



# TWIO

## This Week In Olympia

Week 5 | February 12, 2010

### IN THIS ISSUE:

## Week 5 - February 8–12, 2010

### This Week in Review

#### WASA/WSSDA Legislative Conference

Five hundred school directors, superintendents and administrators met in Olympia on Sunday and Monday to discuss topics relating to K–12 in the 2010 session. John Burbank, Executive Director of the Economic Opportunity Institute, presented information on Revenue and Tax Reform. Tom Ahearne, lead Foster Pepper attorney for the successful NEWS school funding lawsuit, provided an overview and summary of *McCleary vs State*. PowerPoints for both presentations and the WASA/WSSDA 2010 Hot Topics can be accessed in the conference [resources](#) section of the [WASA website](#) early next week.

#### Legislative Activity

Action on bills shifted this week from house of origin policy and budget committees to the floor of the House or Senate.

The **Senate** spent hours on [SSB 6130](#) which suspends provisions of I-960 relating to supermajority and voter approval requirements for tax increases. (A glitch in the bill's language resulted in [ESHB 6843](#) actually having to be redrafted as SSB 6130 and reheard on the Senate

floor late Wednesday night.) Democrats argued that there is no way they can write a responsible budget addressing the \$2.6 billion shortfall without devastating results to state services if additional revenue is not available. Republicans argued that the will of the people (51% approval of I-960) must be honored and we must live within our means. Democrats countered that previous legislatures have amended numerous voter initiatives to balance the budget including I-728–71% approval, and I-732–62% voter approval. The bill (which includes provisions to close tax loopholes) passed on mostly party lines 26-22 and heads to the House Ways and Means for a public hearing on Saturday, February 13.

On Friday, the **House Education** committee held a work session on two topics: high stakes testing and school consolidation. Gil Mendoza, Superintendent, Sumner School District, provided testimony relating to the importance of setting high standards and providing teachers with data that they can use to improve student learning. ESD 113 Superintendent Bill Keim provided [information](#) delineating the reasons why school consolidation is not in the best interest of either students or communities.

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This is the 33rd day of the Jan. 11 through March 11 2010 Legislative Session.  
27 to go

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#### 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.

## Budgets and the Economic Forecast

The preliminary [economic forecast](#) shows that due to additional caseload projections, the deficit has risen from \$2.6 billion to \$2.8 billion. The Senate is scheduled to release its budget first-possibly next Wednesday. Issues related to Judge Erlick's decision in K-12 funding, the difficulties surrounding the tax measures in the legislative and the economic forecast may delay the release of their budget.

WASA joined the "**Rebuilding Our Economic Future**"—a broad based coalition intent on stopping cuts in the supplemental budget to vital state services including education. The coalition is encouraging everyone to attend **Town Halls** across the state to "tell your story".

Next Saturday, February 20, legislators from across the state are taking time off from the session to hold town hall meetings in their home districts. *This is a rare chance to talk to your legislators mid-session while they are still working out the details of critical legislation, including the budget.*

If you are interested in attending the Town Hall in your area. click here: [Yes, show me where my local town hall is.](#)

## Selected Bills On the Move

Short summaries of some of the bills that have either passed their house of origin or are scheduled for floor action are provided below. (See [Bill Watch](#) for a list of K-12 bills that are still alive)

### K-12 Funding and Finance

[HB 1757](#)-would provide a contingency fund for loans to small districts. (House Rules)

[EHB 2561](#)-Rep. Dunshee's "Jobs" bill would send a bond to the people in November to provide funds for work needed on school and higher ed facilities to improve energy efficiency. The bill stalled in the Senate Ways and Means, but could be brought forward later if legislators determined that it is "necessary to implement the budget".

[2SHB 2630](#)-would expand the levy base calculation to include I-728, I-732 and K-4 if they are cut. The bill and the companion bill [SSB 6502](#) are in their respective house of origin Rules committee.

[2SHB 2759](#)-would remove students enrolled in online learning from the district's levy base beginning with levies passed after 2011. This bill and its companion [SB 6601](#) are both in Rules.

[SHB 2776](#)-would implement the Quality Education Council's Funding Formula Technical Advisory work groups' recommendations to move from the current K-12 funding allocation.

Both this bill and its companion bill [2SB 6760](#) are in Rules.

[SHB 2893](#)-would raise the levy lid 4%; increase LEA to 14%; allow a supplemental levy within the 2 to 4 year cycle; and increase the levy base by adding I-728, I-732 and K-4 at the rate these programs would have been funded if not reduced by the state. This bill is in Rules-it's companion [SSB 6318](#) died in Senate Ways and Means.

[SHB 3039](#)-would change the BECCA truancy reporting and petition requirements to be discretionary instead of mandatory. (House Rules)

[SSB 6466](#)-would allow advertising authorized by the school board inside and on the side of school buses to provide additional resources. (Senate Rules)

[SSB 6494](#)-would require the State Board of Health to revise or repeal any rules for schools that are obsolete or unfunded. (Senate Rules)

[ESSB 6604](#)-is a follow-up to last year's attempt to remove unfunded mandates from schools. It would suspend or remove a number of reporting and administrative requirements; the most notable would be repealing student learning plans. (Senate Rules)

[ESB 6643](#)-would reduce the number of required compliance reports for second-class districts. The bill passed the Senate. We will ask the House to amend the bill to include all school districts.

[SSB 6724](#)-would allow employees of a school district or ESD to share leave with employees of another agency. (Senate Rules)

[SHB 3036](#)-would clarify that districts taking action to approve non-voter debt for bonds must provide public notice and a public hearing at a school board meeting (or at another time if so decided). (Passed the House)

## Education Reform

[SSB 6696](#)-the purpose of the bill is to align Washington state's policies in three areas (teacher preparation, teacher and principal evaluation and tenure, and school district accountability) with new Title I/ESEA requirements and Race To The Top eligibility and move education reform forward. An analysis of the bill is provided in Hot Topics (available in the Legislative Conference page in conference [resources](#)). The bill passed the Senate. The House divided the bill into three bills:

[HB 3035](#) (educator performance and evaluation) and [HB 3038](#) (standards and accountability) both of which did not move forward. [HB 3059](#) (professional preparation) is in House Rules.

SHB 2654-would direct the PESB to adopt a specialty endorsement for elementary math specialists. (House Rules)

### **Policies and Students**

2SHB 1418-would direct OSPI to develop model contracts and inter-local agreements for school districts to use with others to deliver dropout reengagement programs and authorizes, but does not require, school districts to use the model. (House Rules)

SHB 2580-would provide that dual credit agreements between high schools/skills centers and community/technical colleges must be approved by the Chief Instructional Officer and CTE director of the high school/skills center. (House Rules)

SHB 2801-would direct OSPI to update the model harassment, intimidation and bullying prevention policy; requires school districts to adopt or amend its policy to incorporate the revisions; and creates a work group. (House Rules)

SHB 2834-would adopt recommendations from the interim task force on gangs in schools relating to provisions for suspension or expulsion and accepting non-resident students. It directs WSSDA and OSPI to develop a policy by January 2011 and districts to have a policy by September 2011. (House Rules)

SHB 2913-would authorize non-high districts to form inter-district cooperatives to establish Innovative Academy Cooperatives for their high school students. (House Rules)

2SHB 3026-would require OSPI to develop anti-discrimination rules and guidelines and authorize OSPI to enforce and obtain compliance. Also requires OSPI to maintain a public website and issue statewide press releases reporting violation of civil rights and educational disparities in student outcome data. Has a null and void clause added that says if funding is not provided the bill is null and void. (House Rules)

SSB 6800-would require OSPI to review, process and refer appropriate complaints from victims of discrimination in public schools based on violations of either state or federal civil rights laws to the appropriate state or federal investigative and enforcement agency. (Senate Rules)

SSB 6512-would provide specific "exclusion from school safety zone orders" procedures for school administrators. (Senate Rules)

SSB 6778-would provide that students who accumulate the necessary coursework for university admission and maintain a B average shall receive a high school diploma. (Senate Rules)

### **Potpourri**

SHB 2582 and SSB 6367-would allow public agencies to respond to a public records request by providing an Internet address providing the location of the requested records. (House and Senate Rules)

2SHB 2583-would establish a procedure for the requestor of a public record and an agency to confer on disputes prior to filing court action. (House Rules)

SSB 6797-would require counties with populations over 100,000 to publish voters pamphlets for all elections. (Senate Rules)

### **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: 17 school districts-81 legislators

View the stories.

Mary Alice Heuschel, Superintendent (Renton School District), provided this feedback after presenting her district's "story" to their legislators:

"We visited with just about every one of our reps and senators on Monday at the Legislative Conference. I was able to review everything pretty quickly. The "one pager" seemed pretty impactful--(great idea). ALL seemed surprised, and a bit taken back by the actual impact. We had a chance to respond to "which areas could be cut and have the least impact" by pointing out that it is an unfair question because there are different impacts to each district (LEA, etc.). I emphasized that each and every cut, starting from the top would be devastating at this point. In most cases, we also had a chance to discuss the McCleary decision. This year seemed to be a more productive/effective use of time... the right conversations are happening."

View Renton's story.

### **School District Levies**

On Tuesday, school districts across the state went to their voters with requests for 165 M&O, 32 Capital, and 4 Transportation levies; and 11 Bonds. The vast majority of the levies received approval while bonds (still needing a 60% simple majority) were not fairing as well. It is ironic that less than one week earlier, Judge Erlick noted that facilities are integral to the state's responsibility to provide a basic education to the children in our state. The unofficial statewide results will be available on the OSPI website School Election Results section shortly.

## Retirement and Health Benefits

After the fiscal committee of origin cutoff this last Tuesday, there are only five pension bills and two or three health benefit bills alive that could impact school employees.

One surprise bill from last session that we oppose, SSB 6045-Senator Zarelli's bill that requires the State Actuary with assistance from DRS to develop a proposal for a new defined contribution retirement plan for TRS, SERS & PERS to be considered for implementation prospectively for new hires, did get a hearing and executive action in the Senate Ways and Means late on Tuesday. We believe that moving away from the defined benefit model entirely would put our new hires at a significant disadvantage. There are advantages to both defined contribution and defined benefit plans; however, some of the advantages of a defined benefit plan appear, at least in this present economy, to far outweigh a total defined contribution plan. The bill was short one vote in the Senate Ways and Means Committee; therefore, appears dead for the session.

2SSB 5491, the K-12 health benefits study from last session, continues to be an issue that is being considered by some legislators since it is resting in Senate Rules 3. We continue to update key members on the status of health benefits.

Again, 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

On Tuesday, AEA testified in Senate Ways and Means in favor of SB 6760-basic education funding formula moving to the prototypical school funding model. WASBO had direct involvement with the Funding Formula Technical Working Group, and AEA supports the FFTWG's recommendations to the Quality Education Council and to the Legislature.

We also testified in Senate Ways and Means in support of SB 6629-highly capable program. In addition, we urged the committee to eventually fully fund this program, and prior to adding new parts to the definition of basic education-ensure that the current definition is fully funded. Our AEA board decided this week to continue to support the original language of SSB 6494-State Board of Health working group; as WASBO and WAMOA are mentioned as part of the working group, and have been working on the rule revision committee since 2002. The bill is currently in Senate Rules and was modified by Senate Early Learning/K-12 to remove the working group language and replace it with a direction to the Department of Health and SBOH. This direction states that by June 30, 2011, the DOH and SBOH will revise their K-12 health and safety rules to eliminate rules that have become obsolete or are not specifically funded or implemented.

The Legislature passed ESHB 2921, an "early" 2009-11 Supplemental Budget, prohibiting state agencies from creating new positions and freezing hiring to save money for the final supplemental which will be released next week. WSNA was pleased that \$3.5M to continue funding the elimination of the reduced price co-pay for K-12 breakfast and K-3 lunch is still in that budget.

## 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 15-19

#### Tuesday, February 16

##### **HOUSE EDUCATION APPROPRIATIONS**

8:00-10:00 a.m. JLOB Room A

##### *Public Hearing:*

Bills referred to committee.

##### *Possible Executive Session:*

Bills referred to committee.

#### Wednesday, February 17

##### **SENATE EARLY LEARNING & K-12**

8:00-10:00 a.m. JAC Room 1

##### *Public Hearing:*

To be announced.

##### *Possible Executive Session:*

Bills referred to committee.

##### **SENATE WAYS & MEANS**

1:30-3:30 p.m. JAC Room 4

##### *Public Hearing:*

To be announced.

##### **HOUSE EDUCATION**

1:30-3:30 p.m. JLOB Room A

##### *Public Hearing:*

Senate bills referred to committee.

##### **HOUSE WAYS & MEANS**

3:30-5:30 p.m. JLOB Room A

##### *Public Hearing:*

3. Bills referred to committee.

##### **HOUSE EDUCATION APPROPRIATIONS**

6:00-8:00 p.m. JLOB Room A

##### *Public Hearing:*

Bills referred to committee.

##### *Possible Executive Session:*

Bills referred to committee.

**Thursday, February 18****SENATE EARLY LEARNING & K-12**

10:00–12:00 p.m. JAC Room 1

*Public Hearing:*

To be announced.

*Possible Executive Session:*

Bills 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.

**HOUSE EDUCATION APPROPRIATIONS**

1:30–3:30 p.m. JLOB Room A

*Public Hearing:*

Bills referred to committee.

*Possible Executive Session:*

Bills referred to committee.

**HOUSE WAYS & MEANS**

3:30–5:30 p.m. JLOB Room A

*Public Hearing:*

Bills referred to committee.

*Possible Executive Session:*

Bills referred to committee.

**Friday, February 19****HOUSE EDUCATION**

8:00–10:00 a.m. JLOB Room A

*Public Hearing:*

Senate bills referred to committee.

**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 &amp; 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>**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 16 is the cutoff for bills in house of origin. February 26 is the cutoff for bills to be out of their policy committee in the opposite house. The bills in **Bill Watch** are still moving.

**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)**



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