

# CLOSING THE OPPORTUNITY GAP IN WASHINGTON'S PUBLIC EDUCATION SYSTEM



2018 Annual Report

*By the Educational Opportunity Gap  
Oversight and Accountability  
Committee (EOGOAC)*

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## Executive Summary

The Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC) is a bicameral, bipartisan legislative and community workgroup committed to closing racial opportunity gaps in Washington’s K-12 public education system. The term ‘opportunity gap’ refers to systemic inequity in education that structurally disadvantages certain demographics of students (e.g. students of color, low-income students, and students with disabilities). The EOGOAC’s 2018 report provides policy and strategy recommendations for decreasing pervasive racial disparities in education.

The order in which recommendations are presented in this report do not imply a hierarchy of priority or a sequence of steps. Since its creation in 2009, the EOGOAC has made recommendations representing a holistic approach toward closing the opportunity gap.<sup>1</sup> The recommendations in this report follow in that tradition, and are interdependent and mutually reinforcing.

The overall objectives of the EOGOAC’s 2018 report include the following:

- Reduce disproportionalities in school discipline by increasing school and school district accountability measures;
- Break the school-to-prison pipeline by moving the truancy process away from the juvenile justice system and toward integrated student supports;
- Develop continuity and credibility in how school districts collect, use, and engage with disaggregated student data;
- Recruit, hire, and retain a diverse and effective educator workforce;
- Increase accountability measures to ensure schools, districts, and educator preparation programs provide our educator workforce with quality cultural competency training and professional development; and
- Assert the EOGOAC’s commitment to exploring the common roots of racial disproportionalities in our interconnected systems.

**The public education system is failing our students.** These systemic failures are not failures on the part of our students, families, and educators. It is the responsibility of educators and administrators to push back on systemic failures, instead of reinforcing them. Positive systemic change that diminishes educational opportunity gaps requires a complete shift in the system. The EOGOAC hopes the research and recommendations in this report bring to light policies and programs that, together, create such a shift.

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<sup>1</sup> Section 1(3) of 4SHB 1541 reads: “The legislature finds that these recommendations represent a holistic approach to making progress toward closing the opportunity gap. The recommendations are interdependent and mutually reinforcing.” Washington State Legislature. (2016). Fourth Substitute House Bill 1541 (Education—Opportunities and Outcomes). Retrieved from: <http://lawfilesexext.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1541-S4.SL.pdf>.

## Acronym Glossary

Title	Acronym
Asian American and Pacific Islander	AAPI
Center for Improvement of Student Learning	CISL
Compensation Technical Working Group	CTWG
Educational Gap Oversight and Accountability Committee	EOGOAC
Educational Service District	ESD
Engrossed House Bill 2242	HB 2242
Every Student Succeeds Act	ESSA
Family Educational Rights and Privacy Act	FERPA
Fourth Substitute House Bill 1541	4SHB 1541
Governor’s Office of Indian Affairs	GOIA
Governor’s Office of the Education Ombuds	OEO
Office of Superintendent of Public Instruction	OSPI
Professional Educators Standards Board	PESB
Race and Ethnicity Student Data Task Force	RESD Task Force
Second Substitute House Bill 2449	2SHB 2449
State Board of Education	SBE
Social Emotional Learning	SEL
Social Emotional Learning Indicators Workgroup	SEL Workgroup
Third Substitute Bill House Bill 1827	3SHB 1827
Transitional Bilingual Instructional Program	TBIP
Washington Integrated Student Supports Protocol	WISSP
Washington School Directors Association	WSSDA
Washington Student Achievement Council	WSAC

## Background

The Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC) is a bicameral and bipartisan committee devoted to closing racial opportunity gaps in Washington's K-12 education system. Opportunity gap refers to systemic inequity in the education system that structurally disadvantages certain demographics of students, such as students of color. The EOGOAC is committed to alleviating these structural inequities, institutionalized racism, and disparate educational opportunities faced by students of color.

The committee was established in 2009 by [Second Substitute Senate Bill 5973](#)<sup>2</sup> and is charged by [RCW 28A.300.136](#)<sup>3</sup> to:

*“synthesize the findings and recommendations from the five 2008 Achievement Gap Studies into an implementation plan, and to recommend policies and strategies to the Superintendent of Public Instruction, the Professional Educator Standards Board, and the State Board of Education.”*<sup>4</sup>

Recommendations by the EOGOAC must, at minimum, encompass the following areas:

- Enhance the cultural competency of current and future educators and the cultural relevance of curriculum and instruction.
- Expand pathways and strategies to prepare and recruit diverse teachers and administrators.
- Recommend current programs and resources that should be redirected to narrow the gap.
- Identify data elements and systems needed to monitor progress in closing the gap.
- Make closing the opportunity gap part of the school and school district improvement process.
- Explore innovative school models that have shown success in closing the opportunity gap.
- Use a multidisciplinary approach (e.g. family engagement and social emotional learning).

Since its inception, the EOGOAC has published annual reports to the Legislature, the Governor, the House and Senate Education Committees, the Office of Superintendent of Public Instruction (OSPI), the Professional Educator Standards Board (PESB), and the State Board of Education (SBE). Fourth Substitute House Bill 1541 ([4SHB 1541](#)), which passed in 2016, is based on recommendations made by the EOGOAC to the Legislature on strategies to close opportunity gaps in Washington public schools.

Although the EOGOAC focuses specifically on the K-12 education system, committee members are unanimous in their belief that learning is a continuum. From early childhood to higher education, equitable opportunities must exist in all facets.

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<sup>2</sup> Washington State Legislature. (2009). Second Substitute Senate Bill 5973. Closing the achievement gap in order to provide all students an excellent and equitable education. Retrieved from: <http://lawfilesexst.leg.wa.gov/biennium/2009-10/Pdf/Bills/Senate%20Passed%20Legislature/5973-S2.PL.pdf>

<sup>3</sup> Washington State Legislature. (2009). RCW 28A.300.136. Educational opportunity gap oversight and accountability committee-Policy and strategy recommendations. Retrieved from <http://app.leg.wa.gov/rcw/default.aspx?cite=28A.300.136>

<sup>4</sup> Ibid.

## Community Engagement

The EOGOAC seeks opportunities to engage with families and communities across Washington, as elevating student, family, and community voice is paramount to their work.

In 2016, the EOGOAC hosted two parent engagement panels in Seattle and Yakima, ensuring parent voices from both Western and Eastern Washington were heard. The objective was to understand how schools, school districts, and the state can better engage, communicate, and support families and students in Washington.

The panel in Seattle had four parents, all with children in different school districts. Their varied experiences with schools demonstrated the drastic differences in family and community engagement policies across neighboring school districts. While some families felt schools engaged in culturally responsive ways, others felt shut out. The panel in Yakima shed light on the obstacles faced by foster care students of color in rural communities— a demographic often unheard in state policy work, yet in dire need of a more supportive public education system.

Additionally, the EOGOAC has always sought opportunities to share its work and recommendations with stakeholders across Washington. In 2016, the EOGOAC spoke to educators, policymakers, and community-based partners about 4SHB 1541 at the Ethnic Commissions Conference in Yakima and at the Pave the Way Conference in Tacoma.



Among other changes, the adoption of 4SHB 1541 in 2016 amended state laws on student discipline (see [Student Discipline](#) for more information). In October 2017, the EOGOAC held a community forum at Highline College to discuss the OSPI’s proposed changes to student discipline rules. These proposed changes are meant to “clarify requirements in law that became effective...when the legislature passed House Bill 1541” and to “improve the clarity and readability of the rules for both school districts and families.”<sup>5</sup> Community forum participants were able to voice their concerns and recommendations in small group discussion with EOGOAC members and representatives of ethnic commissions (see [Appendix L](#) for a summary of feedback). Of the 52 participants, many encouraged schools and districts to do more to engage students, families, and communities on an ongoing basis. Some participants were concerned that language in the new rules would be too subjective, and said terms like ‘comparable’ and ‘equitable’ (when referring to alternative educational settings) need clear definitions.

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<sup>5</sup> OSPI. (2017). Student Discipline: Proposed Student Discipline Rules | Chapter 392-400 WAC. Retrieved from: <http://www.k12.wa.us/StudentDiscipline/Rules/>.

## Governance and Structure

**Figure I. Committee Members**

<b>Name</b>	<b>Representing</b>
<b>Alex Ybarra (current)</b> <b>Ricardo Sanchez (former)</b>	Commission on Hispanic Affairs
<b>Bill Kallappa (current)</b> <b>Sally Brownfield (former)</b>	Tribal Nations-Governor’s Office of Indian Affairs
<b>Carrie Basas</b>	Governor’s Office of the Education Ombuds
<b>Fiasili Savusa</b>	Commission on Asian Pacific American Affairs (Pacific Islander)
<b>Frieda Takamura</b>	Commission on Asian Pacific American Affairs (Asian American)
<b>Representative Bob McCaslin</b>	House of Representatives
<b>Representative Lillian Ortiz-Self</b>	House of Representatives
<b>Representative Sharon Tomiko Santos</b>	House of Representatives
<b>Senator Hans Zeiger</b>	Senate
<b>Senator John McCoy</b>	Senate
<b>Superintendent Chris Reykdal</b>	Office of Superintendent of Public Instruction
<b>Dr. Wanda Billingsly</b>	Commission on African American Affairs

**Figure II. Committee Member Alternates**

<b>Name</b>	<b>Representing</b>
<b>Jamila Thomas</b>	Office of Superintendent of Public Instruction
<b>Dr. James Smith</b>	Commission on African American Affairs
<b>Julie Kang</b>	Commission on Asian Pacific American Affairs (Asian American)
<b>Mele Aho</b>	Commission on Asian Pacific American Affairs (Pacific Islander)
<b>Nicole Barandon (current)</b> <b>Bernard Thomas (former)</b>	Tribal Nations-Governor’s Office of Indian Affairs
<b>Yasin Abshir (former)</b>	Governor’s Office of the Education Ombuds

### Committee Membership

Section 4 of RCW 28A.300.136 states the EOGOAC shall be composed of the following members:

- The chairs and ranking minority members of the House and Senate Education Committees, or their designees.
- One additional member of the House of Representatives appointed by the Speaker of the House and one additional member of the Senate appointed by the President of the Senate.
- A representative of the OEO.
- A representative of the CISL in the OSPI.
- A representative of federally recognized Indian tribes whose traditional lands and territories lie within the borders of Washington State, designated by the federally recognized tribes.
- Four members appointed by the Governor in consultation with the state ethnic commissions, who represent the following populations: African-Americans, Latino/a Americans, Asian Americans, and Pacific Islander Americans.

**Committee Co-Chairs**

Section 7 of RCW 28A.300.136 states the chair or co-chairs of the committee shall be selected by the members of the committee. The committee co-chairs for 2017 include:

- Representative Lillian Ortiz-Self
- Senator John McCoy
- Sally Brownfield

**Committee Staff**

Section 7 of RCW 28A.300.136 also states staff support for the committee shall be provided by the Center for the Improvement of Student Learning (CISL). However, due to funding removed from the CISL, staffing is now provided through Special Programs within the OSPI. Committee staff include:

- Maria Flores, Director
- LinhPhung Huynh, Research Analyst
- Nickolaus Colgan, Program Specialist



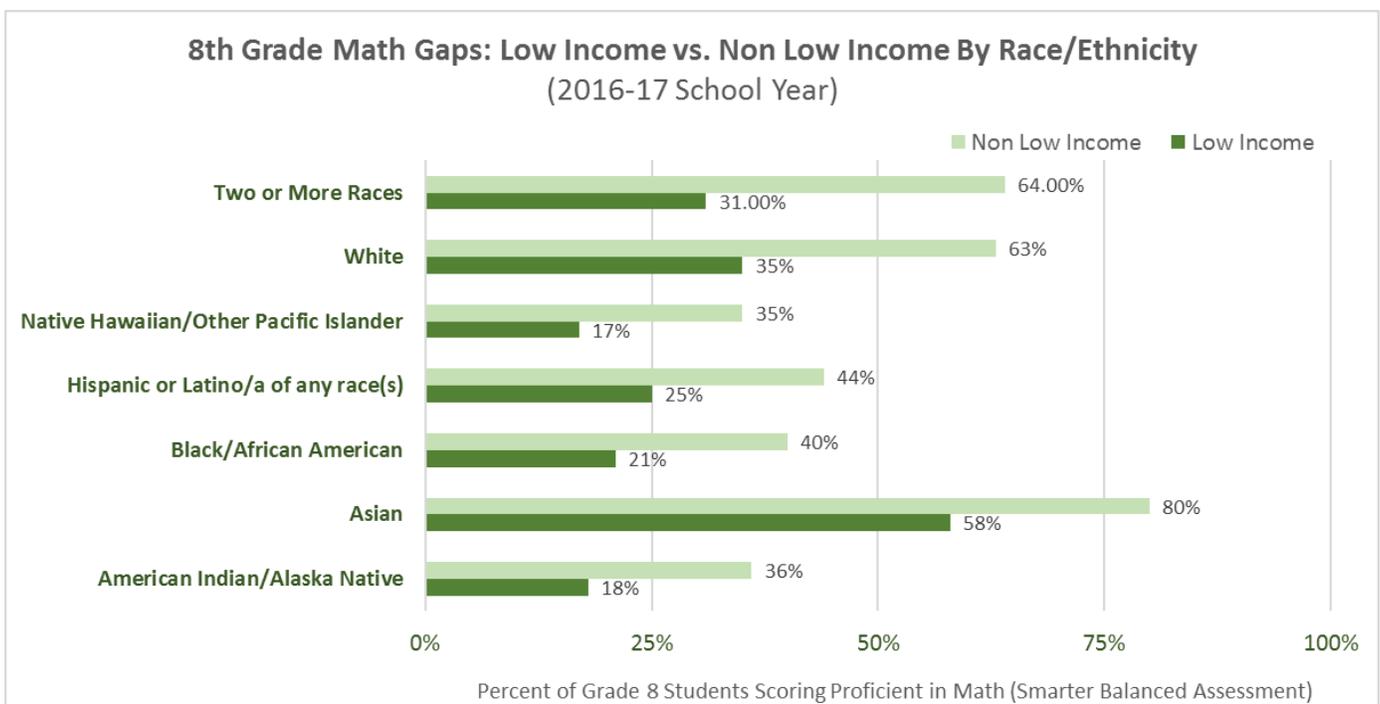
# RECOMMENDATIONS



## 2018 Recommendations: Introduction

The term ‘opportunity gap’ refers to the systemic inequity in the education system that structurally disadvantages certain demographics of students. When educational opportunity gaps exist, achievement gaps form. Achievement gaps have been and continue to be pervasive in Washington’s K-12 education system. Figure III demonstrates that, regardless of income level, students of color face inequities in public education. **Achievement gaps will not close until the education system addresses and alleviates educational opportunity gaps. Until then, the public education system is failing our students.** These systemic failures are not failures on the part of our students, families, and educators. Yet, it is the responsibility of educators and administrators to push back on systemic failures, instead of reinforcing them.

**Figure III. Eighth Grade Opportunity Gaps in Math**



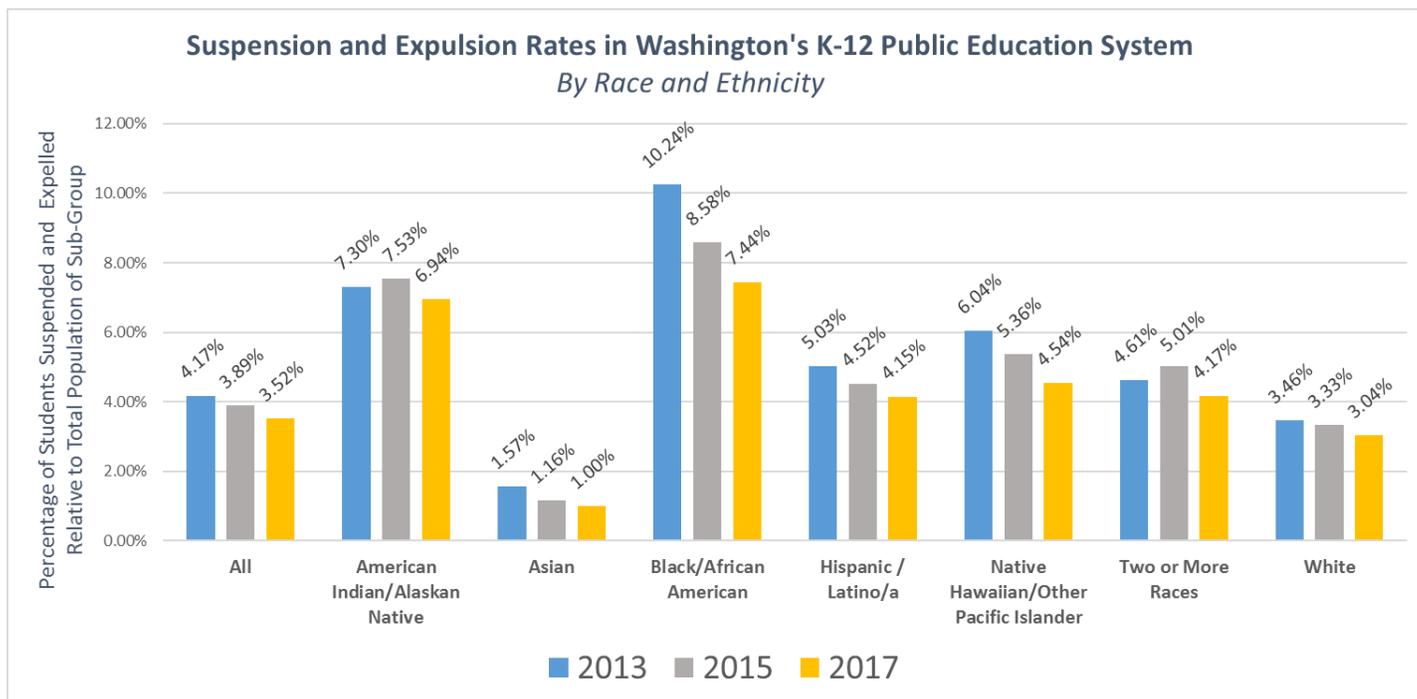
\*\*\*Note: The OSPI has been collecting student-level data in accordance with federally mandated race and ethnicity categories (shown in the graph above). According to [RCW 28A.300.042](#), and beginning the 2018-19 school year, school districts are required to collect student data using a list of further disaggregated subracial and subethnic categories, which can help administrators and policymakers reveal additional opportunity gaps. Data Source: The Office of Superintendent of Public Instruction, Student Information Department: Comprehensive Education Data And Research System.

The Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC) is committed to alleviating structural inequities, institutionalized racism, and disparate educational opportunities faced by students of color across Washington. Recommendations included in this report cover a wider array of topics, yet all have a common theme: **Diminish opportunity gaps in Washington’s K-12 public education system.** Problems in education cannot be thought about or solved in isolation. Positive systemic change requires a complete shift in the system. It is the hope of the EOGOAC that the following recommendations bring to light policies and programs that, together, create such a paradigm shift.

## 1. Student Discipline

Disproportionalities in school discipline reveal underlying inequities and discriminatory practices within the American public education system. In Washington and across America, students of color, especially African American males and students with disabilities, have been suspended and expelled at higher rates than their peers (see Figure IV).

**Figure IV. Disproportionalities in School Discipline by Race and Ethnicity<sup>6</sup>**



\*\*\*Note: The OSPI has been collecting student-level data in accordance with federally mandated race and ethnicity categories (shown in the graph above). According to [RCW 28A.300.042](#), and beginning the 2018-19 school year, school districts are required to collect student data using a list of further disaggregated subracial and subethnic categories, which can help administrators and policymakers reveal additional opportunity gaps. 'Suspended and Expelled' include long term suspension, short term suspension, and expulsion. Data source: OSPI, Student Information Department.

Since its inception, the EGOAC has sought to create culturally competent school discipline policies with the intention of reducing these persistent disproportionalities. In 2016, due to [4SHB 1541](#), the following recommendations by the EGOAC have been adopted by law in Washington:<sup>7</sup>

- Exclusionary discipline (suspensions and expulsions) are limited to no more than one academic term (with an exception for the offense of bringing a firearm to school).
- School districts may not impose long term suspension or expulsion as a form of discretionary discipline.

<sup>6</sup> OSPI. (2018). K-12 Data and Reports: Discipline Rates. Retrieved from: <http://www.k12.wa.us/DataAdmin/PerformanceIndicators/DisciplineRates.aspx>.

<sup>7</sup> Washington State Legislature. (2016). Fourth Substitute House Bill 1541. Implementing strategies to close the educational opportunity gap. Retrieved from <http://lawfilesexet.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1541-S4.SL.pdf>.

- School districts may not suspend the provision of educational services to a student as a disciplinary action, and the school district must provide an opportunity for a student to receive educational services during the period of suspension or expulsion.
- Alternative educational settings should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline.
- School districts must convene a meeting with a student and respective guardian(s) within 20 days of suspension or expulsion. Families must be given the opportunity to provide meaningful input on the reengagement plan of the suspended or expelled student.
- School districts must annually disseminate discipline policies and procedures to students, families, and the community. They must periodically review and update discipline rules, policies, and procedures in consultation with district staff, students, families, and the community.
- School districts must use disaggregated data to monitor the effect of its discipline policies and procedures.
- OSPI must develop a training program to support implementation of discipline policies and procedures, and school districts are strongly encouraged to provide training to all school and district staff.

Implementing the above policies and procedures is a step in the right direction for reducing disproportionalities in school discipline. As Washington progresses (see Figure IV), ongoing attention, reflection, and action about how school discipline policies and practices reduce or exacerbate inequities are needed at both the state and local level.

### **Community Forum on Proposed Changes to Student Discipline Rules (October 12, 2017)**

In October 2017, the EOGOAC held a community forum at Highline College on the topic of proposed changes to student discipline rules. Staff from the OSPI were present to explain the proposed changes in ‘plain talk,’ and EOGOAC members and representatives of ethnic commissions facilitated small group discussion. Participants were offered language interpretation services, and OSPI provided translations of its documents in Arabic, Chinese (simplified), Korean, Punjabi, Russian, Somali, Spanish, Tagalog, Ukrainian, and Vietnamese.<sup>8</sup>

Of the 52 community members who attended the forum, most planned to tell their friends and families about the proposed changes to student discipline rules. Seven individuals said they planned to give public testimony at an upcoming OSPI-organized public hearing.

Participants voiced a diversity of opinions and concerns, with these predominant themes (see [Appendix L](#) for full summary):

- Educators should minimize the use of discipline methods that exclude students from the classroom.
- Schools and districts should genuinely engage students, families, and communities in developing, reviewing, and implementing student discipline policies and procedures.

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<sup>8</sup> OSPI. (2017). Student Discipline: Proposed Student Discipline Rules | Chapter 392-400 WAC. Retrieved from: <http://www.k12.wa.us/StudentDiscipline/Rules/>.

- Engagement with students, families, and communities should be ongoing and begin before any infraction, suspension, or expulsion occurs.
- An automatic advocate—with knowledge of discipline rules and the student’s community—should help facilitate reengagement between a student and their school.
- When writing the new rules, the OSPI should minimize subjective language as much as possible, so school and district staff have a clear understanding of responsibilities and limitations.

### Recommendations: Student Discipline

Based on internal discussion and consultation with communities, the EOGOAC’s recommendations on student discipline seek to:

- (1) ensure schools and school districts have successfully implemented and adhered to the school discipline policies developed from 4SHB 1541;
- (2) support, expand, and develop the changes to school discipline due to 4SHB 1541; and
- (3) eliminate the school-to-prison pipeline in Washington.

**Recommendation 1A: *Before implementing disciplinary practices and policies, schools and school districts must look at disaggregated data to ensure equity in decision making.*** As required by [RCW 28A.320.211](#), school districts must use disaggregated data to monitor the impact of their discipline policies and procedures.<sup>9</sup> Just as problems in education cannot be thought about or solved in isolation, discipline is but one piece of a bigger picture. School districts should also take into consideration other dynamic factors at play in a student’s life, which may include challenges borne from absenteeism, an unwelcoming school climate, homelessness and foster care, and other struggles at home. This will allow district staff to better understand and address the underlying causes of student behavior—preferably before an infraction occurs—in order to minimize exclusionary measures and facilitate student engagement.

**Recommendation 1B: *School districts must implement a system analysis when facilitating reengagement between a student and their school.*** In addition to an individual student needs assessment, school districts should put the individual student—and the incident that precipitated disciplinary action—into the context of the wider school climate and institutional system. In order to establish patterns that can inform solutions, a system analysis should incorporate systemic data points, knowledge of a local student population, and consideration of the classroom climate. It is also critical to understand the web of relationships between the student, their educators and school administrators, and their family and community. This can allow school district staff to anticipate specific barriers and challenges while leveraging strong, positive relationships to enhance the reengagement process.

**Recommendation 1C: *Data teams working at the school district level must include representatives from communities that are most affected by student discipline rules and policies, and must conduct an annual system analysis to inform discipline policies and practices.*** Community engagement is especially important in districts’ work to reduce truancy and provide wraparound services to support students. Community engagement can help districts better understand the landscape of barriers and resources in their communities, which can inform strategies

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<sup>9</sup> Washington State Legislature. (2016). RCW 28A.320.211: Discipline policies, procedures, and rules—Dissemination of information—Use of disaggregated data—Review. Retrieved from: <http://app.leg.wa.gov/RCW/default.aspx?cite=28A.320.211>.

that are culturally and locally relevant. An annual system analysis can inform the review and update of discipline rules, policies, and procedures, which school districts are required to do on a periodic basis as required by [RCW 28A.320.211](#).

**Recommendation 1D: *The OSPI should further develop model policy and training guidance on family engagement, so schools and school districts are fully equipped to engage students and their families in a culturally and linguistic responsive manner.*** Schools and school districts should also refer to [resources](#) offered by the Governor’s Office of the Education Ombuds (OEO), which includes recommended practices for schools and school districts and information on how parents can form a partnership with their school.

All written and spoken terms in OSPI training and guidance should reflect the reality that students live in a variety of familial settings. The U.S. Department of Education defines family engagement as “the systematic inclusion of families in activities and programs that promote children’s development, learning, and wellness, including in the planning, development, and evaluation of such activities, programs, and systems.”<sup>10</sup> The term ‘family’—used intentionally instead of ‘parent’—is meant to be “inclusive and respectful of all adults who raise and care for children, to include biological, adoptive, and foster parents; grandparents; legal and informal guardians; and adult siblings.”<sup>11</sup> All training and guidance materials should be culturally responsive, which requires consultation with families and communities in the materials’ developmental phase. Below are existing OSPI resources that should be further developed and enhanced:

- The OSPI’s guide for local education agencies (e.g. school districts) on parent and family engagement: <http://www.k12.wa.us/Title/ParentFamilyEngagement/LEA.aspx>
- The OSPI’s guide for schools on parent and family engagement: <http://www.k12.wa.us/Title/ParentFamilyEngagement/School.aspx>

## 2. The Truancy Process and Community Truancy Boards

[Second Substitute House Bill 2449](#) (2SHB 2449) was signed into law in 2016 and expands community truancy boards (CTBs) throughout Washington. To fulfill the requirements of 2SHB 2449, the EOGOAC thoroughly examined the community truancy board process, which included a review of the [Community Truancy Board Training Manual](#) and [Washington Assessment of Risks and Needs of Students \(WARNS\)](#) tool. The EOGOAC published a [report to the Legislature](#) in December 2017, outlining the Committee’s recommendations on cultural competency training and family and community engagement needs for CTBs (see Figure V below for a summary of recommendations).<sup>12</sup>

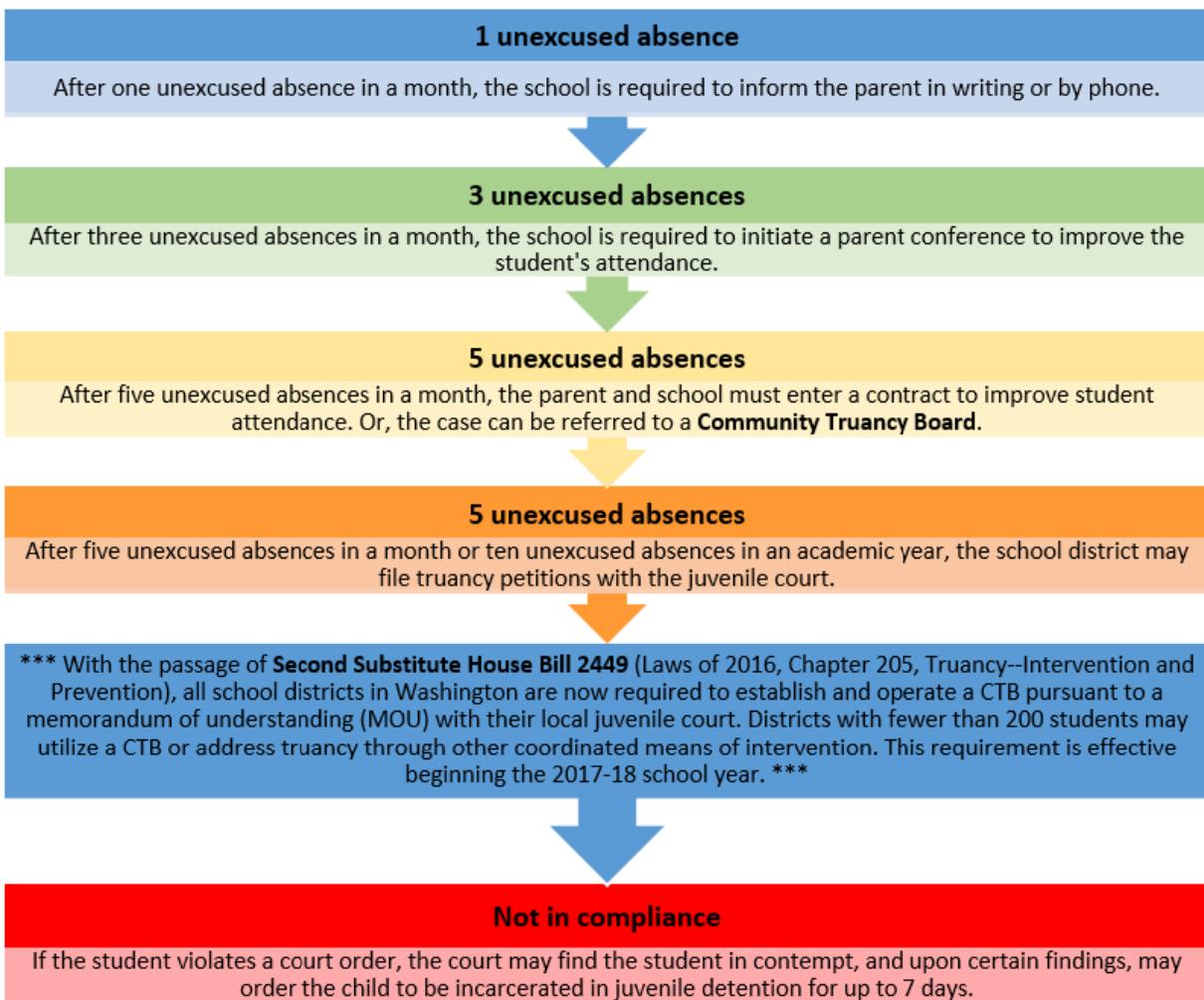
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<sup>10</sup> OSPI. (2017). Title I, Part A: Parent and Family Engagement (PFE) in Title I, Part A Programs. Retrieved from: <http://www.k12.wa.us/Title/ParentFamilyEngagement/default.aspx>.

<sup>11</sup> Ibid.

<sup>12</sup> The Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC). (2017). Cultural Competence Training & Family and Community Engagement Needs for Community Truancy Boards. Retrieved from: <http://www.k12.wa.us/Workgroups/EOGOAC/pubdocs/CTBReport-12-11update.pdf>.

**FIGURE V. How 2SHB 2449 Changes the Truancy Process in Washington<sup>13</sup>**



### The School-to-Prison Pipeline

The EGOAC is concerned that the current truancy process can lead to the unintended result of pushing students into the school-to-prison pipeline (see box below). In the EGOAC's [previous reports](#) to the Legislature and in [Fourth Substitute House Bill 1541](#), the Committee focused extensively on reforming student discipline laws that can result in students of color being disproportionately disciplined and entering the 'school-to-prison pipeline.' Exclusionary school discipline is associated with increased risks of contact with the juvenile or criminal justice systems. Washington's current truancy process can lead directly to a youth's first contact with the juvenile court, and even to incarceration in juvenile detention. This means that the state's truancy system can put students directly into the 'school-to-prison pipeline,' without the student ever having engaged in criminal conduct. Detailed data on truancy filings and

<sup>13</sup> OSPI. (2017). Truancy (Becca Bill) and Compulsory Attendance. Retrieved from: <http://www.k12.wa.us/GATE/Truancy/>. Washington State Legislature. (2017). RCW 28A.225.090 (Court orders—Penalties—Parents' defense.). Retrieved from: <http://apps.leg.wa.gov/RCW/default.aspx?cite=28A.225.090>. Washington State Legislature. (2016). Second Substitute House Bill 2449. Retrieved from: <http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/2449-S2.SL.pdf>.

outcomes, disaggregated by race and ethnicity, is not yet readily available, but existing information shows disproportionate impacts for students of color in truancy court proceedings.<sup>14</sup>

Given the known adverse impacts on students' long-term engagement and success in school associated with exclusionary discipline, it makes no sense to permit schools to use suspensions or expulsions as a disciplinary response for student absences. The EGOAC is concerned about the continued suspension and expulsion of students of color for being truant. Many school districts still maintain truancy as a discipline offense in their policies and student handbooks, which can result in a short- or long-term suspension or expulsion.

This practice of exclusionary discipline for truancy is nonsensical and fails to address the root cause of the absences, exacerbating student disengagement, academic loss, and a widening of the opportunity gap. OSPI's proposed revisions to student discipline rules would take an important step forward on this, prohibiting schools from imposing suspension or expulsion for absences and tardies.<sup>15</sup> If

those rules are promulgated as proposed, there will still be the need to provide training for families and professional development and technical assistance to school districts to ensure student absences are recognized as a potential signal of a need for problem solving, not punishment.

### **Risk Assessment Tools**

School and district staff can use a risk assessment tool to identify factors (e.g. substance abuse, family environment, school climate) that may be contributing to a student's truancy or their risk of becoming truant. The Washington Assessment of the Risks and Needs of Students (WARNS) is specifically mentioned in statute as one option for a risk assessment tool. As stated in [2SHB 2449](#), all members of a community truancy board must receive training regarding "...the use of the Washington assessment of

#### **The School-to-Prison Pipeline**

The school-to-prison pipeline refers to school policies and practices that push students out of classrooms and into the juvenile and/or criminal justice system.<sup>1</sup> One study found that, of incarcerated youth in a state facility, 80% had been suspended and 50% had been expelled from school prior to incarceration.<sup>1</sup>

In Washington, students of color (especially African American and American Indian/Alaska Native males) are suspended and expelled at a much higher rate than their White peers (see Figure IV). In effect, students of color are at a greater risk of falling victim to the school-to-prison pipeline.

Eliminating the persistent school-to-prison pipeline is dependent upon improving the reintegration process for students who have been suspended or expelled.

<sup>14</sup> See data presented at the 2017 Becca Conference by Dr. Amanda Gilman for Washington State Center for Court Research. Slide 15 shows data for all 'Becca' petitions, including truancy, ARY, and CHINS. Gilman, Amanda and Rachael Sanford. Washington State Center for Court Research (WSCCR). (2017). Becca Petitions and the use of Detention in Washington State. Retrieved from: <https://ccvj.org/wp-content/uploads/2017/04/Becca-Petitions-Slides.pdf>.

See the most recent legislative report on Truancy, explaining that disaggregated data was first collected at the state level for the 2016-17 school year. OSPI. (2016). Update: Truancy Report. Retrieved from: <http://www.k12.wa.us/GATE/Truancy/pubdocs/2015-16TruancyReport.pdf>.

<sup>15</sup> See proposed WAC 392-400-430. OSPI. (2017). Proposed Rules, Chapter 392-400 WAC, Student Discipline. Retrieved from: <http://www.k12.wa.us/StudentDiscipline/Rules/ProposedDisciplineRules.pdf>.

the risk and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children...”<sup>16</sup>

If a truancy case is referred to a juvenile court, the court is not required to hold a hearing if “...other actions by the court would substantially reduce the child’s unexcused absences.”<sup>17</sup> These actions could include referral to a community truancy board, use of the WARNS or other assessment tool to identify the student’s individual needs, and provision of community-based services or evidence-based treatments.<sup>18</sup>

### The Washington Assessment of the Risks and Needs of Students (WARNS)

“The Washington Assessment of the Risks and Needs of Students (WARNS) is a brief (53 to 74-item) self-report measure for 13 to 18-year-old youth designed to allow schools, courts, and youth service providers to assess individual risks and needs that may lead to truancy and/or school failure, and to target interventions accordingly. The WARNS takes approximately 10 to 30 minutes to administer and measures both the past and current experiences in several domains that are critical to healthy social, emotional, and educational development... The Learning and Performance Research Center at WSU is responsible for overseeing all aspects of the administration and use of the WARNS.”<sup>19</sup>

The WARNS tool includes six *Needs Scales*, each consisting five to nine questions (40 questions total). WARNS tool developers state these six areas “...have been linked to truancy, delinquency, and/or dropping out of school. Scores on a scale are used to determine whether a youth has a *Low, Moderate, or High* need for intervention in that area.”<sup>20</sup>

The six scales include:

- Aggression-Defiance
- Depression-Anxiety
- Substance Abuse
- Peer Deviance
- Family Environment
- School Engagement<sup>21</sup>

## Recommendations: The Truancy Process and CTBs

The EGOAC reasserts that our education system should engage students and provide integrated student supports as outlined in the [Washington Integrated Student Support Protocol](#). Ideally, the complex issues underlying a student’s absences would be identified through collaboration and engagement between schools and families, without requiring a referral to a separate system. Student and family needs should be met in a culturally responsive manner within the school and district, so that a student would never find themselves truant and referred to a community truancy board or juvenile court proceeding. When schools working directly with families are not successful in reengaging a student with regular attendance, referral to a community-based problem-solving board, rather than to a formal court proceeding, is preferable.

<sup>16</sup> Washington State Legislature. (2016). Second Substitute House Bill 2449, Sec. 1. Retrieved from: <http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/2449-S2.SL.pdf>.

<sup>17</sup> Washington State Legislature. (2016). Second Substitute House Bill 2449, Sec. 8(7)(a). Retrieved from: <http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/2449-S2.SL.pdf>.

<sup>18</sup> Ibid.

<sup>19</sup> Washington State University. (n/d). Washington Assessment of the Risks and Needs of Students. Retrieved from: <https://warns.wsu.edu/>.

<sup>20</sup> Washington State University. (n/d). What is the WARNS? Retrieved from: <https://warns.wsu.edu/warns-measures-and-score-report/>.

<sup>21</sup> Ibid.

While CTBs are not the answer to the systemic educational inequities that create the opportunity gap for our students of color, CTBs can be used as a tool to avoid sending students into the school-to-prison pipeline. They serve as an improvement on the formal truancy process that is reliant on the juvenile justice system, which is neither funded for nor is in a position to authentically engage both families *and educators* in problem solving to eliminate barriers to school engagement for students of color.

In order to eliminate barriers to school engagement, especially for our students of color, CTBs must be culturally responsive in their development, membership, and application. They should be situated within and representative of local communities. All CTBs should conduct a culturally responsive mapping of community resources, so they can connect children and families in crisis and conflict with culturally and linguistically relevant resources and services. Community truancy boards should also bolster educators’ efforts to ensure culturally responsive school environments that pull students and families in, rather than push them out.

**FIGURE VI. Summary of Recommendations for Community Truancy Board Development<sup>22</sup>**

Recommendation	Description
<p><b>2A. Community Truancy Board Membership</b></p>	<ul style="list-style-type: none"> <li>• To ensure authentic community participation, school districts must develop a community truancy board membership menu of individuals, from various professional and personal backgrounds, that are representative of and reflect the ethnic/racial makeup of students’ communities.</li> <li>• To promote more diverse and inclusive membership, school districts should explore the possibility of providing stipends to CTB members as a means of offsetting the costs of membership (i.e. expenditures for time, travel, childcare, etc.).</li> <li>• Districts should provide a sufficient number of family engagement coordinators as they are instrumental in involving families and communities to promote student attendance.</li> </ul>
<p><b>2B. Community Truancy Board Training Content &amp; Process</b></p>	<ul style="list-style-type: none"> <li>• The community truancy board training manual should explicitly define cultural competency, incorporating language from both <a href="#">Second Substitute House Bill 2449</a> and the EGOAC’s <a href="#">2017 Report</a> to the Legislature.</li> <li>• Training for community truancy board members should be infused with culturally competent strategies that emphasize community representation and local expertise.</li> <li>• All community truancy boards should perform a culturally competent mapping of community needs and resources.</li> <li>• When possible, a community truancy board should involve institutions of higher education (IHEs) in its efforts to build diverse membership and to map community resources.</li> <li>• Community truancy boards should incorporate or reference existing resources in their cultural competency training.</li> <li>• Schools boards must be a part of the CTB training process in order to promote CTBs as a district-wide priority and to ensure accountability.</li> </ul>

<sup>22</sup> The Educational Opportunity Gap Oversight and Accountability Committee (EGOAC). 2017. Cultural Competence Training & Family and Community Engagement Needs for Community Truancy Boards. Retrieved from: <http://www.k12.wa.us/Workgroups/EGOAC/pubdocs/CTBReport-12-11update.pdf>.

Recommendation	Description
<p><b>2C. Risk Assessment Tools</b></p>	<ul style="list-style-type: none"> <li>• The WARNS tool (and any risk assessment tool used with students) should operate with an equity lens—from development through to adaptation and application.</li> <li>• Developers of the WARNS tool should conduct a deeper test on invariance that includes comparisons beyond two student groups (i.e. White and Latinx students).<sup>23</sup></li> <li>• In collaboration with community representatives, WARNS tool developers should review and adjust assessment questions to be culturally sensitive/responsive while avoiding assumptions and expectations that are culturally bound.</li> <li>• To increase accuracy and valid student responsiveness, assessment tool developers should incorporate positive scaling so there are neutral and positive answer options in the assessment.</li> <li>• Districts and schools should ensure school staff are equipped with standardized guidance on how best to implement and use a risk assessment tool.</li> <li>• The Legislature should prioritize and fund the development of a risk assessment tool for the elementary school level, as the current WARNS tool is designed for middle and high school age youth.<sup>24</sup></li> <li>• While the EOGOAC recognizes that the WARNS tool is mentioned specifically in statute, it recommends the Legislature require an analysis of other research-based risk assessment tools that can be used by community truancy boards.<sup>25</sup></li> </ul>
<p><b>2D. Funding</b></p>	<ul style="list-style-type: none"> <li>• The Legislature should adequately fund treatment and wraparound services for students as outlined in the <a href="#">Washington Integrated Student Supports Protocol</a>, including the professional positions required to deliver these services.</li> <li>• The Legislature should support the use of a risk assessment tool at the school and district levels by providing universal funding for access.</li> <li>• To reduce disproportionate discipline rates and the reliance on the juvenile justice system, the Legislature must provide training funds for all school districts to undergo community truancy board development.</li> </ul>

<sup>23</sup> An update from WARNS developers at the Washington State University: “Thanks to the many school districts using the WARNS this academic year we anticipate having a sample size that will allow for invariance testing on one or more other groups (African American, Asian, Hawaiian/[Pacific Islander], Native American) by the end of the present academic year. Further analyses will be conducted when sufficient sample sizes are obtained. Our plan is to conduct these analyses in July 2018 and report on them prior to the beginning of the 2018-2019 school year. Additionally, we are planning to prepare a request for federal funds to further examine WARNS and truancy as they relate to minority populations.”

<sup>24</sup> An update from WARNS developers at the Washington State University: “...we have generated a draft instrument consisting of items relevant to an elementary school population. We plan to seek IRB approval for a study, and recruit elementary school principals to pilot test the instrument. However, the bulk of our recent instrument development and validation efforts have been focused on obtaining a data set that will allow for the generating data-based norms for the Middle School version of the WARNS. We have school partners in Spokane and Poulso working with us on this project.”

<sup>25</sup> An update from WARNS developers at the Washington State University: “In cooperation with the BECCA Task Force and OSPI, we will convene a work group charged with providing recommendations to school and courts regarding the use of tools other than the WARNS to satisfy current state law.”

## FIGURE VII. The EOGOAC's Concerns about the Risk Assessment Process

The EOGOAC reiterates its concern about the collection and usage of student data through risk assessment tools, such as the Washington Assessment of the Risks and Needs of Students (WARNS). For example, questions contained in the WARNS touches on very personal issues (e.g. relationships with friends and family members, drug use, experience with depression and anxiety, etc.) and can invade the privacy of students, their friends, and their families. Currently, this data is personally identifiable, can be shared with courts, and is kept on file.

After reviewing the questions used in the WARNS to assess students' truancy risk level, the EOGOAC expresses specific concerns about the following elements:

- Certain question in the Family Environment section could be offensive to families because they assume a Eurocentric and middle class background. For example, the question "My parents would help me with my homework if I asked" makes unwarranted assumptions of time availability, educational attainment levels, family and cultural norms surrounding homework, and the primary language of parents and guardians.
- Usage of the term 'parents' (and not 'family members' or 'guardians') neglects the variety of kinship with which a student interacts.
- Questions in the Peer Deviance section could be offensive to families and counterproductive in assessing a student's risk for truancy. Family and cultural norms surrounding the role of peers and peer influence might affect how students answer questions and how families perceive these questions. In general, the term 'deviance' is problematic.
- Other questions throughout the assessment can be perceived as offensive when they contain language that stereotypes groups (e.g. "I lied, hustled, or conned someone to get what I wanted").
- WARNS tool developers should consider explicitly including mention of prescription and over-the-counter drugs in the section on substance abuse.

The EOGOAC recommends using an equity lens to guide the development and implementation of any risk assessment tool, including the WARNS. Tool developers should collaborate with families and community representatives to ensure assessment questions and methods of application are culturally sensitive and responsive. Schools and districts must ensure that staff adhere to strict guidelines, in accordance with the Family Educational Rights and Privacy Act ([FERPA](#)), on who can access the data generated by the assessment and how the data can be used. Families and communities must be given formal written notice that the information collected through the assessment will comply with FERPA and will not be used to target or victimize students, families, and communities.

### 3. Disaggregated Data

Careful analyses of student outcomes by race and ethnicity are critical for understanding the educational opportunity gaps that exist within classrooms, schools, school districts, and education systems. The EOGOAC advocates for better usages of data to improve student learning and school performance. Additionally, data on student outcomes need to be disaggregated by race and ethnicity to

the furthest extent possible and schools/school districts must be held accountable for appropriately and effectively interpreting student level data.

The OSPI collects student racial and ethnic data in the Comprehensive Education and Data Research System ([CEDARS](#)) in accordance with federal guidance mandated by the U.S. Department of Education.

Federal race and ethnicity categories include: (1) Hispanic or

Latino; (2) American Indian or

Alaska Native; (3) Asian; (4) Black or African American; (5) Pacific Islander or Native Hawaiian; and (6) White. If students select more than one category, they are marked as ‘two or more races.’

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***“Closing the opportunity gap...requires careful monitoring of not only the academic performance but also the educational environment for all students, at a fine grain of detail to assure adequate accountability...”***

- Washington State Legislature, 2016, Second Substitute House Bill 1541 ([2SHB 1541](#))

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In 2010, the OSPI began collecting disaggregated data for Asian American and Pacific Islander (AAPI) students, providing a unique opportunity to examine the differences revealed by disaggregated data. In 2013, The National Commission on Asian American and Pacific Islander Research in Education analyzed the OSPI’s data, revealing hidden educational opportunity gaps for K-12 AAPI students.<sup>26</sup> Analyses such as these enable more targeted supports to students in need, as schools, school districts, and the state can more clearly understand where educational opportunity gaps exists.

Beginning the 2018-19 school year, school districts will collect student level data that align with a list of disaggregated race and ethnicity categories created by the [Race and Ethnicity Student Data Task Force](#) (see [Appendix F](#)). The RESD Task Force’s [guidance to school districts](#) is meant to “[encourage] greater communication, engagement, and clarity between schools and families about student race and ethnicity information.”<sup>27</sup> The EOGOAC agrees that it is important to clarify for students and families why information about race and ethnicity is collected. Schools and districts have the responsibility to:

- convey the potential benefits of using disaggregated data to reveal opportunity gaps and to inform strategies to close those gaps;
- communicate that students and their families have the right to self-identify race and ethnicity; and
- explain how students and families can help school and district staff properly identify their race and ethnicity.

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<sup>26</sup> National Commission on Asian American and Pacific Islander Research in Education. (2013). The Hidden Academic Opportunity Gaps Among Asian Americans and Pacific Islanders: What Disaggregated Data Reveals in Washington State. Retrieved from: <http://care.igeucla.org/wp-content/uploads/2015/09/iCount-Report-The-Hidden-Academic-Opportunity-Gaps-2015.pdf>.

<sup>27</sup> The Race and Ethnicity Student Data Task Force. (2017). Race & Ethnicity Student Data: Guidance for Washington’s Public Education System. Retrieved from: <http://www.k12.wa.us/Workgroups/RET/pubdocs/RESDTaskForce2017GuidanceWAPublicEducationSystem.pdf>.

Families who are knowledgeable about the processes and benefits of data collection and usage, including their rights under the Family Educational Rights and Privacy Act ([FERPA](#)), will be better prepared to fully participate in the [2020 U.S. Census](#).

### **The Race and Ethnicity Student Data (RESD) Task Force**

The EOGOAC has advocated for collecting and reporting disaggregated data for all the federally recognized race and ethnicity categories. Per these recommendations, the Race and Ethnicity Student Data (RESD) Task Force was established in 2016 with the adoption of [4SHB 1541](#). The RESD Task Force was charged with developing guidance for student race and ethnicity data collection in Washington State, which must:

- (1) clarify for students and families why information about race and ethnicity is collected;
- (2) describe how students and families can help school administrators properly identify them;
- and
- (3) outline best practices for school administrators to use when identifying the race and ethnicity of students and families.

When creating the guidance, the RESD Task Force reviewed the [U.S. Census](#), the [American Community Survey](#), and the Department of Education’s [2007 Race and Ethnicity Guidelines](#).

As mandated by 4SHB 1541, the OSPI must collect and school districts must submit all student-level data using the federally mandated categories with the following modifications:

- (a) further disaggregation of the Black category to differentiate students of African origin and students native to the United States with African ancestors;
- (b) further disaggregation of countries of origin for Asian students;
- (c) further disaggregation of countries of origin for Asian students; and
- (d) for students who report as multiracial, collection of their racial and ethnic combination of categories.

In its [guidance on race and ethnicity data collection](#), the RESD Task Force drafted a list of race and ethnicity categories that fulfill these requirements. The list also further disaggregates the American Indian/Alaska Native category to include all federally and non-federally recognized tribes in Washington. In an accompanying [report to the Legislature, the OSPI, and the Governor](#), the Task Force provided “systemic recommendations on how to improve student race and ethnicity data collection and reporting at the school, school district, and state levels.”

#### Sources:

Washington State Legislature. (2016). Fourth Substitute House Bill 1541. Implementing strategies to close the educational opportunity gap. Retrieved from <http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1541-S4.SL.pdf>

OSPI. (2017). Race and Ethnicity Student Data Task Force. Retrieved from: <http://www.k12.wa.us/Workgroups/RET.aspx>.

Race and Ethnicity Student Data Task Force. (2017). Race & Ethnicity Student Data: Guidance for Washington’s Public Education System. Retrieved from: <http://www.k12.wa.us/Workgroups/RET/pubdocs/RESDDTaskForce2017GuidanceWAPublicEducationSystem.pdf>.

Race and Ethnicity Student Data Task Force. (2017). Report to the Legislature, the Office of Superintendent of Public Instruction, and the Governor. Retrieved from: <http://www.k12.wa.us/Workgroups/RET/pubdocs/RESDDTaskForce2017Report.pdf>.

### Recommendations: Disaggregated Data

The recommendations in this section seek to support schools, school districts, families, communities, and the OSPI in transitioning to an education system that collects, uses, and engages with disaggregated student level data for the purpose of recognizing and closing educational opportunity gaps.

The EOGOAC applauds the further disaggregation of race and ethnicity categories in Washington schools as an important first step in collecting better student level data, which will allow for nuanced identification and analysis of gaps that exist within and between groups of students. Still, ongoing monitoring is needed in the processes of data collection, data usage, and privacy protection to ensure that: (1) data collection is reliable and accurate; and (2) neither the process nor results cause harm to students, their families, and their communities.



### **Recommendation 3A: Schools and school districts—under the guidance of the OSPI—must collect, use, and protect student data according to the best practices outlined in the [RESD](#)**

**[Task Force’s Guidance](#)**. With the OSPI’s assistance, educators and administrators must be intentional about collecting *better* data—not just more data. Data about student race and ethnicity must be gained in a manner that is respectful and culturally responsive to families and communities. In order to preserve the original intent of legislation and the RESD Task Force, it is imperative that:

- Data collectors at the school and district levels are equipped with the appropriate skills and disposition to engage students and families in a culturally competent manner;
- Best practices for data collection (e.g. observer identification), data usage, and protection of student information are implemented consistently and reliably;
- School and district staff receive adequate and appropriate training, so they properly collect and retain data without harming students, their families, and their communities; and
- At least one other staff person in the district is designated and trained to serve as a back-up in the data collection, usage, and retention processes in order to maintain accuracy and consistency in data input.

**Recommendation 3B: The OSPI must identify school districts that exhibit frequent use of observer identification in collecting student race and ethnicity data, and must work with those districts to reduce that rate.** The RESD Task Force’s [guidance to school districts](#) outlines the proper procedure for using observer identification to attribute a race and ethnicity to a student. In alignment with federal policies set by the Department of Education, “observer identification shall only

be used as a last resort” when a student and their family have been given adequate opportunity to identify the race and ethnicity of the student, but have declined to do so.<sup>28</sup>

**Recommendation 3C: All educator workforce data—including data for teacher candidates, current teachers, principals, and classified staff—should be disaggregated by race and ethnicity to promote the continued diversification of the educator workforce.** The OSPI, the Professional Educator Standards Board (PESB), and the Washington Student Achievement Council (WSAC) should review the RESD Task Force’s guidance on data collection for student race and ethnicity, and apply those principles to the agencies’ collection of educator workforce data. They should commit to the same standard of data disaggregation when collecting and displaying data related to teacher preparation programs, results from the Teachers/Principal Evaluation Program (TPEP), etc. The OSPI is already required to provide certain reports on the Internet, following the guidelines described in [28A.300.042\(1\)](#) for student level data, that show: the percentage of classroom teachers per school district, disaggregated by race and ethnicity; and the average length of service of classroom teachers per school district and per school, disaggregated by race and ethnicity.<sup>29</sup>

### FIGURE VIII. The Importance of Diversifying Our Educator Workforce

The teacher workforce in Washington does not reflect the racial and ethnic diversity of students in Washington. As of the 2016-17 school year, about 90% of teachers identified as White, yet only 56% of the student body identified as White. In contrast, only 4% of teachers identified as Latinx, while 23% of Washington students identified as Latinx.<sup>1</sup> There is also a large gender gap among Washington teachers: In 2015-16, only 27% of teachers identified as male, while 73% identified as female.<sup>2</sup> These differences have led to a teacher workforce that significantly lacks male teachers of color.

As the student body in Washington grows more diverse, Washington must recruit, hire, and retain more teachers of color and male teachers. The capacity for schools to understand the broad range of experiences that students bring into the classroom and how those experiences impact student learning could be increased by creating an educator workforce that is more representative of the diverse students served. Educators of color can often contribute a deeper cultural understanding of families and students of color. This knowledge can inform practices of their colleagues and address institutionalized racism often overlooked by schools and school districts.

Additionally, time and energy must be spent on retaining effective educators of all races. Currently in Washington, new teachers working in school districts with higher proportions of Black/African American students, Latinx students, Native American students, and/or students living in poverty are more likely to leave teaching.<sup>3</sup> Increasing teacher retention rates will depend upon equipping all educators with the skills and resources necessary to be effective in front of diverse classrooms.

Sources:

<sup>1</sup> OSPI. (2017). Washington State Report Card. Retrieved from:

<http://reportcard.ospi.k12.wa.us/summary.aspx?groupLevel=District&schoold=1&reportLevel=State&yrs=2016-17&year=2016-17>.

<sup>2</sup> OSPI. (2016). About OSPI: Key Facts About Washington Public Schools. Retrieved from: <http://www.k12.wa.us/AboutUs/KeyFacts.aspx>.

<sup>3</sup> Professional Educator Standards Board. (2016). PESB Annual Report. Retrieved from: <https://www.pesb.wa.gov/data-reports/pesb-reports-and-presentations/>.

<sup>28</sup> The Race and Ethnicity Student Data Task Force. (2017). Race & Ethnicity Student Data: Guidance for Washington’s Public Education System. Retrieved from: <http://www.k12.wa.us/Workgroups/RET/pubdocs/RESDTaskForce2017GuidanceWAPublicEducationSystem.pdf>.

<sup>29</sup> Washington State Legislature. (2016). Fourth Substitute House Bill 1541. Implementing strategies to close the educational opportunity gap. Retrieved from <http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1541-S4.SL.pdf>.

#### 4. School Improvement

Under the newly reauthorized Elementary and Secondary Education Act (ESEA), the Every Student Succeeds Act (ESSA) specifies that states must identify schools in need of improvement for comprehensive and targeted supports. Schools within the lowest performing 5% of all schools on the newly revised Achievement Index are identified for comprehensive support. Schools will be identified for targeted supports when one or more student subgroup within a school is performing at the same 5% threshold as was used to identify schools for comprehensive supports, which is referred to as the ‘cut score’ or Multiple Measure Index (MMI) (see Appendix M). In Washington’s [ESSA Consolidated Plan](#), the student subgroups that will be included for accountability purposes within school improvement are:<sup>30</sup>

- American Indian/Alaskan Native
- Asian
- Native Hawaiian/Other Pacific Islander
- Black/African American
- Hispanic/Latino and Latina of any race(s)
- White
- Two or more races

Washington will also publicly report state-level student outcomes for more detailed ethnic/race subcategories, as collected within our student data system. These sub-ethnic categories provide disaggregated data within each of the major federal categories. The disaggregated sub-ethnic categories within the race categories of Asian, Native Hawaiian/Other Pacific Islander, Black/African American, Hispanic/Latino and Latina, American Indian/Alaskan Native, and White can be found in the [2017 Race and Ethnicity Student Data: Guidance for Washington’s Public Education System](#).<sup>31</sup>

The EOGOAC is concerned that this will be a paradigm shift for many schools. There will be schools identified for school improvement under this new scheme—due to the detection of large opportunity gaps for students of color—that were not identified for improvement under No Child Left Behind (NCLB). Due to the design of the previous system, large opportunity gaps were hidden and averaged out by the cumulative effect of other subgroups.

#### Recommendations: School Improvement

**Recommendation 4A: *The Office of System and School Improvement at the OSPI must develop a communication plan—in consultation with the EOGOAC, the ethnic commissions, and the Governor’s Office of Indian Affairs (GOIA) and Tribal Leaders Congress—that standardizes how the OSPI will communicate with the families and communities of Targeted Support schools about their status.*** This communication must be done in a culturally responsive manner that focuses on the school system’s failure to adequately support and serve students of color within the school. The plan must provide multiple, research-based authentic family engagement strategies. It should also include clear, plain-talk information about the data used in the accountability system to

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<sup>30</sup> OSPI. (2018). Elementary and Secondary Education Act: The ESSA Consolidated Plan. Retrieved from: <http://www.k12.wa.us/ESEA/ESSA/ConsolidatedPlan.aspx>.

<sup>31</sup> The Race and Ethnicity Student Data Task Force. (2017). Race & Ethnicity Student Data: Guidance for Washington’s Public Education System. Retrieved from: <http://www.k12.wa.us/Workgroups/RET/pubdocs/RESDDTaskForce2017GuidanceWAPublicEducationSystem.pdf>.

designate schools for targeted supports. Additionally, the plan should clearly identify the supports that will be provided to the school by the OSPI, including an assessment on assets and needs.

## 5. Cultural Competency Training

Quality public education for *all* students requires *all* educators (e.g. school board members, superintendents, principals, teachers, and para-educators) to be effective in diverse settings. To achieve this, the educator workforce must: first, be cognizant of systemic racism and the inequities of the public education system; and second, develop culturally competent skills and mindsets.

Cultural competency is a professional and organizational development model designed to promote reflective, inclusive, and culturally relevant practices by school professionals and school systems.<sup>32</sup> Training in cultural competency provides educators with a set of attitudes, respect, awareness, knowledge, and skills that enable effective work in cross-racial, cross-cultural, diverse contexts.<sup>33</sup>

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***Cultural competenc[y] is a professional and organizational development model designed to promote reflective, inclusive, and culturally relevant practices by school professionals and school systems.***

- The Equity & Civil Rights Office, OSPI

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As Washington switches from the No Child Left Behind Act (NCLB) to the Every Student Succeeds Act (ESSA), professional development and training in cultural competency will become increasingly more important. The evaluation system under the ESSA places more value on the ability to work effectively in diverse settings. An ‘excellent educator’ in Washington will “[d]emonstrate the ability to design and plan instruction for students with diverse learning styles and cultural backgrounds” and “[c]reate an inclusive and safe learning environment where all students and their families feel welcome.”<sup>34</sup> Moreover, “[d]emonstrating commitment to closing the achievement gap,” will be one of eight criteria used to evaluate principals in Washington.<sup>35</sup>

Fourth Substitute House Bill 1541 (4SHB 1541), passed by the Legislature in 2016, tasked the Washington State School Directors’ Association (WSSDA) with developing a plan for the creation and delivery of cultural competency training for school board directors and superintendents in Washington. The WSSDA received funds from the Legislature to create an outline of this content—but no funds were allocated to implement the training program.<sup>36</sup> The EGOAC reiterates its recommendation from 2017: the Legislature should fund implementation of the training program, and establish a requirement for

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<sup>32</sup> Center for Strengthening the Teaching Profession. “Defining Cultural Competence.” Center for Strengthening the Teaching Profession. PowerPoint. Retrieved from: <http://cstp-wa.org/cstp2013/wp-content/uploads/2014/07/Culturally-Responsive-PPT-4.pptx>. This definition is originally from the OSPI’s Equity and Civil Rights Department, but the hyperlink (<http://www.k12.wa.us/Equity/CulturalCompetence/default.aspx>) no longer exists.

<sup>33</sup> Ibid.

<sup>34</sup> OSPI. (2016) Washington’s ESSA Consolidated Plan. Page 90. Retrieved from: [http://www.k12.wa.us/ESEA/ESSA/pubdocs/WashingtonESSADraftConsolidatedPlan.pdf?\\_sm\\_au\\_=-iVVsfBWRsqWgcM6r](http://www.k12.wa.us/ESEA/ESSA/pubdocs/WashingtonESSADraftConsolidatedPlan.pdf?_sm_au_=-iVVsfBWRsqWgcM6r).

<sup>35</sup> Ibid.

<sup>36</sup> Washington State Legislature. (2016). Fourth Substitute House Bill 1541, Section 204(2). Retrieved from: <http://lawfilesexst.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1541-S4.SL.pdf>.

minimum annual cultural competency training for all school board directors and superintendents in Washington (status updates on other [2017 recommendations](#)).

As required by 4SHB 1541, the OSPI has developed a content outline for professional development and training in cultural competency for school and school district staff (includes classified school staff,



district administrators, certified instructional staff, and principals).<sup>37</sup> This training aligns to the [cultural competence matrix](#) that was created by the PESB (see [Appendix J](#)). Additionally, as stated in 4SHB 1541, “The training program must also include the foundational elements of cultural competenc[y], focusing on multicultural education and principles of English language acquisition, including information regarding best practices to implement the tribal history and culture curriculum.”<sup>38</sup>

### Recommendations: Cultural Competency Training

As Washington develops and enhances professional development trainings on cultural competency, it is the hope of the EOGOAC that state law increases accountability measures to ensure schools and school districts provide their educator workforce (e.g. certified, classified, instructional, and administrative staff) with cultural competency professional development and training. The objective of the following recommendations is to increase the cultural competency of the public education system in Washington.

**Recommendation 5A: All cultural competency training for educators, developed or provided by a state agency, must align to the Professional Educator Standards Board cultural competency standards.** Both the OSPI and the WSSDA’s cultural competency training materials, as required by 4SHB 1541, should align with the PESB’s cultural competence matrix for educators (see [Appendix J](#)). The public should have access to information on how well each training actually aligns with the matrix and which cultural competencies are not addressed in the trainings. Cultural competency training materials should be communicated and made available to the families and community of the school district. School districts should utilize disaggregated data to identify training that is appropriate for and representative of its student population and local communities.

**Recommendation 5B: The PESB—in consultation with ethnic commissions, GOIA, and the EOGOAC—must review the cultural competency of exams that teacher candidates are**

<sup>37</sup> Each district is given one login to access the online course material, which facilitators can use during cultural competency workshops for school and district staff. Washington State Legislature. (2016). Fourth Substitute House Bill 1541, Section 204(2). Retrieved from: <http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1541-S4.SL.pdf>.

<sup>38</sup> Washington State Legislature. (2016). Fourth Substitute House Bill 1541, Section 204(2). Retrieved from: <http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1541-S4.SL.pdf>.

**required to pass in order to enter a teacher preparation program and to exit into the educator workforce (i.e. WEST-B and edTPA).** Entrance exams and other entry requirements must be culturally responsive if we are to break down barriers and create a more diverse educator workforce.

**Recommendation 5C: The Legislature should fund a study, conducted by an educational research group, that assesses the extent to which each college of education in Washington adequately prepares candidates to meet Standard 5—Knowledge and Skills.** Standard 5 outlines the “distinct standards and unique criterion for which programs must prepare their candidates.”<sup>39</sup> The rubric contains knowledge and skills that are differentiated based on educator roles (i.e. school counselor, initial superintendent, school psychologist, residency principal and program administrator, and residency teacher). In order to prepare a more culturally competent educator workforce, there needs to be quality cultural competency instruction across all institutions of higher education. Inconsistencies across programs will only reinforce inequities in the public education system.

### Status Update on 2017 Recommendations

This section outlines the EOGOAC’s recommendations from its [2017 report to the Legislature](#)<sup>40</sup> along with a status update (action/no action) for each recommendation. The EOGOAC reiterates the importance of moving forward on these issues as positive systemic change requires a complete shift in the system. Closing the educational opportunity gap for Washington’s students requires adopting and fully implementing these interdependent, mutually reinforcing changes to practice, policy, and law.

**FIGURE IX. A Status Update on the EOGOAC’s 2017 Recommendations**

2017 Recommendations			Progress (ACTION/ NO ACTION)
<b>1. Student Discipline</b>	1A. Require Annual School Discipline Reports for All School Districts.	The Legislature should adopt a mandate: School districts must publish annual school discipline reports, beginning the 2016-2017 school year. District employees responsible for creating the proposed annual school discipline report must receive annual training in data analysis.	<b>Action</b> 4SHB 1541 requires all data-related reports prepared by the OSPI regarding suspensions and expulsions to be disaggregated by race and ethnicity. However, annual training has not been made a requirement. <sup>41</sup>
<b>1. Student Discipline</b>	1B. School Improvement Plans Must Address Disproportionalities in School Discipline	The Office of Student and School Success at the OSPI must add a ‘School Discipline’ section to the school improvement plan document.	<b>No Action</b> The Office of Student and School Success has been reorganized as the Office of System and School Improvement (OSI) and is redesigning supports for schools in improvement status under ESSA.

<sup>39</sup> PESB. (2018). Standard 5—Knowledge and Skills. Retrieved from: <https://www.pesb.wa.gov/preparation-programs/program-standards/standard-5-knowledge-and-skills/>.

<sup>40</sup> The Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC). (2017). Closing the Opportunity Gap in Washington’s Public Education System: 2017 Annual Report. Retrieved from: <http://www.k12.wa.us/Workgroups/EOGOAC/pubdocs/EOGOAC2017AnnualReport.pdf>.

<sup>41</sup> Washington State Legislature. (2016). Fourth Substitute House Bill 1541. Implementing strategies to close the educational opportunity gap. Retrieved from <http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1541-S4.SL.pdf>.

2017 Recommendations		Progress (ACTION/ NO ACTION)
1C. Provide Educational Services to Suspended and Expelled Students	The Legislature should specify in law what ‘comparable, equitable, and appropriate’ alternative education settings means.	<p><b>Action</b></p> <p>The OSPI has <a href="#">proposed substantial changes</a> to chapter 392-400 WAC. See <a href="#">392-400-610 WAC</a> for proposed rules on educational services during suspension, expulsion, or emergency expulsion.</p>
1D. Ensure Families Have the Opportunity to Provide Meaningful Feedback Regarding Suspension and Expulsion	The OSPI must hold school districts accountable for adhering to this state requirement.	<p><b>Action</b></p> <p>The OSPI has <a href="#">proposed substantial changes</a> to chapter 392-400 WAC. <a href="#">392-400-010 WAC</a> requires school districts to “[e]ngage students, parents, families, and the community in decisions related to the development and implementation of discipline policies and procedures...”<sup>42</sup></p>
1E. Reengagement Plans for Every Student who has Been Suspended or Expelled	In alignment with the Student Discipline Task Force, all schools must be required to create and implement individualized reengagement plans for every student who has been suspended or expelled through the duration of the administrative discipline process.	<p><b>Action</b></p> <p>The OSPI has <a href="#">proposed substantial changes</a> to chapter 392-400 WAC. <a href="#">392-400-710 WAC</a> requires school districts to “collaborate with the student and parents to develop a culturally sensitive and culturally responsive reengagement plan tailored to the student’s individual circumstances to support the student in successfully returning to school.”<sup>43</sup></p>
1F. Break the School-to-Prison Pipeline	The CISL at the OSPI must work in collaboration with the juvenile justice system, local truancy boards, and alternative high schools and institutions to create comprehensive and integrated student supports that reengage youth who have been suspended, expelled, and/or are at risk of dropping out of school.	<p><b>No Action</b></p> <p>CISL has focused on the creation and implementation of the WISSP and has not engaged in this work to date.</p>

<sup>42</sup> OSPI. (2017). Proposed Rules, Chapter 392-400 WAC, Student Discipline. Retrieved from: <http://www.k12.wa.us/StudentDiscipline/Rules/ProposedDisciplineRules.pdf>.

<sup>43</sup> Ibid.

2017 Recommendations			Progress (ACTION/ NO ACTION)
<b>2. Teacher Recruitment, Hiring, and Retention</b>	2A. Expand Pathways to Teacher Certifications	The EOGOAC supports the Professional Educator Standards Board (PESB) and the OSPI budget request to expand teacher certification pathways and recommends the Legislature approve this budget request.	<p><b>Action</b></p> <p>The \$11 million request was not funded in either the Operating Budget or the Supplemental Budget.</p> <p>The 2017-19 Operating Budget earmarked \$250,000 for use in the Parapiline Scholarship, and \$2.4 million (biennially) was allocated to Alternative Route Block Grant dollars. The number of providers and those applying for Alternative Route Block Grant dollars has increased considerably in recent years, but the amount allocated for this purpose has not increased significantly since the program's establishment.</p>
	2B. Mandatory Teacher Certification Requirement	The EOGOAC recommends the PESB add a graduation requirement that all teacher preparation programs in Washington must adhere to: All students must take and pass the Washington State teacher certification test before graduation.	<p><b>Action</b></p> <p>The PESB recognizes the barriers created by testing for candidates of color and bilingual candidates, and has formed a work group to further examine these issues. The work group will produce a report with recommendations for consideration by both the PESB and the Legislature, which could inform future action and research.</p> <p>Starting September 1, 2017, candidates must pass WEST-B or an acceptable alternative or equivalent prior to program entry. Alternatives currently include the SAT or ACT. The policy also requires that candidates must at least attempt the WEST-E/NES prior to student teaching (<a href="#">WAC 181-78A-300</a>).</p>
	2C. Mentorship Programs in Higher Education	All teacher preparation programs in Washington must provide mentorship programs to teacher candidates of color.	<p><b>No Action</b></p>

2017 Recommendations		Progress (ACTION/ NO ACTION)
2. Teacher Recruitment, Hiring, and Retention	2D. Increase State Funding for Teacher Salaries	The EOGOAC recommends the Legislature increase teacher salaries at the level identified by CTWG and by the OSPI with the necessary adjustment due to inflation.
	2E. Create a Differential Compensation Workgroup	The Legislature should convene a workgroup tasked with identifying roles, types of bonuses, and differential compensation options that incentivize working at high needs schools.
	2F. Fund a Washington State Loan Forgiveness Program for Teachers	The OSPI and the PESB requested funding for a loan forgiveness program as part of their teacher shortage decision package for the 2015-2017 biennium. The EOGOAC recommends the Legislature fund this loan forgiveness program.
	2G. Increase the Capacity of the Grow Your Own Teacher Strategy	The Legislature should expand the capacity and reach of the Grow Your Own Teacher strategy in Washington; the PESB submitted a 2017-2019 budget request to expand the program.
	2H. Mentor, Encourage, and Support the Educator Workforce of Color	Due to the limited number of educators of color, the EOGOAC recommends the PESB provide guidance and statewide resources to school districts on how to develop and implement policies and programs that mentor, encourage, and support the educator workforce of color.
		<p style="text-align: center;"><b>Action</b></p> <p>Addressed in the <a href="#">Biennial Operating Budget</a> (2017-19) and <a href="#">House Bill 2242</a> (2017).</p> <p style="text-align: center;"><b>No Action</b></p> <p style="text-align: center;"><b>Action – Pending Legislation</b></p> <p><a href="#">Third Substitute Bill 1827</a> (2018) revises policies related to loan repayment.</p> <p style="text-align: center;"><b>Action – Pending Legislation</b></p> <p>In <a href="#">Third Substitute Bill 1827</a> (2018), the Legislature intends “to support a multipronged grow-your-own initiative to develop persons from the community...”<sup>44</sup></p> <p style="text-align: center;"><b>Action</b></p> <p>The ‘Grow Your Own’ workgroup, staff by the PESB, is producing resources, materials, and guidance for all districts.</p> <p>The PESB is developing a district HR training in partnership with the OSPI, and is engaging stakeholders in new partnerships and strategies for diversifying the workforce. It is partnering with the Washington Education Association (WEA) and Center for Excellence for Careers in Teaching to administer the annual Teaching Equity Conference, as well as the <a href="#">Teaching Equity Network Grant</a>.</p> <p>The Legislature provided the PESB with funds to start a new Bilingual</p>

<sup>44</sup> Washington State Legislature. (2018). Third Substitute House Bill 1827. Retrieved from: <http://lawfilesexternal.wa.gov/biennium/2017-18/Pdf/Bills/House%20Bills/1827-S3.pdf>.

2017 Recommendations			Progress (ACTION/ NO ACTION)
			<p>Educator Initiative, which is meant to support high school bilingual students in becoming paraeducators, teachers, and counselors.</p> <p>The number of alternative route program providers has grown to 25 programs across the state and includes new providers that serve more diverse populations, such as community colleges and ESDs.</p>
<b>3. English Language Learner Accountability</b>	3A. Adopt Dual Language Instruction as the Preferred Transitional Bilingual Instructional Model	In agreement with the TBIP Accountability Task Force, the EOGOAC recommends revisions be made to Washington State law to support the dual language instructional model above all other TBIP models. The OSPI shall enforce and facilitate the process of implementation after the revisions are made.	<b>No Action</b>
	3B. Increase Funding to School Districts for the Transitional Bilingual Instructional Program	The EOGOAC recommends the Legislature increase the amount of state allocated TBIP funds. School districts shall use the additional TBIP funds for the sole purpose of hiring TBIP staff that are certified teachers with bilingual education and/or English language learner endorsements.	<b>Action</b>
	3C. Create a Bilingual Education/English Language Learner Conditional Scholarship Program	The EOGOAC recommends the creation of a conditional scholarship program focused specifically on bilingual education and English language learner endorsements.	<b>No Action</b>
			<p>The OSPI received additional TBIP funds, but legislation did not require that school districts use funds for certificated teachers. If districts decide to use TBIP funds for certificated teachers (rather than paraeducators, program administration or materials), the <a href="#">requirement for the ELL or Bilingual endorsement</a> comes into effect SY 2019- 20.</p> <p>The Legislature did not allocate funding for a conditional scholarship focused on bilingual education and EL endorsements. The OSPI encourages school districts to promote the <a href="#">conditional scholarship</a> administered through the PESB.</p>

2017 Recommendations			Progress (ACTION/ NO ACTION)
4. Cultural Competency	4A. Strengthen Cultural Competence Training for School Board Members and Superintendents	The Legislature should provide the WSSDA with additional funding for the purpose of implementing the training program. Once implemented, a minimum annual cultural competency training shall be enacted for all school board directors and superintendents in Washington.	No Action
	4B. Require Cultural Competence Professional Development and Training for Schools and School Districts Under Improvement Status	Currently, schools and school districts under improvement status are 'strongly encouraged' (not 'required') to partake in cultural competence professional development and training. The Legislature should change the language in Section 205 of 4SHB 1541 from 'strongly encouraged' to 'required'.	No Action
	4C. School Improvement Plans Must Address Cultural Competence	The Office of Student and School Success at the OSPI should add a cultural competency section to the school improvement plan. The Office of Student and School Success shall work in collaboration with the CISL on how the OSPI can support schools under improvement status with the delivery of cultural competence professional development and training.	No Action
	4D. Incorporate Community and Family Resources into Cultural Competence Professional Development and Training.	School districts and the WSSDA must reach out to families, communities, and the CISL when creating and implementing cultural competency training programs. Moreover, all training programs shall include best practices for schools and school districts regarding family and community engagement.	No Action
5. Family Engagement	5A. Support the 2016 Family Engagement Recommendations by the Office of Education Ombuds	The Legislature should allocate additional funds to the OEO to ensure it has the capacity to facilitate and implement a multi-year statewide family engagement workgroup, effectively advancing parent and community engagement across Washington. The Legislature should also adopt the OEO's <a href="#">four recommendations</a> on family and community engagement.	No Action

2017 Recommendations			Progress (ACTION/ NO ACTION)
	5B. Increase State Funding for Family Engagement	The EOGOAC recommends the Legislature revise the statewide prototypical funding model for family engagement to ensure all school districts in Washington have at least one family engagement coordinator at the elementary, middle, and high school levels.	<b>No Action</b>
<b>6. Disaggregated Student Data</b>	6A. Adopt Training and Guidance Proposed by the Race and Ethnicity Student Data Task Force	The RESD Task Force’s guidance to school districts and report to the Legislature were published in July 2017 (see <a href="#">Appendix F</a> ).	<b>Action</b> The <a href="#">2018-19 manual</a> from the Comprehensive Education Data and Research System (CEDARS) will require school districts to collect and submit student data according to the RESD Task Force’s list of disaggregated race and ethnicity subcategories <sup>45</sup> .
	6B. Require the Use of Cross Tabulations when Analyzing Student Outcomes	To effectively identify opportunity gaps, the Data Governance Group must provide guidance to schools, school districts, and the OSPI on how to use cross tabulations with the variables listed above when analyzing student outcomes.	<b>No Action</b>
	6C. Annual Training on How to Collect and Analyze Student Data	The Legislature should adopt a requirement: All school district employees and school staff that collect and/or analyze student level data must receive annual training.	<b>No Action</b>
	6D. Community Engagement with Student Data	To ensure uniformity in data sharing practices across school districts, the EOGOAC recommends the OSPI use the guidance published by the RESD Task Force to create a mandatory annual training for all principals and superintendents, as well as representatives from every ESD in Washington.	<b>Action</b> Guidance and technical assistance is being provided to districts through the CEDARS department at the OSPI along with an updated CEDARS data manual. <sup>46</sup>

<sup>45</sup> The 2018-19 CEDARS Data Manual will be posted online (<http://www.k12.wa.us/CEDARS/Manuals.aspx>) in late February to early March 2018.

<sup>46</sup> Ibid.

2017 Recommendations			Progress (ACTION/ NO ACTION)
7. Washington Integrated Student Support Protocol (WISSP)	7A. Fund the Washington Integrated Student Support Protocol (WISSP)	The OSPI submitted to the Legislature a 'K12 Student Achievement Supports' budget request for the 2017-2019 biennium, which includes increased funding for the CISL department at the OSPI. The EOGOAC recommends the Legislature approve this budget request.	<p style="text-align: center;"><b>No Action</b></p> Not funded by the Legislature.
	7B. Collaborate with Families and Communities when Creating the Washington Integrated Student Support Protocol	The EOGOAC recommends the CISL collaborates with students, families, communities of colors, and community-based organization when creating the WISSP.	<p><b>No Information</b></p>
	7C. Address the School-to-Prison Pipeline in the Washington Integrated Student Support Protocol	The CISL must work with the juvenile justice system, community truancy boards, and alternative high schools and institutions to create a section of the WISSP devoted to breaking the school-to-prison pipeline.	<p><b>No Action</b></p>
8. Social Emotional Learning	8A. Adopt Recommendations in the 2016 Social Emotional Learning Benchmarks Workgroup Report	The Legislature should adopt the recommendations proposed by the Social Emotional Learning Workgroup in its 2016 Report.	<p style="text-align: center;"><b>Action</b></p> The <a href="#">Social Emotional Learning Indicators Workgroup</a> was reconstituted to finish its work on identifying and articulating developmental indicators for each grade level for each of the SEL benchmarks.
	8B. Fund the Social Emotional Learning Benchmarks Workgroup	The EOGOAC recommends the Legislature fund the SEL Workgroup for an additional year.	<p style="text-align: center;"><b>Action</b></p> The <a href="#">Social Emotional Learning Indicators Workgroup</a> was reconstituted to finish its work on identifying and articulating developmental indicators for each grade level for each of the SEL benchmarks.

## The EOGOAC's Future Work

### Common Roots of Racial Disproportionalities

As stated earlier, problems in education cannot be thought about or solved in isolation. Racial disproportionalities exist within systems, and can be exacerbated and reinforced across interconnected systems. The [school-to-prison pipeline](#) exemplifies this type of ecosystem, demonstrating how

intersections between truancy, discipline, and juvenile justice create a cascading effect that pushes students out of classrooms and into the criminal justice system.

As part of its future work, the EOGOAC will design a study that explores the common threads connecting systems that perpetuate racial disproportionalities. The EOGOAC will be guided by questions such as:

- How does each decision point affect the overall impact of the system?
- What decisions—and made by whom—affect which of our students?

### Time- and Competency-based Curriculum

Our public education curriculum is determined by standards based on age, grade, seat time, and competencies that: (1) do not align with children’s natural development; and (2) do not accommodate individual rates of progress. This curriculum reflects the misleading expectation that children advance at a certain pace with the same type of knowledge. The EOGOAC will design a study that tests the concepts of time-based learning and competency-based learning, with the following question in mind: *What if we threw out these concepts of time and take the pressure off students to learn at a certain standardized rate?* The results of such a study may be influential in rethinking classroom instruction and the Basic Education funding model for a 180-day school year.

### Culturally Responsive Attendance Policies

Under law, “[d]iscrimination in Washington public schools on the basis of race, creed, religion, color, national origin...is prohibited.”<sup>47</sup> Additionally, public school staff are required to “...take reasonable steps to accommodate a student’s religious beliefs or practices, unless that accommodation would create an undue hardship.”<sup>48</sup> Accommodation includes excusing absences for religious observances or activities.

Substitute Senate Bill 5173 ([SSB 5173](#)) passed in 2014, allowing students to be excused from school—without penalty—for “a reason of faith or conscience,” with the following requirements:

- the temporary absence is limited to two days per academic year;
- the student’s parents approve of the absence; and
- the absence may not mandate school closures.<sup>49</sup>

Still, student absences due to religious or cultural practices can result in a student being labeled chronically absent. According to the OSPI, any student “...who misses 10% or more of their school days, which amounts to 18 or more days in a school year—or just two days a month—for **any reason** is considered chronically absent.”<sup>50</sup> The lack of differentiation between excused and unexcused absences is problematic for two reasons:

- Students who miss school to observe a cultural or religious practice that is not listed on the school calendar may still be given an unexcused absence; and

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<sup>47</sup> Washington State Legislature. (2010). RCW 28A.642.010: Discrimination prohibited—Definitions. Retrieved from: <http://app.leg.wa.gov/RCW/default.aspx?cite=28A.642.010>.

<sup>48</sup> OSPI. (2017). Religion in Schools. Retrieved from: <http://www.k12.wa.us/Equity/ReligionInSchools/default.aspx>.

<sup>49</sup> Washington State Legislature. (2014). Substitute Senate Bill 5173. State Employees—Unpaid Holidays. Retrieved from: <http://lawfilesexternal.wa.gov/biennium/2013-14/Pdf/Bills/Session%20Laws/Senate/5173-S.SL.pdf.s>

<sup>50</sup> Emphasis added. OSPI. (2017). Attendance and Chronic Absenteeism. Retrieved from: <http://www.k12.wa.us/attendance/>.

- Students who are absent 18 or more days in a school year—even if some/all absences are due to family, cultural, or religious practices—are considered chronically absent, even if the absences are excused.

A school may be imposing undue burden on its student population if the school calendar does not appropriately reflect the religious, cultural, and unique family practices in local communities. The non-distinction between excused and unexcused absences also imposes negative labeling and inappropriate interventions on students who observe practices outside of the mainstream, Christian-based holiday calendar.

### **Culturally Responsive School Calendars**

As a resource to schools and districts, the OSPI provides a [list of common religious and public holidays](#), which serves “...to expand district awareness of religious holidays that may be practiced in their communities.”<sup>51</sup> School personnel are encouraged to “...use this information at their discretion when planning events or responding to student requests for excused absences for religious purposes.”<sup>52</sup> It is important to note that this resource does not include cultural celebrations outside of common public holidays, nor does it give recognition to special occasions observed by Washington’s federally and non-federally recognized Native American tribes.

The OSPI anticipates publishing new rules in 2018 regarding excused and unexcused absences, which are intended to address the issue of marking absences as unexcused when students observe a holiday that is not listed on their school calendar. The EOGOAC will review the OSPI’s rules on excused and unexcused absences, with particular scrutiny on how schools and districts can use the rules to create calendars that are culturally responsive to their local communities. Schools and districts should periodically update their calendars to reflect the cultural and religious practices of a constantly shifting student demographic. This work requires awareness and thoughtfulness at the local level. To support schools and districts, the EOGOAC will form recommendations on best practices and policy changes related to culturally responsive school calendars.

### **Cultural and Family Leave**

It is false to assume that students stop learning when they leave the classroom. Cultural and family leave would allow students to observe family, cultural, religious, and ceremonial activities without penalty. Examples include attending funerals that span multiple days, picking berries with their community during peak season, and participating in canoe journeys. In communities with a high proportion of migrant students, cultural and family leave would benefit the student population as many families may be forced to plan their children’s absences around agricultural seasons. Institutionalizing cultural and family leave in our public schools would be respectful of and beneficial for students whose customs and circumstances require them to be absent for a significant or recurring period of time during the academic year.

Instead of seeing such absences as problematic or labeling students as chronically absent, schools should take the unique local context into account and adapt the curriculum to accommodate local

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<sup>51</sup> OSPI. (2017). Common Religious and U.S. Public Holidays, 2017-18. Retrieved from: <http://www.k12.wa.us/Equity/Holidays.aspx>.

<sup>52</sup> Ibid.

practices. As part of its future work, the EOGOAC will recommend best practices and policies that allow schools and districts:

- to incorporate the development of culture and identity into students' education;
- the ability to pause classroom instruction and resume when the student population returns from leave; and
- to integrate cultural experiences as credit-earning learning, so students are able to earn credit for indigenous and cultural knowledge.

### Alternative Education

The EOGOAC recognizes that traditional schools do not work for all students. Some students may require smaller classes, more flexible schedules, or additional counseling and tutoring in order to graduate with similar academic outcomes and credits as their peers in traditional schools.

There are roughly 45,000 high school students enrolled in nontraditional programs, ranging from dropout reengagement schools to online programs.<sup>53</sup> According to the OSPI, [a]lternative learning experience (ALE) is public education where some or all of the instruction is delivered outside of a regular classroom or schedule."<sup>54</sup> This type of education "follows all public education requirements as well as chapter [392-121-182 WAC](#)," which requires coursework to be:

- (a) Provided in whole or in part independently from a regular classroom setting or schedule, but may include some components of direct instruction;
- (b) Supervised, monitored, assessed, evaluated, and documented by a certificated teacher employed by the school district or charter school, or under contract as permitted by applicable rules; and
- (c) Provided in accordance with a written student learning plan that is implemented pursuant to the school district's or charter school's policy and this chapter.<sup>55</sup>

As part of its future work, the EOGOAC intends to investigate whether the current rules and practices surrounding ALE have unintended or negative effects on Washington students, especially students of color. The Committee will pay particular attention to:

- The reasons for referral to an alternative school: Are schools referring students for legitimate reasons?
- Outcomes: What positive and negative effects does an alternative education have on students?
- Disaggregated data: Are low-income students and students of color disproportionately referred to an ALE, and are these students overrepresented in alternative schools?

Relatedly, the [High School 21+ program](#) offers adults who are 21 years or older the opportunity to earn a high school diploma by completing a comprehensive, competency-based curriculum through

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<sup>53</sup> The Seattle Times. (2017). Thousands of Washington students get an alternative education. Is that a good thing? Retrieved from: <https://www.seattletimes.com/education-lab/thousands-of-washington-students-get-an-alternative-education-is-that-a-good-thing/>.

<sup>54</sup> OSPI. (2017). Alternative Learning Experience. Retrieved from: <http://www.k12.wa.us/ALD/AlternativeLearning/default.aspx>.

<sup>55</sup> Washington State Legislature. (2015). WAC 392-121-182, (3)(a)(i). Alternative learning experience requirements. Retrieved from: <http://apps.leg.wa.gov/WAC/default.aspx?cite=392-121-182>.

Washington’s community and technical colleges. Students in this program follow a customized educational plan, which allows for basic skills classes and college readiness education and training to count toward graduation credits.<sup>56</sup> The EOGOAC will explore the benefits of expanding this program to capture students who are younger than 21 years old, but are at high risk of dropping out of school. In particular, the Committee will investigate the advantages of dropping the eligibility age to 16 years.

## Conclusion

Since 2009, the EOGOAC has sought to dismantle the status quo of Washington’s K-12 public education system. The policies and strategies recommended in this report, if implemented, will provide more equitable learning opportunities for all students of color in Washington.

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<sup>56</sup> Washington State Board for Community and Technical Colleges (SBCTC). (2018). HS 21+ Program Handbook: Introduction. Retrieved from: <https://www.sbctc.edu/colleges-staff/programs-services/high-school-21-plus/hs21-handbook/introduction.aspx>.

# Appendices

## **A. Fourth Substitute House Bill 1541**

<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1541-S4.SL.pdf>

## **B. Third Substitute House Bill 1827, Passed Out of the House Education Committee on January 11, 2018**

<http://lawfilesexternal.wa.gov/biennium/2017-18/Pdf/Bills/House%20Bills/1827-S3.pdf>

## **C. Engrossed House Bill 2242**

<http://lawfilesexternal.wa.gov/biennium/2017-18/Pdf/Bills/Session%20Laws/House/2242.SL.pdf>

## **D. Second Substitute House Bill 2449**

<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/2449-S2.SL.pdf>

## **E. Race and Ethnicity Student Data Task Force 2017 Report to the Legislature**

<http://www.k12.wa.us/Workgroups/RET/pubdocs/RESDataTaskForce2017Report.pdf>

## **F. Race and Ethnicity Student Data Task Force Guidance for Washington's Public Education System**

<http://www.k12.wa.us/Workgroups/RET/pubdocs/RESDataTaskForce2017GuidanceWAPublicEducationSystem.pdf>

## **G. Governor's Office of the Education Ombuds 2016 Family Engagement Recommendations Report**

<http://oeo.wa.gov/wp-content/uploads/1408ReportRevisedFinal.2017.03.10.pdf>

## **H. The EOGOAC's report on Cultural Competence Training & Family and Community Engagement Needs for Community Truancy Boards**

<http://www.k12.wa.us/WorkGroups/EOGOAC/pubdocs/CTBReport-12-11update.pdf>

## **I. The Office of Superintendent of Public Instruction Student Discipline Rules**

<http://www.k12.wa.us/studentdiscipline/Laws.aspx>

## **J. The Professional Educator Standards Board's Cultural Competency Standards for Educators**

<https://drive.google.com/file/d/0ByGlqpe9SoFGSUd3NEliU2NxRGM/view>

## **K. The Office of Superintendent of Public Instruction 2018-2019 CEDARS Data Manual**

<http://www.k12.wa.us/CEDARS/Manuals.aspx>

**L. Community Forum Feedback (October 12, 2017) on the OSPI’s Proposed Changes to Student Discipline Rules**

52 participants total count (37 on sign-in sheet)

- 7 people plan to give public testimony
- Most participants will tell their friends and families about these proposed changes

Takeaways and Recommendations from each Group:

<b>Group 1: <i>Limits on Suspensions and Expulsions</i></b>
<ul style="list-style-type: none"> <li>• Develop a list of alternative discipline methods (a cheat sheet for teachers)</li> <li>• Teachers should get to know students and what drives students’ behavior</li> <li>• Change the term ‘discipline’ to ‘reengagement’</li> <li>• Teachers should learn about a student’s family situation and what is happening at home</li> <li>• Behavior can be the result of something happening at home; use trauma-informed interventions</li> </ul>
<b>Group 2: <i>Clear Definitions and Procedures</i></b>
<ul style="list-style-type: none"> <li>• There may be conflict with existing RCWs (e.g. student disruption)—need to work through and clarify this</li> <li>• Need clarity about not allowing a student to return to the classroom if a student threatens the teacher</li> <li>• CEDARS: data does not differentiate between long-term and short-term suspensions</li> <li>• Handbooks that go out at the beginning of the school year require parent signature, but parents may not truly understand what they are reading (beyond just translation)</li> <li>• How does a teacher determine what is ‘disruptive’? This is subjective and prone to personal bias.</li> <li>• Training for teachers about what respect might look like in different cultures</li> <li>• The whole class shouldn’t be disrupted due to one student’s behavior, but we should also limit suspensions and expulsions (need a balance).</li> <li>• ‘Equitable’ and ‘comparable’—need clear definitions</li> </ul>
<b>Group 3: <i>Educational Services</i></b>
<ul style="list-style-type: none"> <li>• Feasibility of recording lectures and presentations, then making them available to students</li> <li>• Need for parent and community input in developing services</li> <li>• Need training for educators and administrators, so they know what they need to do for students</li> <li>• Long-term suspensions and expulsions: what obligations do schools have for students who get excluded for a year because of violations such as weapons possession?</li> </ul>

**Group 4: Notice and Due Process**

- Need for clarity around when actual due process starts
  - When does the 5-day period start? How much time does the district have to notify the parent after an infraction?
  - Make language strong (e.g. “district must make face-to-face contact with family within 24 hours of an infraction”)
- How can we minimize subjective language?
- Liked idea of auto appeal because it can act as a safeguard for families to ensure engagement
- Have an auto advocate for the student and family; it is important to have a resource come from outside of the school to model for schools how to partner with communities
- Use best practices in procedures and rules
  - Keep kids in school
  - Keep student ability to appeal
  - Provide training for school staff
- How can we apply these principles and this clarity for other situations when kids are out of school (e.g. emergency leave; sick leave)?

Where can parents and families get information about what services are available to the student when they are excluded? What resource do they have?

**Group 5: Reengagement**

- Use family-friendly language (comprehension and cultural responsiveness)
- Be aware of intersections and labeling (ELL, special ed, etc.)
- Provide opportunities for families to have conversations—do not see them as just a checklist of what needs to be done
- Engage with families early on (before an infraction and actions like suspension or expulsion)
- Need interpreters who provide face-to-face services. They should know both the law and the culture.
- Know our children

M. The OSPI's System and School Improvement Department – Combined Multiple Measures to Identify Schools for Comprehensive and Targeted Supports

