2019 Legislation
Supporting Washington’s Students with Disabilities

August 1, 2019

Office of Superintendent of Public Instruction
Objectives

• Review OSPI Vision, Mission, Equity Statement, and Special Education Priorities
• Review 2019 Legislation which impacts Washington students with disabilities
• Discuss areas that need additional efforts at the school district and educational service district (ESD) levels, including who should be involved by role(s)
• Begin to identify potential areas of legislation for 2020 and 2021
Vision:
All students prepared for post-secondary pathways, careers, and civic engagement.

Mission:
Transform K–12 education to a system that is centered on closing opportunity gaps and is characterized by high expectations for all students and educators. We achieve this by developing equity-based policies and supports that empower educators, families, and communities.

Values:
- Ensuring Equity
- Collaboration and Service
- Achieving Excellence through Continuous Improvement
- Focus on the Whole Child
OSPI Equity Statement:

Each student, family, and community possesses strengths and cultural knowledge that benefit their peers, educators, and schools.

Ensuring educational equity:

• Goes beyond equality; it requires education leaders to examine the ways current policies and practices result in disparate outcomes for our students of color, students living in poverty, students receiving special education and English Learner services, students who identify as LGBTQ+, and highly mobile student populations.

• Requires education leaders to develop an understanding of historical contexts; engage students, families, and community representatives as partners in decision-making; and actively dismantle systemic barriers, replacing them with policies and practices that ensure all students have access to the instruction and support they need to succeed in our schools.
OSPI Priorities:
Improving Outcomes for Students with Disabilities

Leadership
Support students with disabilities (including increased collaboration and ownership of school administrators and staff) and coordinated efforts with community organizations to improve results and reduce disproportionality.

Growth Mindset
Increased expectations of students with disabilities (e.g., standards, instruction, graduation, assessments, attendance, IEP-related Decisions, and post-school outcomes).

Evidence-Based Practices
Instruction and interventions within an MTSS framework and inclusionary practices leading to increased access and progress in Washington grade-level learning standards.

Professional Development
Joint training for general educators, special educators, paraeducators, administrators, and parents/families (e.g., IEP team members).

Resource Allocation
Braided funding, consolidated grant application, reducing costs for administrative tasks, increasing direct support to students, and data-based decision making.

Recruitment & Retention
Preparation programs for administrators, general educators, special educators, related service providers, and paraeducators focused around instruction and support for students with disabilities.
# The Seven Stages of Concern

<table>
<thead>
<tr>
<th>STAGE</th>
<th>GENERAL CONCERN</th>
<th>OBSERVABLE BEHAVIORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Awareness</td>
<td>What is this change I’ve been hearing about?</td>
<td>Expressions of surprise and sometimes disbelief that a change has been initiated.</td>
</tr>
<tr>
<td>Information</td>
<td>Tell me everything I need to know.</td>
<td>Direct questions about the reasons behind the change, and what they are being asked to do differently.</td>
</tr>
<tr>
<td>Personal</td>
<td>What does this mean for me?</td>
<td>Expressions of confusion about the change and what it will mean personally for them.</td>
</tr>
<tr>
<td>Management</td>
<td>How will I manage all of this?</td>
<td>Expressions of frustration about the change with an underlying feeling that this change is another thing added to a full plate.</td>
</tr>
<tr>
<td>Consequence</td>
<td>What will happen if I implement the change? What will happen if I don’t?</td>
<td>Behaviors and expressions of potential resistance to implementing the change with possible underlying concerns similar to those in the personal and management stages.</td>
</tr>
<tr>
<td>Collaboration</td>
<td>How can we help each other through the change?</td>
<td>Expressions of acceptance of the change being called for and a willingness to work with others as they try it out.</td>
</tr>
<tr>
<td>Refocusing</td>
<td>How can I make it even better?</td>
<td>Behaviors/expressions that indicate a person understands the big picture and has ideas about how to make improvements.</td>
</tr>
</tbody>
</table>

Overall Summary of Today’s Legislation Review

• Graduation Pathways
• Special Education Finance
  • State special education funding increase and multiplier
  • Safety net increase
  • Inclusionary Practices Professional Development
• Paraeducator Training
• Isolation and Restraint Reporting and Reduction
• An Agency Name Change

There were others, such as SSB 5089 (early learning access), HB 1130 (language access), HB 1658 (paraeducators), 2SSB 5092 (social emotional learning), and HB 1139 (workforce supply)…
Multiple Pathways to Graduation (E2SHB 1599)

All students prepared for postsecondary pathways, careers, and civic engagement.
Graduation Pathways

• E2SHB 1599 – Promoting career and college readiness through modified high school graduation requirements.

Grad Pathways – Building off success

Planning That Matters

- High School & Beyond Plans
- Informing junior year courses
- IEPs and HSBP aligned
- Academic acceleration

Solid Instructional Foundation

- Basic education core subject areas
- Expanded CTE equivalencies
- Additional flexibility through two credit waiver
Multiple Pathways – Ticket to the next step

Career Technical Education
Assessments or Courses (ELA and Math)
Armed Services Battery

Careers & Service
Training, College & University
What counts?

• Smarter Balance Assessment
• ACT or SAT
• Dual credit courses
• AP / IB / Cambridge courses
• Transition courses
• Sequence of career technical courses
• Armed Services Vocational Aptitude Battery
Students with IEPs & Grad Pathways

• Certificate of Individual Achievement available through Class of 2021

• All students can use new pathways, including students receiving special education supports

• HSBP “must be developed in alignment with their IEP…in a similar manner and with similar school personnel as for all other students”

• WA-AIM continues to be available for students with significant cognitive challenges (who meet the criteria)
Graduation Pathways

- Smarter Balanced Assessments or WA-AIM
- Dual credit
- HS transition course (Bridge to College)
- C+ in AP, IB, Cambridge
- AP / IB score
- SAT / ACT
- ASVAB
- CTE Sequence

Locally Administered Assessment – COE Local
Grades comparison
CIA Pathway (WA-AIM, L2, LDA, Off-grade)
Expedited Assessment Appeal (waiver)

Pathways

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smarter Balanced Assessments or WA-AIM</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Dual credit</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>HS transition course (Bridge to College)</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>C+ in AP, IB, Cambridge</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>AP / IB score</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>SAT / ACT</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>ASVAB</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>CTE Sequence</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Locally Administered Assessment – COE Local</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Grades comparison</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>CIA Pathway (WA-AIM, L2, LDA, Off-grade)</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Expedited Assessment Appeal (waiver)</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
</tbody>
</table>

* If taken during 2018-19 school year

Waiving pathway requirement
Graduation Pathways Used by SWDs in 2016-17

<table>
<thead>
<tr>
<th>Category</th>
<th>Math</th>
<th>ELA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reg Assmt &amp; Other CAA Options</td>
<td>25.6%</td>
<td>28.8%</td>
</tr>
<tr>
<td>WA-AIM (CIA)</td>
<td>8.5%</td>
<td>8.4%</td>
</tr>
<tr>
<td>Other CIA Options</td>
<td>52.0%</td>
<td>48.9%</td>
</tr>
<tr>
<td>Not Yet Met</td>
<td>13.8%</td>
<td>14.0%</td>
</tr>
</tbody>
</table>

Source: Guidance for IEP Teams: Student Participation in Statewide Assessments for Accountability and Graduation, Office of Superintendent of Public Instruction, 2019.
What Actions are Needed Within Your District as a Result of E2SHB 1599?

- What staff need information and training, such as school counselors, principals, and educators?
- Consider reviewing district and school data on current graduation pathways to identify supports needed to shift away from CIA.
- What is the communication plan for families, students, and IEP teams?
- Consider reviewing alignment and use of HSBP and IEP transition plans to identify personnel and training needs.
- Are your HSBP developed in manner required?
Special Education Increased Funding

• E2SSB 5091 – Special Education Funding
• ESBH 1109 – Operating Budget
Additional State Special Education Funding

• State Special Education Funds*
  • $77.2 million increase for state special education excess cost multiplier allocation model:
    • 2019-20: increase in multiplier from .9609 to .995
    • 2020-21: two-tier multiplier (higher rate of 1.0075 for students 80-100% in general education, and maintaining .995 for all others)
    • If the enrollment exceeds 13.5%, the excess cost allocation calculated above must be adjusted by multiplying the allocation by 13.5% divided by the enrollment percent

• Safety Net Increase:
  • 2019-20 and 2020-21: Increase from $256,000 to $481,000 for OSPI staff support
  • 2019-20 and 2020-21: Increased $35,301,000 in FY 2020 and $51,301,000 in FY 2021; 86,602,000
  • Threshold reduced from 2.7 average per pupil expenditure (APPE) to 2.3

*Students with disabilities (i.e., an individualized education program (IEP)) also generate a state basic education funding allocation.
### Proposed Special Education Multiplier

The excess cost rates will change incrementally over three biennia, which will reduce school district reliance on local levies to fill current funding gaps.

Phasing in the new funding will allow for continued analysis to determine effectiveness of the new funding model as each phase is implemented and provide districts with time to develop capacity.

<table>
<thead>
<tr>
<th>Total Minutes Per Week of Service</th>
<th>Setting</th>
<th>24-25 Tiered Multiplier</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤ 60 mpw</td>
<td>Time in Gen Ed Setting 80%-100%</td>
<td>0.4700</td>
</tr>
<tr>
<td>61 - 240 mpw</td>
<td>Time in Gen Ed Setting 80%-100%</td>
<td>1.1500</td>
</tr>
<tr>
<td>241 - 540 mpw</td>
<td>Time in Gen Ed Setting 80%-100%</td>
<td>1.3500</td>
</tr>
<tr>
<td>≥541 mpw</td>
<td>Time in Gen Ed Setting 80%-100%</td>
<td>1.6500</td>
</tr>
<tr>
<td>≤360 mpw</td>
<td>Time in Gen Ed Setting 40%-79%</td>
<td>0.9609</td>
</tr>
<tr>
<td>361 - 720 mpw</td>
<td>Time in Gen Ed Setting 40%-79%</td>
<td>0.9609</td>
</tr>
<tr>
<td>721 - 1079 mpw</td>
<td>Time in Gen Ed Setting 40%-79%</td>
<td>0.9609</td>
</tr>
<tr>
<td>≥1080 mpw</td>
<td>Time in Gen Ed Setting 40%-79%</td>
<td>1.1000</td>
</tr>
<tr>
<td>≥1078 mpw</td>
<td>Time in Gen Ed Setting less than 39%</td>
<td>0.9605</td>
</tr>
<tr>
<td>1080-1324 mpw</td>
<td>Time in Gen Ed Setting less than 39%</td>
<td>0.9700</td>
</tr>
<tr>
<td>1325-1800 mpw</td>
<td>Time in Gen Ed Setting less than 39%</td>
<td>0.9800</td>
</tr>
<tr>
<td>≥1801 mpw</td>
<td>Time in Gen Ed Setting less than 39%</td>
<td>1.0000</td>
</tr>
<tr>
<td>≤541 mpw</td>
<td>Separate day school (public or private)</td>
<td>0.4700</td>
</tr>
<tr>
<td>541-1200</td>
<td>Separate day school (public or private)</td>
<td>1.1500</td>
</tr>
<tr>
<td>1201-1664</td>
<td>Separate day school (public or private)</td>
<td>1.3500</td>
</tr>
<tr>
<td>≥1665 mpw</td>
<td>Separate day school (public or private)</td>
<td>1.5000</td>
</tr>
<tr>
<td>≥1663 mpw</td>
<td>Residential facility (public or private)</td>
<td>2.0000</td>
</tr>
<tr>
<td>Correctional facility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>≤ 240 mpw</td>
<td>Homebound /Hospital</td>
<td>0.5000</td>
</tr>
<tr>
<td>≥241 mpw</td>
<td>Homebound /Hospital</td>
<td>0.5250</td>
</tr>
</tbody>
</table>
Funding Lessons I Learned

• It is not enough to demonstrate a need for additional funding, we also need to be able to discuss improved outcomes for students and changes to the system.

• Conversations need to occur about the use of basic education funds generated by students with an IEP (within district and across state).

• The 2-tier system for funding – intent, why we can’t “incentivize more restrictive placements”, and impact on data reporting.
Inclusionary Practices Professional Development

• $25 million for inclusive practices professional development, including mentors:
  • 2019-20: $10 million and 2020-21: $15 million

• Funds “are provided solely for the office of the superintendent of public instruction to support professional development in inclusionary practices for classroom teachers. The primary form of support to public school classroom teachers must be for mentors who are experts in best practices for inclusive education, differentiated instruction, and individualized instruction. Funding for mentors must be prioritized to the public schools with the highest percentage of students with individualized education programs aged six through twenty-one who spend the least amount of time in general education classrooms.”

• Extensive partnering within OSPI and with professional organizations across the state

• This initiative will support comprehensive and coordinated activities designed to increase access to grade level core instruction through the inclusion of students eligible for special education services in general education classrooms

• Webpage coming soon!
Additional Supports/Updates

• $12 million for 2 days of paraeducator training – through Professional Educator Standards Board (PESB)
• $60,000 in 2019-20 and 2020-21 to monitor and train in reduction of restraint and isolation for Washington students
• State Auditor Office (SAO) will audit each school district on special education revenues and sources, expenditures and objects of expenditures and report to Legislature by December, 2020
• HB 1604 changed the Washington state center for childhood deafness and hearing loss to the Washington center for deaf and hard of hearing youth
Identify Potential Areas of Legislation for 2020 and 2021

• Institutional education and students with disabilities (funding)?
• Increase/expand multiplier?
• Inclusionary practices expansion?
• Staffing models?

If you have ideas, concerns, or suggestions, please share with David.Green@k12.wa.us.
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