs to improve student achievement.

### **Pre-briefing at the Yakima School District Training Room**

#### **Eisenhower High School**

#### **Adams Elementary School**

#### **Yakima Valley Technical Skills Center**

Lunch provided by Yakima Technical Skills Center

The meeting was adjourned at 1:00 p.m.