

## SG - Agency Operations

**Agency:** 350 Office of Superintendent of Public Instruction  
**Budget Period:** 2013-15

### **Recommendation Summary Text :**

Superintendent Dorn requests an additional \$659,000 for state agency operations to support the work of the agency in three specific areas. These funds will be used to hire 3.0 FTE staff who will increase the agency's capacity to monitor districts' compliance with state and federal equity and civil rights laws, conduct on-going consolidated program reviews of Alternative Learning Experience (ALE) and dropout reengagement programs, and provide state level capacity to continue to develop and build a statewide professional learning system. In addition, these funds will provide statewide support for teacher-leader training tied to the implementation of existing education reforms.

### **Fiscal Detail**

<b>Operating Expenditures</b>		<b>FY 2014</b>	<b>FY 2015</b>	<b>Total</b>
General Fund	001-01		659,000	659,000
<b>Total Cost</b>				

<b>Staffing</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>Annual Avg.</b>
<b>Total FTEs Requested</b>		3.0	3.0

### **Package Description** (Includes the following sections)

#### **Background**

##### Office of Equity and Civil Rights

In 2010, the legislature passed E2SHB 3026 to prevent and eliminate discrimination in Washington public schools on the basis of race, creed, religion, color, national origin, sexual orientation, gender expression or identity, veteran or military status, disability, and the use of a trained dog guide or service animal by a person with a disability. This law significantly expanded OSPI's authority and responsibility with respect to civil rights compliance in Washington schools.

The breadth of this law covers every aspect of the educational environment, including student enrollment, harassment and bullying, counseling and guidance, student discipline, textbooks and instructional materials, extracurricular and athletic activities, employment, access to courses and programs, services for limited English proficient students and families, and accommodations related to religion and disability.

OSPI's Equity and Civil Rights Office carries out the responsibilities required of OSPI under this new law (and under other state and federal civil rights laws) to develop rules and guidelines to eliminate discrimination in Washington public schools, and to monitor and enforce school district compliance.

##### ALE and Dropout Reengagement ("1418") Program Monitoring

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ALE programs have come under increased audit scrutiny in the past five years, most notably with nearly \$27 million in audit findings released by the State Auditor's Office (SAO) in 2012. In 2013 (ESSB 5946), the legislature directed SAO to conduct biennial audits of all ALE programs for the next four years.

The dropout reengagement ("1418") programs are a relatively new educational option. Like ALE, these programs are designed to serve students who are working independently of the regular classroom setting.

### **State Level Professional Learning Coordination Capacity**

Starting in the 2014-15 school year all teachers must be integrating the Common Core State Standards (CCSS) for English Language Arts (ELA) and Mathematics into their classroom instruction. Also 2014-15 will be the awareness year for the start of districts' transitions to the Next Generation Science Standards (NGSS), which were adopted in the fall of 2013.

Washington's transition to new career- and college-ready learning standards (CCSS and NGSS) presents an opportunity for educators, school administrators, and policy leaders to come together around all facets necessary to transform teaching and learning in classrooms every day. Our state's CCR learning standards focus on students' application of knowledge in authentic situations and on the construction of new knowledge. Efforts are underway to build a professional learning system that aligns, state, regional, and local efforts, and OSPI requires additional capacity in order to facilitate continued progress toward that effort.

### **Current Situation**

Each year since the passage of E2SHB 3026 in 2010, the Equity and Civil Rights Office has experienced significant increases in workload. Requests for technical assistance and training have multiplied, and there has been a surge in administrative appeals, compliance reviews, and findings of noncompliance that the agency does not have the capacity to respond to in as timely of a fashion as is optimal to meet students' and families' needs.

OSPI provides school districts with technical assistance on both 1418 and ALE programs. In the case of ALE, OSPI provides extensive documentation online, webinars, and phone/email support. But, there is no dedicated funding source for ALE support, and OSPI lacks the resources to provide the on-site support and review activities contemplated by the legislature.

Requests for time for teacher professional learning have been made focused on building teacher capacity and learning around the instructional frameworks related to TPEP, but similar support has not been funded for the transition to the CCSS and the NGSS. With full implementation of the CCSS and the awareness year for the start of district transitions to the NGSS commencing in 2014-15, and with funding for TPEP waning at the end of this biennium, it is critical to continue momentum to support equitable access to focused professional learning for every educators across the state.

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### **Proposed Solution**

OSPI requests funds for an additional equity and civil rights program supervisor to meet OSPI's obligations under the law and improve districts' compliance. This will allow OSPI to revise and improve OSPI's administrative rules, guidelines, and complaint procedures. Most significantly, this will enable OSPI to offer additional monitoring, training, and assistance to families and schools.

In addition OSPI requests funds to hire a staff person dedicated to ALE and dropout reengagement program monitoring and support. By conducting on-site monitoring of ALE/1418 programs, OSPI staff will help to improve ALE/1418 program compliance and decrease audit findings.

Finally, OSPI request funds to hire a statewide professional learning coordinator, who will work with ESD staff to build the infrastructure for a statewide professional learning system; to conduct an annual training of a cadre of fellows who will work to integrate professional learning into their district wide CCSS and NGSS implementation plans; and funds to provide mini grants to districts to facilitate the work of these fellows. Beyond the implementation of CCSS and NGSS these fellows will continue to act as an integral part of the state, regional, and local professional learning system by helping to facilitate and deliver the ongoing training that educators in their districts need.

### **Contact person**

Yvonne Ryans, Director of Equity and Civil Rights, (360) 725-6361

Karl Nelson, Director, Digital Learning, (206) 543-1795

Jessica Vavrus, Assistant Superintendent for Teaching and Learning, (360) 725-6417

### **Narrative Justification and Impact Statement** (Includes the following section)

#### **What specific performance outcomes does the agency expect?**

According to the 2012 Healthy Youth Survey of 8,372 10<sup>th</sup> graders in Washington State, 11% experienced harassment due to sexual orientation, and 12% experienced harassment due to race. This data does not include students who experience harassment based on other protected classes.

Students who experience discrimination and harassment are at more risk for academic failure, and are more likely to miss school because of safety concerns. In Washington, 8% of all 10<sup>th</sup> graders missed school due to perceived safety risks. Of those who were bullied or harassed, 30% received low grades in school (C's, D's, or F's).

By providing additional expertise and Program Supervisor availability to districts, parents, students, and other stakeholders, OSPI's Equity and Civil Rights office will be able to:

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1. Increase compliance in all 295 school districts;
2. Decrease discrimination complaints, OSPI appeals, and litigation;
3. Provide training and technical assistance to a larger constituency; and
4. Improve outcomes for Washington's most vulnerable students.

Through increased monitoring and support of ALE/1418 programs, OSPI expects that school districts will have fewer audit findings in these programs. In addition, by improving compliance with the agency rules, the ALE/1418 programs should improve their educational effectiveness. This could lead to improved assessment scores and graduation rates.

By building state level capacity for professional learning coordination OSPI helps to make the delivery of these opportunities more efficient and increase statewide access to these opportunities.

### **Performance Measure Detail**

OSPI will be able to measure the effectiveness of ALE and dropout reengagement program monitoring activities by tracking the change in state audit findings of noncompliance in the two programs, and by looking at changes in student success measures for those who participate in the programs.

OSPI's Equity and Civil Rights Office will track the impact and success of the program by analyzing trends in:

1. District compliance, measured by findings of noncompliance during reviews and other monitoring;
2. Issues raised by parents, students, and others (by district, by category, and by protected class);
3. Outcomes to issues after OSPI assistance;
4. District training requests and attendance rates;
5. Technical assistance requests;
6. Complaints filed with the U.S. Department of Education's Office for Civil Rights; and
7. OSPI discrimination appeals.

OSPI will track the effectiveness of increased professional learning coordination by reviewing

- State and national measures of student performance in ELA and Mathematics; and
- Teacher and school district impact surveys conducted statewide through the American Institute for Research (AIR) and others entities.

### **Is this decision package essential to implement a strategy identified in the agency's strategic plan?**

This decisions package supports the superintendent's priority to increase academic achievement for all students and reduce the dropout rate.

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### **Reason for change:**

With the passage of E2SHB 3026 in 2010, the Equity and Civil Rights Office has experienced a considerable increase in workload due to increasing monitoring needs, requests for assistance and training, appeals, and petitions for judicial review in superior court. The Equity and Civil Rights Office needs an additional Program Supervisor to continue to effectively carry out this law.

OSPI is requesting fund to hire a program supervisor to meet it new Legislative mandate to monitor ALE and dropout reengagement programs.

In light of the number of significant reforms districts have been charged with implementing OSPI is requesting additional staff support to help coordinate access to professional learning across of state to ensure that districts implement these reforms with fidelity and achieve the result desired by the superintendent and the Legislature for the students of Washington State.

### **Does this decision package provide essential support to one of the Governor's priorities?**

This proposal helps address several of the Governor's "Results Washington" goals for education, including:

- increasing the percentage of schools rated exemplary or very good on the Washington School Achievement Index,
- increasing the percentage of students who score proficient or better on statement exams and graduate high school college and career,
- eliminate opportunity gaps, and
- decrease the high number of students who drop out of high school

### **Does this decision package make key contributions to statewide results? Would it rate as a high priority in the Priorities of Government process?**

Providing OSPI with additional staff will support the State's goal of boosting academic achievement and graduation rates for Washington's students. These staff will help to reduce discrimination complaints, appeals, and litigation; ensure that programs are operating in accordance with legislative intent; and promote the continued growth of the State's educators.

### **What are the other important connections or impacts related to this proposal?**

The Equity and Civil Rights Office's activities support the Educational Opportunity Gap Oversight and Accountability Committee's 2013 legislative recommendations to decrease the disproportionate representation of students of color in disciplinary actions, and to provide tools for deeper data analysis and disaggregation of student demographics to inform instructional strategies to close the opportunity gap.

OSPI's reviews of ALE and 1418 programs will be similar to, but distinct from the Consolidated Program Reviews (CPR). CPRs focus on Federal compliance. Both ALE and 1418 are state programs, and in order to effectively monitor these programs, OSPI will need staff expertise that is different from that used in the current CPR program.

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In addition, in the January 2013 Quality Education Council report to the Legislature, several of the recommendations related to increasing the infrastructure and support for professional learning for educators that focuses on the CCSS, and the implementation of other state reforms adopted by the Legislature.

### **Impact on Clients and Services**

Funding this package will improve OSPI's services for all stakeholders, including students, families, and school districts, by providing additional expertise, program supervisor availability, and statewide coordination of ongoing educator training. This will allow OSPI to provide training and technical assistance to a larger constituency, increase districts' compliance, and improve academic outcomes for Washington's students.

### **Impact on Other State Programs**

#### **What alternatives were explored by the agency, and why was this alternative chosen?**

In order to effectively carry out the mission of E2SHB 3026, which is to prevent and eliminate discrimination in Washington schools, OSPI must proactively educate schools about their responsibilities under federal and state civil rights requirements. This requires the Equity and Civil Rights Office to provide ongoing training, technical assistance, and statewide monitoring for all 295 school districts. This work requires staff time, regardless of how that technical assistance is delivered.

In regard to ALE and dropout reengagement program monitoring the legislature directed OSPI to carry out this activity, and we were therefore not given an alternative.

In response to the need for statewide professional learning OSPI worked with the ESDs to develop a plan that ensure that all educators across the state had access to the supports that they needed to improved their teaching and ultimately increases student achievement. In these discussions it was clear that that must be support at the state level to coordinator the development of a statewide professional learning system, and addition resources are required in order to build that capacity.

#### **What are the consequences of not funding this package?**

If this package is not funded, OSPI would not be able to effectively carry out its responsibilities under state and federal civil rights laws. This would:

1. Jeopardize state and federal funding to the agency and individual school districts, as compliance with civil rights laws is required to receive these funds;
2. Increase the agency and school districts' exposure to costly litigation and complaints; and
3. Negatively impact student academic performance and access to educational services and protections; and

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4. Increase the burden on students and families who are experiencing unfair treatment.

OSPI will continue to carry out the current technical support activities, but the agency will be unable to provide the on-site monitoring specified by the legislature.

Without additional funding for and program coordinator OSPI will not be able to perform the program monitoring activities directed by the Legislature without forgoing some other critical agency function.

Finally, as the state continues its transition toward career and college ready learning standards and as funding for teacher professional learning focused on building teacher capacity and learning around the instructional frameworks related to TPEP wanes, OSPI will not have the resources necessary to help ensure that there continues to equitable access to focused professional learning for every educator across the state.

### **What is the relationship, if any, to the state's capital budget?**

There is no relationship between this request and the capital budget.

### **What changes would be required to existing statutes, rules, or contracts, in order to implement the change?**

None

### **Expenditure and revenue calculations and assumptions:**

#### **Revenue Calculations and Assumptions:**

There are no anticipated revenues as a consequence of the request.

#### **Expenditure Calculations and Assumptions:**

The cost estimate is based on the funding necessary for one additional Program Supervisor in the Equity and Civil Rights Office, one additional program coordinator to conduct reviews of ALE and dropout reengagement programs and an director of professional learning.

### **Object Detail**

		<b>FY 2014</b>	<b>FY 2015</b>	<b>Total</b>
A	Salary and Wages	\$0	\$239,518	\$239,518
B	Employee Benefits	\$0	\$106,883	\$106,883
C	Contracts	\$0	\$0	\$0
E	Goods/Services	\$0	\$91,826	\$91,826
G	Travel	\$0	\$55,773	\$55,773
J	Equipment	\$0	\$15,000	\$15,000
N	Grants	\$0	\$150,000	\$150,000

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	Interagency Reimbursement	\$0		\$0
	Other	\$0		\$0
<b>Total Objects</b>		<b>\$0</b>	<b>\$659,000</b>	<b>\$659,000</b>

### Expenditures & FTEs by Program

Activity Inventory Item	Prog	Staffing			Operating Expenditures		
		FY 2014	FY 2015	Avg	FY 2014	FY 2015	Total
A002 Administration	010		3.0	1.5	\$0	\$659,000	<b>\$659,000</b>
<b>Total Activities</b>			<b>3.0</b>	<b>1.5</b>	<b>\$0</b>	<b>\$659,000</b>	<b>\$659,000</b>

### Six-Year Expenditure Estimates

Fund	13-15 Total	15-17 Total	17-19 Total
<b>001</b>	<b>\$659,000</b>	<b>\$1,288,000</b>	<b>\$1,288,000</b>
<b>Expenditure Total</b>	<b>\$659,000</b>	<b>\$1,288,000</b>	<b>\$1,288,000</b>
<b>FTEs</b>			

#### **Distinction between one-time and ongoing costs:**

This request includes \$15,000 in one-time equipment costs and the \$644,000 balance is assumed to be ongoing.

#### **Budget impacts in future biennia:**

The cost for this request in future biennia should remain relative constant, however, if the Legislature eliminates the requirement for OSPI to monitor ALE and dropout reengagement programs there may be potential savings from no longer conducting those activities.