



# TWIO

## This Week In Olympia

Week 4 | February 5, 2010

### IN THIS ISSUE:

## Week 4 - February 1–5, 2010

### About the TWIO

This Week in Olympia is emailed to active WASA and AEA members every Friday and is posted on WASA's website at [www.wasa-oly.org](http://www.wasa-oly.org). TWIO provides schedules for committee hearings, a Bill Watch (which tracks bills as they move through the legislature) and information on legislative issues important to school administrators.

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### WASA/WSSDA

#### 2010 Legislative Conference

The WASA/WSSDA 2010 Legislative Conference will be held February 7-8 at the Red Lion Hotel in Olympia. Registration information: [www.wasa-oly.org/2010LegConference](http://www.wasa-oly.org/2010LegConference). Invite your legislators to join you at the reception on Sunday from 6:00-7:30 p.m. in the Fir meeting room.

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### This Week in Review

#### NEWS Lawsuit

On Thursday, Judge John Erlick handed down a **landmark decision** in the Superior Court of the State of Washington in the NEWS school funding lawsuit: McCleary vs the State.

In his concluding remarks, Judge Erlick wrote:

***Thirty years have passed since our State Supreme Court directed the State to provide stable and dependable funding for basic education. The State has made progress toward this Constitutional obligation, but remains out of compliance. State funding is not ample, it is not stable, and it is not dependable. Local school districts continue to rely on local levies and other non-State resources to supplement state funding for a basic program of education. Recent legislation addresses, but does not resolve, the perennial underfunding of basic education. Accordingly, the State is directed to determine the cost of amply providing for basic education and a basic program of education for all children resident in the State of Washington. The State must also comply with the Constitutional mandate***

***to provide stable and dependable funding for such costs of basic education. Funding must be based as closely as reasonably practicable on the actual costs of providing such programs of basic education. The means of fulfilling this Constitutional mandate properly fall within the prerogative of the Legislature.***

In the "Courts Finding of Facts and Conclusions of Law" four questions were addressed:

- What is the correct interpretation of "paramount", "ample", and "all" in Article IX Sec. 1 (of the State Constitution)?
- What is the current legal meaning of the word "education" in Article IX Sec. 1?
- Is the respondent state currently complying with its legal duty under this court's interpretation of the language in Article IX, Sec. 1?
- What (if any) order should this court enter to uphold and enforce the state's legal duty under Article IX Sec. 1?

**The court found in favor of the plaintiffs (NEWS) on all four counts.**

The seventy-three page decision (with exhibits ninety-nine pages) on the [King County](http://KingCounty.com) website and additional information is available on the [NEWS](http://NEWS.com) website.

Friday, February 5 is the **cutoff** for house

of origin policy committees to pass their bills. If there is a fiscal impact, the bill must then pass out of the budget committee before next Tuesday, February 9. Action then moves to the Rules Committee where if it is going to move on-it is scheduled for floor action. Bills must pass their "house of origin" by February 16 in order for them to remain "alive" this session. If a bill originated and passes the House or Senate by this date, it must then go through the same process in the opposite house. A bill may be amended at any point along its journey and must finally pass both houses in its final form and be signed by the Governor before it becomes law. View the [cutoff calendar](#).

While Judge Erlick stated unequivocally in his decision that the legislature must meet its obligation to fully fund the definition of basic education it has established in law, this week's committee agendas were packed with bills that would add more responsibilities and expectations for school districts with little attention given to the need for ample and stable state funding for K-12.

In the **Senate education committee**, bills relating to gang activity ([SB 6512](#)), juveniles in adult jails ([SB 6702](#)), private school record checks ([SB 6619](#)), school health public-private partnerships ([SB 6755](#)), cultural competency standards ([SB 6798](#)), discrimination in schools ([SB 6800](#)), providing an alternate route for a high school diploma ([SB 6778](#)) were heard. The committee also heard: streamlining the BECCA laws by making them permissive rather than mandatory ([SB 6519](#)); condensing compliance reports ([SB 6643](#)); delaying math and science graduation requirements ([SB 6553](#)); prohibiting the State Board of Health from implementing new rules without funding ([SB 6494](#)); and, requiring the QEC's work group on levies and LEA to address a comprehensive policy for K-12 finance that does not rely on levies to fund basic education. We applaud the legislators who are sponsoring these bills that relate to funding.

The **House Education Appropriations** committee heard bills on: a statewide dropout reengagement system ([SHB 1418](#)); a request to Congress that NCLB include health and fitness; expanding the pool of qualified teachers ([HB 2930](#)); social emotional learning in public schools ([HB 1162](#)); interdistrict cooperative high schools ([HB 2913](#)); college online for high school students ([HB 2852](#)); civil rights compliance in schools ([HB 3026](#)); math and science delays; and resources for STEM ([HB 2621](#)).

The bills heard in the committees over the past four weeks that were passed out of their respective committees and are either in the Rules or budget committees are listed on **Bill Watch**. Many of these bills have been amended. If a bill is now listed as SHB (Substitute House Bill) or SSB (Substitute Senate Bill), it has been amended. More detailed information will be provided in TWIO on individual bills as it becomes clear which ones will actually be moving forward.

WASA and WSSDA's annual **Legislative Conference** is this Sunday and Monday, February 7-8, in Olympia. School directors, superintendents and administrators will have an opportu-

nity to meet with each other and their legislators to discuss the budget crisis and how it is affecting their ability to provide basic education to the students of this state. Even if you are not attending, we hope that every school district [tells its story](#) to their Senators and Representatives and that you have an opportunity to review our updates on [budgets](#) and [education reform](#).

## Tracking "Tell Your Story"

Make sure **your** legislators know what impact the cuts proposed in the Governor's Books 1 and 2 Budgets would have on **your** district.

[Tally](#): 12 school districts-48 legislators

[View](#) the stories.

## School District Levies

Current "anticipated levy" information for the February 9 elections is available in the [School Election Results](#) section of the OSPI website.

165 M&O's

11 Bonds

32 Capital Levies

4 Transportation

## Retirement and Health Benefits

During this last week for policy bills to be acted on in their committee of origin, there has been very little action on pension bills that impact school employees. Most pension bills have some fiscal impact, therefore they have until next Tuesday's cut-off for action in their fiscal committee.

At this point, only four pension bills and one health benefit bill that impact school employees are moving. These are: HB 1541, Past Part-Time Service Credit; EHB 1547, \$175,000 Death Benefit; SHB 2617, Eliminating the ERBB; HB 2877, Stock in Lieu of Salary; and SHB 2875, Health Savings Accounts. Hopefully the Senate Ways and Means Committee will move SB 6493, Disability Benefits and SB 6516, Change Plans 2/3 Default.

2SSB 5491, K-12 Health Benefits Study, from last session continues to be a live issue in that it is in Senate Rules 3G. This study was placed into the biennial operating budget last year and then was vetoed by the Governor. We have continued to update key members on the status of health benefits.

Additional updated information on pension and health benefit bills can be found on our association's web site under ["Retirement/Health Benefit"](#) bill watch.

**AEA**

WASBO held its annual legislative workshop on Monday with good participation and excellent speakers from WSSDA, WASA, OSPI, OFM, AEA, WASBO Legislative Affairs Committee Co-Chairs, Kim Brodie, Puyallup, and Steve Nielsen, Puget Sound ESD, and Supt. Mike Blair, Chimacum SD, discussing the NEWS lawsuit. AEA is pleased with the ruling that came out on Thursday.

On Tuesday, about twenty-five AEA members participated in our annual Day on the Hill. We made many contacts and had significant discussions with a number of legislators, especially about revenue.

On Wednesday, we testified in Senate Early Learning/K-12 in support of SB 6494, which sets up a K-12 working group to help determine the actual cost of the implementation of the SBOH environmental and health safety rule. We also testified in support of SB 6755 which would establish a school health public-private partnership, directly involving WSNA. Later in the day, we testified in support of SHB 2776, basic education funding formulas, though we expressed a concern that the Compensation Working Group was moved back to July 2010. We see a direct link between the work of this group and the work of the Local Funding Working Group. Right now it appears that available staff necessary to serve the group may not be able to handle two groups simultaneously.

On Thursday, we testified in support of SB 6740, local funding working group. The bill directs this group to begin to formulate a plan for K-12 finance, based on the work of David Iseminger, Lake Stevens SD board member and member of the QEC Funding Formula Technical Working Group.

We are continuing to work with Rep. Dunshee on possible amendment language on SHB 2541, jobs bill, which has passed the House and is waiting to be heard in Senate Ways and Means. We remain concerned about how to measure operational cost savings, particularly for school districts that receive the grant but choose not to have the work done under performance-contracting.

**Hearing Schedules**

*Hearing schedules listed are current at time of publication but are subject to change daily. Please confirm meeting times and agendas if you are travelling to the Capitol to attend a hearing.*

**Hearing Schedule Week of February 8–12****Monday, February 8****HOUSE WAYS & MEANS**

9:00–11:00 a.m. JLOB Room A

*Possible Public Hearing:*

Bills referred to committee.

*Possible Executive Session:*

Bills previously heard in committee.

**SENATE WAYS & MEANS**

1:30–3:30 p.m. JAC Room 4

*Public Hearing:*

To be announced.

*Possible Executive Session:*

Bills heard in committee

**SENATE WAYS & MEANS**

3:30–5:30 p.m. JAC Room 4

*Public Hearing:*

Continuation of 1:30 p.m. hearing.

**Tuesday, February 9****SENATE WAYS & MEANS**

1:30–3:30 p.m. JAC Room 4

*Public Hearing:*

To be announced.

*Possible Executive Session:*

Bills previously heard in committee.

**HOUSE WAYS & MEANS**

1:30–3:30 p.m. JLOB Room A

*Public Hearing:*

Bills referred to committee.

*Possible Executive Session***SENATE WAYS & MEANS**

3:30–5:30 p.m. JAC Room 4

*Public Hearing:*

Continuation of 1:30 p.m. hearing.

**Friday, February 12****HOUSE EDUCATION**

8:00–10:00 a.m. JLOB Room A

*Work Session:*

1. High Stakes Assessments: Panel discussion of multiple perspectives.
2. School District Reorganization.
  - a. Overview
  - b. Scope and objectives for Joint Legislative Audit and Review Committee study of school district size.
  - c. Panel discussion.

## Committee Members/Keeping up with the Legislative Session

Washington State Government  
<http://www.access.wa.gov>

State Legislature  
<http://www.leg.wa.gov/legislature>

Senate  
<http://www.leg.wa.gov/Senate>

House of Representatives  
<http://www.leg.wa.gov/House>

Office of the Governor  
<http://www.governor.wa.gov/>

OSPI  
<http://www.k12.wa.us>

Senate Early Learning & K–12 Education  
<http://www.leg.wa.gov/Senate/Committees/EDU/>

House Education  
<http://www.leg.wa.gov/House/Committees/ED/>

Senate Ways and Means  
<http://www.leg.wa.gov/Senate/Committees/WM/>

House Ways and Means  
<http://www.leg.wa.gov/House/Committees/WAYS/>

House Education Appropriations  
<http://www.leg.wa.gov/House/Committees/APPE/>

House Capital Budget  
<http://www.leg.wa.gov/House/Committees/CB/>

TVW  
<http://www.tvw.org>

**WASA's 2010 Legislative Session Guide, which includes legislator's phone numbers and email addresses, is available online at [www.wasa-oly.org/2010sessionguide](http://www.wasa-oly.org/2010sessionguide)**

## Bill Watch

Each week in TWIO, we track bills that are moving through the legislature. A bill's "status" changes as it is heard in committees and then either dies or moves on to the floor of the House or Senate. It then crosses over to the opposite house and goes through the same process. Bills, including sponsors, amendments, actions and history can be found by clicking on the bill number. In the bill page, scroll down and click on the last item under "Bill Documents". You can view a shorter bill analysis under "Bill Reports". Again, the last item relates to the bill in its *current* status.

February 5 is the first committee cutoff. It is the last day to hear bills in the **house of origin policy committees**. February 9 is the last day for a bill to be heard in its house of origin budget committee to remain "alive". The bills in **Bill Watch** are still moving.



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