



# THE WASHINGTON STATE BOARD OF EDUCATION

Governance | Accountability | Achievement | Oversight | Career & College Readiness

January 8-9, 2014  
New Market Skills Center  
Tumwater, Washington

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

### January 8, 2014

Members Attending: Chair Dr. Kristina Mayer, Mr. Bob Hughes, Ms. Connie Fletcher, Ms. Mara Childs, Mr. Tre' Maxie, Mr. Peter Maier J.D., Ms. Isabel Munoz-Colon, Ms. Judy Jennings, Ms. Mary Jean Ryan, Ms. Phyllis Bunker Frank, Dr. Deborah Wilds, Mr. Kevin Laverty, Mr. Eli Ulmer, Ms. Cindy McMullen J.D., Mr. Randy Dorn (15)

Staff Attending: Mr. Ben Rarick, Mr. Jack Archer, Ms. Denise Ross, Ms. Linda Drake, Ms. Sarah Lane, Mr. Parker Teed, Ms. Julia Suliman, Dr. Andrew Parr, Ms. Colleen Warren J.D. (9)

The meeting was called to order at 8:10 a.m. by Chair Kristina Mayer.

Executive Director of New Market Skills Center, Ms. Kris Blum, thanked the Board for coming to the Skills Center. She offered background on the New Market Skills Center and the educational opportunities provided by skill centers to students. She noted the importance of course equivalencies to allowing students to invest a significant portion of their school day at the Skills Center. In particular, she emphasized the importance of establishing course equivalencies in math so that students are able to attend skill centers and voiced concern on the possibility of students being held back due to Collection of Evidence in math.

### Consent Agenda

**Motion** was made to approve the Consent Agenda as presented:

- November 14-15, 2013 Board Meeting Minutes

**Motion** was seconded.

**Motion** adopted.

### Strategic Plan Dashboard Update

Ms. Sarah Lane, Communications Manager

Ms. Lane presented the SBE dashboard and executive summary highlighting the progress made on the Board's 2013-2014 strategic plan goals since the November meeting. Progress made included soliciting feedback on both charter school authorizer oversight draft rules and accountability framework draft rules, meeting with various stakeholder groups and legislators to discuss the 24-credit graduation requirement framework, work with OSPI to develop a visual display of statewide indicators of education system health, and submission of Option Two waiver analysis and statewide indicators of education system health reports to the Legislature.

Future work for the next six months includes writing rules for graduation requirements upon anticipated adoption by the Legislature, continued work for SB 5491, competency-based credits, setting cut scores for biology collection of evidence, additional charter school rule writing, refine and review charter school rules previously written by the Board, math and science equivalency, and accountability work for RAD level I and II action plans.

### **Discipline Data**

Ms. Julia Suliman, Policy Analyst

Mr. Tre' Maxie, Board Member

Ms. Lori Lynass, Executive Director, Northwest Positive Behavioral Intervention & Supports Network

Mr. Jack Arend, Principal, Peter G. Schmidt Elementary, Tumwater SD

Mr. Kurt Hatch, Principal, Mountain View Elementary, North Thurston SD

Staff investigated the feasibility of including a discipline indicator as a statewide indicator of educational system health. Ms. Suliman provided a background of discipline issues in Washington state and the impact suspensions and expulsions have on student learning. According to an independent study by Washington Appleseed and TeamChild, of the students expelled from school in the 183 districts that submitted data, only seven percent received educational services while expelled. This rate was decreased further for low income and students of color, which contributes to the achievement gap in Washington state.

Student-level data collected for the first time by OSPI in the 2012-2013 school year revealed disproportionate discipline rates by race/ethnicity, income group, and special education status. The data also revealed that most suspensions or expulsions are reported for "other" behaviors. Challenges with the data include the large percentage of unknown behaviors reported as "other;" that interventions will vary by teachers and districts for the same behavior; and how the student behaviors are categorized may also vary by school and district. This leads to inconsistent reporting in the CEDARS collection files. Even though more data categories will be added to CEDARS collection by the Student Discipline Task Force for the 2015-2016 school year, the inconsistency in reporting by schools and districts will likely persist.

The Board reviewed the following information:

- The percentage of student behaviors, including those suspended or expelled, in various categories such as bilingual, special education, income, and race and ethnicity.
- Interventions types
- Potential data uses and considerations

Ms. Lynass shared some techniques schools from across the state and nation are using within the Positive Behavior and Intervention Support (PBIS) framework, a tiered behavioral intervention system.

Mr. Arend shared that Peter G. Schmidt Elementary school is currently in its seventh year of PBIS implementation and sixth year of using School Wide Information System (SWIS) resulting in a seventy-five percent reduction in office referrals. Mr. Arend presented data collected from the school's kindergarten classes based on behavior problems, referrals, location of incident and intervention.

Mr. Hatch shared that Mountain View Elementary has implemented PBIS and believes it to be a valuable system. The collection of data capturing suspensions and expulsions for students of color has been a

challenge. Data from the CEDARS system provides the number of suspensions for a subgroup, but does not specify if the suspensions were for a specific student or several students. Data by School Wide Information System (SWIS) is more effective because it is designed for the user to create notes for each incident resulting in the capture of intervention history, resources invested, and outcome information for a particular student.

With only a reported seven percent of suspended or expelled students receiving educational services, members were concerned students are not being served. Member Maxie suggested a resolution be adopted encouraging districts to review and revise their school policies for intervention and student discipline.

### **Accountability System Design Review & Discussion**

Mr. Andy Kelly, Assistant Superintendent, OSPI

Ms. Maria Flores, Program Manager: Accountability Policy and Research, OSPI

Ms. Chriss Burgess, K-8 Turnaround Director, OSPI

Mr. Travis Campbell, K-12 Director, OSPI

Mr. Randy Dorn, Superintendent, OSPI

E2SSB 5329 gave the State Board of Education (SBE) and the Office of the Superintendent of Public Instruction's (OSPI) Office of Student and School Success new responsibilities in the state accountability system. Major components of the legislation include elimination of Title-eligibility as a criterion for services, extending school improvement models beyond the federal models and establishing Level II required action. One responsibility of the SBE in the legislation is to propose rules for an accountability framework. OSPI's responsibility was to create an accountability system design and submit the system design review to SBE for recommendations by January 1, 2014. OSPI submitted the system design to the Board at the November 2013 board meeting and the Board responded with a letter to Superintendent Dorn dated December 10, 2013.

The Office of Student and School Success presented at the January meeting with the consideration of the following questions and concerns addressed in the letter:

- Does the accountability system design align with the guiding principles articulated by the SBE in proposed amended rules to WAC 180-17?
- How are the concerns of the Board expressed in the December 10, 2013 letter addressed in the accountability system design?

Ms. Drake introduced the purpose of the presentation as providing answers to questions and concerns that were raised in the SBE response letter to OSPI on the accountability system. The goal of this work on the accountability system is to provide clarity to the public and to stakeholders.

Superintendent Dorn noted that few people have actually turned around schools. He voiced confidence that the staff members in the Office of Student and School Success are people who have turned around schools. He noted that Washington schools have outperformed national averages for low-performing schools. He also noted that the state has resources for school improvement including federal School Improvement Grant (SIG) money. When a Title I school is not a SIG or Required Action District (RAD) school, he feels that Title I dollars are really improvement dollars but have come to be maintenance dollars. He expects that those Title I dollars should improve schools. He stated that OSPI and the Office of Student and School Success have been moving away from a siloed approach and coordination between OSPI divisions has improved.

Mr. Kelly introduced Office of Student and School Success staff and noted that the work on the accountability system is in concert with other divisions of OSPI. He then directed members to the OSPI response letter on page 58 and 59 of the board packet that covered the following elements of the SBE letter to OSPI:

1. Overarching business strategy
2. Resource allocation strategy
3. Differentiated actions taken at each level of support
4. Plan for sustainability
5. Development of action plans

### **1. Overarching business strategy**

Mr. Kelly and Ms. Flores walked the Board through the visual displays of the accountability system design that were included in the additional materials. One visual displayed the increasing state role as schools move up the accountability design pyramid. One visual displayed the Theory of Action, a logic model that depicts the process of promoting school success. One visual showed the Synergy System Design, a state-approved improvement model that is one way to achieve the goals of the Theory of Action in addition to the four federal improvement models. This visual offers greater detail on the increase of directed actions and less local autonomy as schools and districts move up the accountability design pyramid.

- Members felt that the Board should play a role in the outcomes section of the Theory of Action. As a system oversight body, the Board should set goals and watch for improvement in student outcomes. The Board should ask, “As a result of all of this school improvement work, is the system getting better and, if not, what is the course-correction?”
  - Mr. Kelly agreed and said that implementation science is very important to school improvement. The Office of Student and School Success is partnering with Education Northwest to work on a regression continuity design study. Also, adequate growth is an important measure of improvement.
- A member stated that feedback from the Office of Student and School Support on the Board’s evaluation of the accountability process would be useful and appreciated.
  - Mr. Kelly noted that the improvement of schools and districts lies with the schools and districts. He asked that the State Board of Education provide feedback to the schools and districts on how to improve.
- In regard to the Theory of Action, a board member felt that students will not improve if they are not engaged and don’t see themselves as learners.
  - Mr. Kelly noted that there is a visual that addresses that concern and that student engagement is part of the model.
- With the use of a normative measure of the bottom 5% for Challenged Schools in Need of Improvement, how do we measure the outcomes in the system?
  - Ms. Flores stated that growth is very important to understanding improvement.
- A member liked the concept of courageous leadership. What is the definition of courageous leadership?
  - Mr. Kelly stated that courageous leadership should involve transformational actions, changing the mold.
- A member stated the courageous leadership must go up a notch.

- Superintendents work directly with Mr. Kelly to place coaches. Through this relationship, Mr. Kelly seeks to avoid situations where principals know the right improvements that need to be made but lack the policy influence at the district level to make the right improvements.

## 2. Resource Allocation Strategy

Ms. Flores stated that \$10.2 million has been allocated for E2SSB 5329. The number of Challenged Schools in Need of Improvement will be addressed after receiving the Revised Achievement Index. Approximately, the number of Challenged Schools would include the bottom 5% designated as Priority and an additional 10% as Focus schools. Some other Title schools are required to be served and would be included in that number. She offered a table of tiered resources by level of accountability. This table included approximations of costs, interventions, and services provided by the Office of Student and School Success.

- What will improvement coaches be paid? How will they be recruited? Is there a sufficient employment pool?
  - Mr. Kelly said that there is an administrative limit to staff at OSPI. In addition to Office of Student and School Success staff, there are contracted coaches. These contracted coaches are paid \$600 a day and mileage reimbursement. However, the coaches are not given insurance benefits. Full-time coaches are paid approximately \$80,000 a year. The coach employment pool is limited. However, they are typically retired principals and teachers who have impressive track records of involvement in the school system. Additionally, they have moved towards a performance-based understanding of coach effectiveness.
- What is the indicator point for when schools will improve or not improve? Is it a fair statement to say that a major underlying assumption of the model is how the coaching mechanism is leveraged? Is there importance to the number of coaches, how well they are qualified, and other variables associated with coaching?
  - Mr. Kelly agreed that the coaching element is very important. The two major leverage points have been identified as courageous leadership and transformational teaching for learning. Courageous leadership revolves around the decisions that can be made at the school and how the administrators can become great leaders.
- Ms. Burgess is launching a district-level support network in the spring. At the behest of Superintendent Randy Dorn, resources have been allocated based on density of Challenged Schools in Need of Improvement.

## 3. Differentiated Actions at each Level of Support

- What happens when RAD II does not successfully improve schools? Will the schools be closed?
  - Mr. Kelly believes that schools will improve with the plans and resources provided in this accountability system. He does not believe that schools and districts will fail to improve after being put into RAD II status. However, ESSB 5329 does move in the direction of granting the state the authority to close schools that do not improve after RAD II status. Ms. Flores stated that ESSB 5329 provides for RAD II status as the final place for schools instead of closure. In particular, some schools are in rural areas where

no other schools available to service the students. One of the seven turnaround principles is to have the Superintendent verify that the principal of a low-performing school has the necessary skillset to improve the school.

#### **4. Plan for Sustainability**

- A board member asked about the resources that were allocated by the Legislature and how that funding will sustain the improvement plans over time.
  - Mr. Kelly and Ms. Flores stated that the resources allocated by the Legislature are to start this process of accountability and improvement. More resources will be needed over time and they expect that the Legislature will fund the improvement plans as needed.

#### **5. Development of Action Plans**

- What is used for the planning of school improvement plans?
  - Mr. Kelly stated that the Indistar tool allows the Office of Student and School Success to watch what has been done, expected deliverables, and what resources are being used for improvement.

#### **Next Steps in E2SSB 5329**

Mr. Kelly stated that there would be a maximum of five schools that OSPI recommends to RAD status in March. The next year, if there are RAD II recommendations, it would probably be only one or two schools. Board members voiced their willingness to participate in policymaking in support of the RAD process if there is a need.

#### **Public Comment**

##### **Mr. Tim Knue, Washington Association of Career and Technical Education**

Mr. Tim Knue voiced support for where the Board was heading with graduation requirements during the November meeting. He encouraged the Board to call the "Occupational Education" credit "Career and Technical Education." WAC 180.51.067 describes the standards for what Occupational Education credit is. He stated that the change to the title of "Career and Technical Education" will support the pathway requirements. He requested that the SBE change the name to "Career and Technical Education" in the amended resolution on graduation requirements. He supported the use of the term "Personal Pathways," but he suggested going back to the original definition of career concentration. He clarified the use of the term "cross-crediting" by Kris Blum, Executive Director of New Market Skill Center, during the morning introductions. For loose conversation, "cross-crediting" is alright. For official purposes, "course equivalency" is the term that should be used. He asked the Board, "What is the purpose of a postsecondary education?" He feels that a very important part of the purpose is gainful employment and meaningful citizenship. He provided written comment.

##### **Ms. Marie Sullivan, Director of Governmental Relations, WSSDA**

WSSDA would ask State Board of Education members to reject the resolution on State Graduation requirements.

1. The State Board has long held that it will not implement 24 credit requirements until funding has been provided to support 24 credits as required by SBE rule. This resolution appears to conclude that funding has been provided for 24 credits.
2. This rebranding is the same frame as was proposed in 2010 – just with slightly different words. We believe it is misleading to claim this is an amended framework when it is virtually the same as proposed in 2010.
3. The resolution concludes with “Be it further resolved that all other changes to the requirements, including initiating the High School and Beyond Plan at the middle school level, will take effect pending legislative authorization and funding.” WSSDA believes that there is no legislative authorization for the existing framework and there are significant fiscal impacts on schools districts which must continue to be considered and funded prior to implementation.

In conclusion, the SBE does not have the authority to move forward with 24 credits. As such, this resolution is premature as written. WSSDA asks you to reject it or rewrite it to:

- Include a clear statement that funding is required prior to implementation, based on the OSPI capacity report, and that legislative authorization is required prior to beginning any rule-making.
- Include a clear statement that districts may adopt the new 24 credit framework, but that implementation shall not be mandatory prior to the class of 2020. (This allows for funding to be included in the 2015-2017 and 2017-2019 operating and capital budgets.)

WSSDA has a bill on professional development. They would appreciate support from SBE. They are requesting funding for all certificated instructional staff to attend two days of instructional development.

**Ms. Wendy Rader-Konofalski and Ms. Ann Randall, WEA**

Ms. Rader-Konofalski introduced Ms. Ann Randall. Ms. Ann Randall has worked with and conducted research on SIG and Roadmap project schools.

What didn't work? Principal and teacher turnover was an issue that prevented School Improvement Grant schools from doing as well as anticipated. This turnover caused problems with implementation of ideas and resources. Also, too many consultants were problematic because there were too many things being attempted.

What did work? They found that doing two or three things well for the course of three years worked. Smaller class sizes worked. Wraparound services worked (e.g., community/parent liaisons, graduation coaches, translators, after school support).

These schools experienced more of what didn't work than what did work. Stable funding mattered. By the third year of a grant, schools sometimes laid off counselors and student-parent liaisons, class sizes increased, and services were cut. The drawdown of resources hampered the success of improvement plans.

In an improvement plan that uses 50% of resources on the coach and 50% directly on schools, it is critical to the improvement plans that schools have the highest caliber coaches in the school. She encouraged the Board to host a panel of teachers from schools under improvement plans.

Moving forward, Ms. Wendy Rader-Konofalski noted that per pupil funding and funding for teachers is low compared to other states. She stated that we can't expect improvement in outcomes with teachers

in overcrowded classrooms who are overworked. We can't expect teachers to compensate for problems that are happening outside of the classroom. There are some very basic issues of getting class numbers lowered, instructional development time, and COLAs funded.

**Mr. Dennis Kampe, Development Director of the Clark County Skills Center Foundation and a Member of the Coalition of Retired CTE Directors**

Mr. Kampe noted that he voiced support for the direction that the Board was heading with graduation requirements at the November board meeting. He stated that whether we call it "Career Concentration" or "Personalized Pathway Requirement," it will work for students. He raised the following concerns with the graduation requirements:

1. Definition of personalized pathway requirement or career concentration is clearer because it will lead students into classes that will lead them into a specific postsecondary career or educational outcome. This definition is what separates Personalized Pathway Requirements from electives.
2. In the written document on Personalized Pathway Requirements, there is no mention of world language credit.
3. The occupational education credit states that it includes career and technical education. He believes it should be changed to "Career and Technical Education" credit.
4. Remove electives and put those credits into a focused plan. Make them into more credits of Personalized Pathway Requirements.

**Ms. Teri Pablo, Yelm CTE Director, WAVA – An Association for Career and Technical Education Administrators**

Ms. Pablo was in support of renaming the "Occupational Education" credit as "Career and Technical Education." The purpose is to prepare them for the variety of postsecondary opportunities, including two-year technical degrees as well as four-year degrees. CTE is preparing students for a variety of occupations through rigorous study that develops leadership and 21<sup>st</sup> century employment skills. They are working towards course equivalencies. There is a need to bridge the gap between what students are doing in class and what they will need to do in their careers. CTE is bridging that gap.

The Legislature tasked OSPI with developing a CTE strategic plan with feedback from parents, teachers, counselors, industry representations, postsecondary officials. Having developed a strategic plan, the first item on their agenda is to ask the Board to change the term "Occupational Education" to "Career and Technical Education."

**Ms. Lara Drew, Edmonds School District**

Ms. Drew thanked the Board for the opportunity to apply for a waiver. She stated that the Edmonds School District firmly believes that teacher quality has the most important impact on student learning. In order to have high-quality teachers, there needs to be more time and opportunity for high quality professional development. The professional development should not just be in the summer. It should provide for the following:

- Ongoing development
- Content and expertise to enhance the teachers' ability to differentiate instruction
- Opportunity for teachers to see each other in action, analyze student learning data, think about intervention strategies, and improve their ability to help students in learning with areas that they are struggling with.



The waivers allow the district the time and opportunity district to do that. It allows them to put resources into expert coaches, content curriculum coordinators and professional development of the highest quality.

**Ms. Linda Mangel J.D., ACLU Policy Director, ACLU of Washington**

Ms. Mangel stated that ACLU of Washington works in collaboration with school districts to comply with federal civil rights law. They have urged schools to move away from suspensions and expulsions and move towards better, newer practices. Over the past year, the ACLU has provided written testimony to the Board to give the same consideration to discipline as graduation, growth, proficiency, et cetera. At a minimum, they ask that suspension/expulsion data be included in educational health indicators. Federal guidance on discipline reminded schools that it is a civil rights issue and that school districts will be held accountable under civil rights if discipline actions have disparate impacts on students of color or students with disabilities. The Seattle and Yakima school districts are under investigation for racial disparity in suspensions and expulsions. They believe that the number of federal investigations will increase, that there is a measurable disparity in all schools, and that the data will show it. There is a policy-level decision that should be made that discipline data should be looked at to discern what districts need support. The federal release also highlighted best practices. She noted that PBIS and restorative justice is working. She stated that 40-80% drop in disciplinary actions when restorative justice is implemented. She asked that 1) discipline data be included in indicators of educational system health, and 2) schools should be made aware of best practices.

**New Market Skills Center Student Presentation**

Board members had the opportunity to watch the culinary arts students of New Market Skills Center prepare and create various meals in a demonstration. Lead students provided a brief presentation on their educational experience and future career goals.

**Basic Education Act Waivers**

Mr. Jack Archer, Director of Basic Education Oversight

The SBE received a request from the Edmonds School District for a waiver renewal under RCW 28A.305.140 of the basic education requirement to make accessible to all students a minimum of 180 days per school year. The request was for five days for school years 2014-15, 2015-16 and 2016-17 for the purpose of professional development. The request will continue for another three years a waiver granted by the Board in March 2011 that expires in the current year. Without renewal of the waiver, the districts indicated, it would have to increase the number of half days on its calendar from the present two to 12 to conduct the same level of professional development activities. Members were asked to make a motion on Thursday during business items.

Staff provided an overview of the waiver application. The district said that they would align the teacher training with TPEP expectations. The district would use the professional development time to increase student growth. Edmonds School District provided their strategy to use the waiver days and data on student achievement over the course of the waiver days. The district would make the appropriate changes to school hours through bargaining to be able to accommodate the 1080-hour requirement.

Staff said that the goals for student performance were not as closely linked to the new waiver application as they could have been and that the gaps between subgroups were not fully addressed.

Members discussed the relationship between waiver days and student performance. A member raised concern that the goals for improvement did not carefully address deficiencies in student performance.

Members asked the following questions:

- Was there sufficient evidence of 30 hours of professional development time?
  - Staff stated the district expressed a commitment to spending the waiver time on professional development.
- Why were district responses to the question on non-student days split into multiple sections on the waiver application? Why was there a mix of district-, building-, and teacher-directed professional development?
  - Staff stated that district responses fell into multiple sections of the evaluation sheet because professional development has been directed at the following levels: district, building, and teacher.
- Were the professional development days listed as optional in the waiver application?
  - Staff offered to follow up with board members and provide more information on the professional development.

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

Mr. Jack Archer, Director of Basic Education Oversight

Mr. T.J. Kelly, Director of School Apportionment & Fiscal Services, OSPI

At the November 2013 meeting the SBE approved for public hearing, with changes, proposed rules to RCW 28A.710.120, concerning oversight by the SBE of the performance and effectiveness of school districts it has approved to be authorizers of public charter schools under RCW 28A.710.090. The rules prescribed procedures for the SBE in carrying out its duties for oversight and provide clarity to districts on how the oversight will be conducted. These included provisions on the following:

- General and ongoing oversight under the authority in subsection (1).
- Special reviews under (2), including definitions of the statutory “triggers,” complaints about an authorizer or its schools, timelines, and results of the review.
- Notice to an authorizer under (4) of identified authorizing problems and opportunities for the authorizer to respond.
- Revocation of the authorizing contract, including definition of the statutory grounds for revocation, notice to the authorizer of intent to revoke, and notice of revocation if the authorizer fails to remedy deficiencies.
- Transfer of charter contracts held by the authorizer, in the event of revocation, to the Washington Charter School Commission.

Mr. Kelly presented the fiscal impact statement on the proposed rules. The statement can be found in the “Charter School Rules Public Hearing” section of the online board packet. In short, the fiscal impact is indeterminate.

Members asked the following questions:

- Were written comments given?
  - Staff responded that four groups provided feedback. The feedback was mostly of a technical nature and will be considered and discussed before adoption.
- What are the details of the agreement process for the transfer of a charter from an authorizer whose authorizing contract has been revoked to the Commission?

- Staff stated that there was silence in the law about the event that agreement is not reached between the charter school board and the Commission. He assumes that it must result in closure of the charter school if agreement is not reached, because a charter school cannot operate without a charter contract.
- If a charter school under the Commission attempts to transfer to a charter school authorizer district, could that be done?
  - Staff said that the Board revoked a district's chartering authority, and then the charters would be given the opportunity for transfer to the Commission. The purpose is to give a charter school the ability to continue to operate if it lost its authorizer. Staff explained that a school district can only authorize a charter school located within its boundaries.

There was no public testimony on the proposed rules.

### **Accountability Framework Rules Public Hearing**

Ms. Linda Drake, Research Director

Mr. T.J. Kelly, Director of School Apportionment & Fiscal Services, OSPI

According to E2SSB 5329, the Accountability Framework "creates a unified system of support for challenged schools that aligns with basic education, increases the level of support based on the magnitude of need, and uses data for decisions." The draft Accountability Framework rules include the following:

1. A timeframe for approval of Level II required action plans.
2. Criteria for assigned districts from Level I required action to Level II required action.
3. Guiding principles that are intended to provide guidance to OSPI in the design of the Accountability System.

### **Fiscal Impact Statement**

Mr. Kelly read the fiscal statement. The total cost is indeterminate because OSPI does not know how many needs assessments will be conducted. The approximate cost of each needs assessment is \$10,000.

### **Wendy Rader-Konofalski, WEA**

In response to comments from the Board this morning expressing some impatience with progress and wanting to see better results from our low performing schools, just want to remind the Board of a few things. Our state is still 46th or 47th in the nation in per pupil funding and we still have the fourth largest class size in the nation. In regards to "transformational teaching," remember it is hard to expect that when teachers and students are in overcrowded classrooms, demoralized by low salaries and overwork without sufficient time for collaboration. We have to stop expecting our teachers to be able to overcome the 80% of a child's life that's outside the classroom. When students are suffering from homelessness, lack of health care, unmet language and cultural needs, ramifications of unemployment in the family, gangs, etc., it makes learning very difficult.

WEA supports accountability but only if it is shared and reciprocal. Fully funded schools, teachers and staff finally getting at least their COLA, decreased class sizes, wraparound services for our students-- that would be the time when impatience might be warranted. We are nowhere near that yet.

### **Legislative Update**

Mr. Ben Rarick, Executive Director

Staff offered a general update on the legislative priorities. Members asked questions and provided suggestions during the update.

### **1080 hours**

- To provide guidance for the field on the 1080 hour requirement, SBE completed a detailed FAQ. There was no rule-writing because the law had not changed on the definition of hours.
  - A member stated that the 1080 hour requirement is a major challenge for some districts and suggested that districts that have made significant progress should be allowed an exemption for the first year of 1080 hour implementation.
  - A member raised concern that snow days could push districts below the 1080 hour requirement because they are right at the minimum threshold of 1080 hours.
    - Staff stated that a snow day, a fire, or another such event would count as an unforeseen circumstance that would still count as hours as long as approval of the unforeseen circumstance is granted under OSPI's formal approval process.
- The Legislature may have caused an unintended consequence with the five-day statutory exemption for seniors from the 180 day year because they will still have to meet the 1080 hour requirement.
  - A member raised concern with the five-day exemption and suggested that flexibility be granted.
    - Staff suggested that a thoughtful response would be to also allow an hour exemption that matches the five-day exemption so that there was not an unintended, contradictory element of the law.

### **Graduation Requirements Modifications**

Members reviewed and discussed the proposed amended resolution on Career- and College-Ready Graduation Requirements that modifies the proposed requirements of the November 2010 resolution. Staff stated that the purpose of the amended resolution is to emphasize both flexibility in student class choices and rigor in the core academic requirements.

- There was concern from skill center directors about the proposed 24-credit graduation requirements framework. After significant outreach to the CTE community, updates to the graduation requirements were made that would not affect the fiscal impact but would provide policy changes. In order to keep the occupational education requirements broad, it is preferable to term it as "occupational education" instead of "career and technical education" so that the courses were not limited to CTE courses that can only be taught by CTE-certified instructors. This would result in a cost increase and that would be problematic because funding of the 24-credit graduation requirements framework is a concern among stakeholders.
  - Two members asked if some future job opportunities are being excluded by the definition of "career and technical education" versus "occupational education." Also, the member wondered if the full range of opportunities is taken care of during the High School and Beyond Planning process.
    - Staff stated that "Occupational education" is inclusive of all "career and technical education" courses and, therefore, offers a wider range of course-taking opportunities for students. Occupational education offers more flexibility while career and technical education is limiting but allows for higher program review standards.
  - A member asked if the resolution would be hinged upon another piece of legislation about course equivalency.

- Staff said no. A board member stated that the 24-credit framework is not contingent upon the course equivalencies.
  - A member voiced concern that the 24-credit framework is very restrictive and does not offer room for exploration.
  - A member stated that this is just a framework. After the framework is enacted, rule-writing would commence. The member warned of the paralyzing effect of looking into every detail of the 24-credit framework before moving forward with bringing the framework to the Legislature.
- Moving forward, the Board should adopt a wider definition of “college” than the traditional four-year institution. The Board should encourage some form of postsecondary education or training.
  - A member showed concern about the process of the High School and Beyond Plan. Since the High School and Beyond Plan already has had problems with implementation, what are the unintended consequences of requiring the Personal Pathway Requirements to be developed using the High School and Beyond Plan.
  - A member stated that students should start off on the four-year path and the student should have well-thought out guidance before opting out of the four-year path.
  - A member raised concern about the definition of a lab science.
- Senator Billig is bringing a bill on summer learning loss to the Legislature. Any conversation about closing the learning gap should include a way of addressing summer learning loss.
  - A board member noted that there has been a difficult time building consensus towards examining the traditional calendar year to combat summer learning loss. If the bill is just about adding a few days to the calendar year, then it is missing a large part of the message of reducing summer learning loss. Another board member read a statement by Senator Billig in support of Ms. Phyllis Bunker Frank’s efforts to address summer learning loss. **A board member moved to add summer learning loss to the legislative agenda. Motion seconded. Motion passed.**

### Course Equivalencies

- There has been attention given to develop course equivalencies so that students can attend Skills Centers without forfeiting the credit because of a lack of course equivalencies. \$300,000 was included in the Governor’s budget and there will be a bill to achieve this objective.
  - A member suggested that flexibility in other areas beyond CTE should be a future improvement. Another member raised concern with the transferability of credits earned from course equivalencies to four-year institutions.

### Quality Education Council Update

- The QEC is interested in aligning system goals from ESSB 5491 and modifying indicators in statute. Members of the QEC offered a positive response to the ESSB 5491 report. The QEC also has system goal responsibilities in statute.
- The QEC is going to support the 24-credit framework and recommend adoption.
- The QEC is supporting the math/science course equivalencies.
- The QEC would like funding of professional development and teacher and principal assistance.

### Next Steps

1. QEC Report to endorse authorization of 24-credit framework, with modifications.
2. Advise Legislature of the Board’s vote to modify the 24-credit framework.

3. Likely two separate bills: one to authorize 24-credit framework and another to pursue course equivalencies.
  - This session, the Legislature may set graduation requirements in statute, or may authorize the SBE to set requirements in rule.
  - In the latter case, SBE will need to do additional rule-writing to make the change in WAC.

### **Board Member Recognition and Student Musical Performance**

Members recognized the contributions and professional accomplishments of departing board members Mr. Jeff Vincent, Ms. Mary Jean Ryan and Ms. Phyllis Bunker Frank. *Listen Up!*, performed four songs to the Board.

Meeting adjourned at 5:15 p.m.

### **January 9, 2014**

Members Attending: Chair Dr. Kristina Mayer, Vice-Chair Deborah Wilds, Ms. Mary Jean Ryan, Mr. Bob Hughes, Ms. Connie Fletcher, Ms. Mara Childs, Mr. Tre' Maxie, Mr. Peter Maier J.D., Ms. Isabel Munoz-Colon, Ms. Judy Jennings, Mr. Eli Ulmer, Ms. Phyllis Bunker Frank, Mr. Kevin Laverty, Ms. Cindy McMullen J.D., Mr. Randy Dorn (15)

Staff Attending: Mr. Ben Rarick, Mr. Jack Archer, Ms. Denise Ross, Ms. Linda Drake, Ms. Sarah Lane, Mr. Parker Teed, Ms. Julia Suliman, Dr. Andrew Parr, Ms. Colleen Warren J.D. (9)

The meeting was called to order at 8:30 a.m. by Kristina Mayer, Chair.

### **Student Presentations**

Ms. Mara Childs, Student Board Member

Mr. Ulmer updated the Board on his plans for attending Running Start then Big Bend Community College. He plans on studying computer networking then applying for Microsoft and Boeing. He is interested in attending WSU in the future.

Ms. Childs presented on what she called "The Darwinian Model," a model of education that spurs competition among students. She critiqued the competitive model of education and its outcomes for students. She stated that the idea of failure leads to quitting when a failing grade is received. She feels that better educational methods can be applied to all subjects. A better method would rely on more application and analytical work; it would rely less on memorization and formulaic thought. She said that less pressure from the competitive model would lead to happier kids who are interested in their studies and would, therefore, have better performance. She feels that less competition and, subsequently, less stress would lead to students being more inclined to help each other and less inclined to cheat.

## **Achievement Index Update**

Dr. Andrew Parr, Senior Policy Analyst

SBE recently received results of the first run of the revised Achievement Index reflecting three full years of data, which the United States Department of Education (USDE) will review for approval. Dr. Parr presented comparisons of the two year composite Index versus the old Index for members to determine the following:

- Is the Index working as intended?
- Is the Index fair?
- Is it accurately identifying schools?
- Do the numbers and correlations what we would expect?
- Are they statistically defensible?

The comparison of the old Index with the revised Index indicated a moderate correlation, reflecting the addition of growth in the revised Index. Dr. Parr stated that he believes the revised Index model based on 60 percent growth and 40 percent proficiency is a balanced ratio that is producing the intended effects.

To eliminate any advantage a school may have because of enrollment, members viewed a graph showing a wide range of Index scores for 2012 school enrollment. Staff determined there is no analytical bias.

Because proficiency was the major component of the old Index, the rating tracked school poverty levels. With growth added to the revised Index, correlation with poverty was considerably lower. The addition of growth has helped in reducing the correlation between school rating and school poverty.

For both reading and math, median SGP increased or decreased in 2012 as compared to 2011 for most schools. School median SGP changes are most likely associated with enrollment changes, staff turnover, and other school/classroom factors. The correlations were somewhat lower than expected leading to the possibility that a subset of schools might be responsible for reducing the overall correlation.

When comparing SGP in reading based on school size for 2011 and 2012, data showed that small groups and schools result in a greater variability regardless of the measure. Averaging reduces the negative impacts of year to year variation.

Dr. Parr's analysis indicated growth is a reliable measure just as proficiency has been. The revised Index is fair, identifies schools correctly and is working as designed. Because minor inconsistencies have been identified in the transition from using 1 year of data to 3 years of data, SBE and OSPI are currently doing face validity for the identifications to determine if the 60/40 ratio is providing the most valid information. Staff expect that many of the inconsistencies will be resolved with the three year Index averaging and the implementation of certain business rules.

Member Maier inquired of the date in which school districts would have access to the data for the full three years. Dr. Parr shared that districts have reviewed elements of the data, but will not receive their Index score until SBE and OSPI have completed the face validity and the USDE has approved the Index

Further staff presentation and board discussion of this agenda item continued in the Board Work Session and Discussion section on Wednesday.

### **Superior Court Decision in *League of Women Voters v. State of Washington***

Mr. Dave Stolier J.D., Senior Assistant Attorney General, Education Division Chief, State Office of the Attorney General

Mr. Stolier reported the *League of Women Voters v. State of Washington* case is still active, on appeal and likely will go before the Supreme Court. Mr. Stolier provided background on Initiative 1240 and details of the constitutional issues put before the court.

Initiative 1240 declared charter schools to be common schools. That provision was challenged as unconstitutional by a coalition of organizations, including the League of Women Voters of Washington. It was argued by the State of Washington that RCW 28A.710.230(1) states charter schools are eligible for state-matching funds for common school construction. The Court determined on December 12, 2013 that charter schools cannot be considered common schools because they are not under the control of voters of the school district. Under this ruling, charter schools will not have access to state-matched funds for construction.

Board discussed the following:

- The meaning of the term “common schools” and its impact on access to local levies
- Different considerations for charter schools that are established by a school district rather than the Charter School Commission

### **Board Work Session and Discussion**

#### **Achievement Index**

Dr. Andrew Parr, Senior Policy Analyst

Mr. Gil Mendoza, Special Programs and Federal Accountability, OSPI

Mr. Andy Kelly, Assistant Superintendent, OSPI

Board discussion continued regarding the review of Index data using the two-year composite. Mr. Mendoza feels providing districts with the Index results now would provide inaccurate and misleading data because it is expected that it could change after face validity and the review from USDE. Because the primary issue will be what schools are included in the priority list, OSPI plans to request a response timeline of two weeks for the priority list component from the USDE.

Mr. Kelly stated there will be delays for the federal School Improvement Grant (SIG) eligible schools. The USDE has already approved OSPI’s use of the priority schools list for potential SIG eligible schools and, if the process finishes, any new schools identified in the revised Index will be eligible for SIG as well.

Board members discussed the importance of growth to reach the end goal of proficiency. There were concerns with communicating growth to teachers who measure it in the fall-to-spring timeline as opposed to the Median Student Growth Percentile (SGP) that the Index uses.

#### **English Language Acquisition Award**

Dr. Andrew Parr, Senior Policy Analyst



Dr. Parr proposed qualification criteria to create an English Language Acquisition Award in a manner that recognizes the increased achievement of English Language Learners (ELLs). The Achievement and Accountability Workgroup (AAW) met on December 9 to discuss the appropriate indicators for the award.

In order to be eligible for the award, the following criteria were recommended by staff:

- School must meet or exceed Title III AMAO 1 and AMAO 2 targets.
- School must meet SGP thresholds (content acquisition as measured on state assessment matters)
- School is not a Priority or Focus School.

Dr. Parr presented data based on SGP scores that would identify various types of schools under different criteria.

The Board discussed the following:

- Grades K-2 are captured in AMAO I data, but not in SGP thresholds. This is a concern because it reduces the number of elementary schools that would be considered eligible.
- All schools addressing ELL issues should be recognized and removing the Priority, Focus and Emerging restriction should be considered. Some of these restricted schools are more likely to have larger populations of ELL students.
- How award recipients can help other schools do well with their ELL population.
- The number of ELL students within a school should be a factor in eligibility.
- Further analysis is needed from staff to determine appropriate eligibility criteria and thresholds.

The Board decided not to make a motion during business items on Thursday and to continue discussion.

### **Public Comment**

#### **Dr. Gil Mendoza, Assistant Superintendent, Special Programs and Federal Accountability**

Dr. Mendoza is looking forward to working with Dr. Parr. He strongly objected to using AMAOs for a language acquisition achievement award. In response to the comparison of the Former-ELL group to the All-Students group, he noted that U.S. Department of Education officials ask to be shown analyses of ELL students by Current-, Former-, and Never-ELL. In that case, the Former-ELL students still outperform Ever-ELL students. Following the federal analysis of ELL students would align the information in the state on ELL students. He suggested using a never-ELL bar chart and comparing the Former-ELLs to that. Priority, Focus, and Emerging students should be focused on language acquisition, AMAO 1 and 2. Moving forward and thinking prospectively, what can we expect of each district? A common metric should be used when answering this question. The intent around the award is laudable and the community that worked on language acquisition should be celebrated. However, there is a notable difference between language construct and language acquisition.

#### **Ms. Michelle Ledbetter, Pierce County Skills Center Director**

Ms. Michelle Ledbetter voiced appreciation to the Board for listening to skill center directors. She advocated for the change from "Occupational Education" to "Career and Technical Education." She stated that the term "Occupational Education" does not represent the rigor of Career and Technical Education courses. She noted that Career and Technical Education classes can lead directly into a four-

year program. She said that skill center directors appreciated the work that has been done by the Board to recognize Career and Technical Education.

Mr. Ben Rarick asked her to explain how she works with course equivalencies. Her skill center serves eight districts and navigates equivalencies with them. It is up to each district as to what courses they will accept and they have differing levels of standards for accepting them. Some districts will give different types of credits for skill center courses. These course equivalency issues have created barriers for kids.

### **Recognition of Teacher of the Year – Ms. Katie Brown, Shuksan Middle School**

Mr. Jay Jordan, Principal, Shuksan Middle School

Ms. Sharece Steinkamp, AVID Coordinator, Teacher, Shuksan Middle School

Ms. Tina Allsop, Seventh Grade Core Teacher, Shuksan Middle School

Board members recognized Ms. Katie Brown and thanked her for her hard work with the ELL population. In her remarks, she emphasized the need for time for teachers to talk to each other. She stated that half-day and early release days are very useful for instructors. She noted that every staff meeting was very important for sharing ideas and improving instructional quality. While answering questions from the Board about her experience at Shuksan Middle School, she emphasized the importance of staff connecting with the families of ELL students and having instructors who can teach in other languages.

### **Additional Board Discussion**

#### **Discipline Petition Letter**

The SBE received a petition for rulemaking on governance of student discipline from TeamChild, Washington Appleseed, League of Education Voters, ACLU of Washington, and the Equity in Education Coalition. Board members discussed the tone and message of a possible response letter. Members voiced concern that they might send an unintended message by simply denying the petition or by sending a bureaucratic response letter. Members stated that they wanted to respond with a supportive, inclusive tone, but that they lacked the authority to make rules on discipline. Members noted that this discipline rulemaking issue is within the authority of OSPI and OSPI will be required by law to respond to the petition. The chair directed staff to work further on the response to the discipline issue. The vice chair requested that the executive committee be involved so that the issue could be addressed by the end of legislative session. SBE must respond to the petition in writing within 60 days.

#### **English Language Acquisition Award**

The Board will seek to explore the English Language Acquisition Award in greater depth. For the English Language Acquisition award, the Board agreed that they would postpone approval of the award so that staff could develop the qualifying criteria further and the Board could delve into further discussion.

#### **Revisions to the Draft 24-Credit Graduation Requirements Resolution**

Board members discussed and made revisions to the draft 24-Credit Graduation Requirements Resolution. These amendments can be found by viewing the draft 24-Credit Graduation Requirements Resolution that was included in the Legislative Update portion of the board packet and the 24-Credit Graduation Requirements Resolution as adopted that is available in the Additional Materials. These documents can be found on the meetings section of [www.sbe.wa.gov](http://www.sbe.wa.gov)

## **Business Items**

### **Approval of ELL Language Acquisition Award**

This motion was removed from the list of business items by the chair.

### **Adoption of 2014 Washington State High School Graduation Requirements Resolution**

Motion was made to approve the Board's amended 2014 Washington State High School Graduation Requirements Resolution as shown in Exhibit B.

**Motion seconded.**

**Motion made to amend the motion** to remove the last "whereas" of the proposed resolution.

**Motion seconded.**

**Motion made for a friendly amendment** to the amendment to retain the language in this paragraph but to add the language "with funding" to this paragraph.

**Motion seconded.**

**Friendly amendment accepted.**

**Motion carried** to approve the amendment to the graduation requirements resolution on a roll call (7 yes/4 no/1 abstain). Those voting yes: Fletcher, Frank, Hughes, Lavery, Maxie, McMullen, and Maier. Those voting no: Mayer, Ryan, Wilds and Munoz-Colon. Those voting abstain: Jennings. Absent: Dorn.

**Motion made** to amend the resolution to include the following language: "Whereas, the 2013 Legislature appropriated funding to support implementation of the opportunity to earn 24 credits." The motion also included flipping the order of paragraphs 13 and 14 at the request of another member.

**Motion seconded.**

**Motion carried.**

**Motion made** to adopt the resolution as amended at the meeting and shown in Exhibit B.

**Motion seconded.**

**Motion carried.**

### **Approval of BEA Waiver for Edmonds School District**

Motion made to approve Edmond School District's waiver request from the 180 day school year requirement for the number of days and school years requested in its application to the Board.

**Motion seconded.**

**Motion failed. Show of hands requested (6 yes/6 no). In the event of a tie, motion fails.**

### **Approval for an Amendment to the Legislative Agenda**

Motion made to approve the amendment of 2014 Legislative Priorities to amend the 1,080 instructional hour requirement for grades 7-12 for the 2014 Legislative Priorities as shown in Exhibit C.

**Motion seconded.**

**Motion failed.**

### **Approval of Response to Petition for Adoption of Rules (Student Discipline)**

Motion made to deny the petition for rulemaking filed with the SBE by TeamChild, Washington Appleseed, League of Education Voters, ACLU of Washington, and the Equity in Education Coalition on the basis that the Board lacks the statutory authority to adopt the proposed rules governing student discipline.

**Motion seconded.**

**Motion carried.** Tre Maxie abstained from voting on the motion.

Staff was directed to rewrite the letter to these organizations for signature by the Chair expressing the Board's concern with the subject matter of the petition but explaining it lacks the statutory authority to adopt the proposed rules. The letter should further state the Board's intent to engage with these organizations as appropriate on the issues raised in the petition.

Meeting adjourned at 3:15.

Minutes were written by Parker Teed and Denise Ross.

Staff with editorial rights to these minutes: Ben Rarick, Linda Drake, Jack Archer, Andrew Parr, Julia Suliman and Sarah Lane.