

The 2010 Legislative Session Wrap-up

May 2, 2010

Superintendents Component Group

WASA Government Relations



WASA's 2010 Legislative Priorities

Fully Fund Our Public Schools

We ask the legislature to establish a system of finance for K–12 schools that is sustainable, predictable, fairly allocated, and fully funded by 2015.

We ask the Quality Education Council to establish a systemic and comprehensive plan for implementing and funding basic education.



2010

**Budgets, Bills
and McCleary v. State**

The 2009–11 Supplemental State Operating Budget ESSB 6444



Deficit = \$12 billion



New Taxes/Revenue
= \$800 million



Cuts to K–12 in the biennial
2009–11 budget
= \$540 million (does not include COLA)

Washington State's 61st Legislature

- Convened – January 12, 2010
- Sine Die – March 12, 2010
- Special Session – Called March 15, 2010
- Sine Sie – April 13, 2010



2010 Final K–12 Budget

	Conference
I-728 (\$99 per student)	Eliminated
4 th Grade Staffing Level	Reduction
Levy Base Restoration (I-728, I-732, K–4)	Yes, per SHB 2893
Levy Authority Inflation (Per Pupil Inflator)	4%
Levy Lid Lift	Yes, per SHB 2893; LEA fully funded for 14% with Lid Lift
Learning Improvement Day	Eliminated
K–4 ALE Online Staffing Ratio	Revision in Policy
Classified Staffing Enhancement of 1.25 staff/1,000 students	No Change
Health Benefit Rate	\$768
Special Education: Classified Benefit Rate	Technical Correction Only - No \$\$ Change
Bus Depreciation: Recovers repayment of sales tax	Sales tax included in last year of bus's expected life cycle payment

Reduced/Eliminated Programs & Grants

	Program & Grant	Reduction Amount (Thousands)	Status
1	Compana Quetzal	\$50	Eliminated
2	WWII Oral History Project	\$25	Eliminated
3	Communities in School	\$25	Eliminated
4	Youth Suicide Prevention	\$70	Eliminated
5	Prevention Intervention Funds	\$970	Eliminated
6	CTE Grants	\$838	Reduction
7	Beginning Educator Support Team	\$348	Reduced
8	Building Bridges Grant	\$338	Reduced
9	Navigation 101	\$100	Reduced
10	Dyslexia Pilot	\$75	Reduced
11	Local Farms-Healthy Kids Program	\$300	Suspended
12	Community Learning Centers & 21 st Century After School Programs		Suspended

2010 Supplemental Budget Items in Dollars

2010–11 School Year Impact in Millions	Conference Budget
I-728	\$(98.2)
4 th Grade Staffing Level Reduction	\$(37.5)
Learning Improvement Day	\$(18.6)
Levy Lid Lift (Impact on LEA) and Levy Base	\$28.5
Impact on LEA due to PPI	\$10.4
<p style="text-align: right;">Subtotal*</p> <p><small>*represents the sum of the Impact on LEA due to PPI plus Levy Lid Lift (Impact on LEA) and Levy Base</small></p>	\$(115.4)
Cuts to the 2010–11 Year made by the 2009 Legislature (not including COLA delay)	\$(386.9)
Total Cuts	\$(502.3)

SHB 2776: Transparent Formulas and New Funding Levels

- All major funding formulas will be translated to a new structure on 9/1/11; cost neutral translation.

- Phase-in of new funding:
 - Transportation Formula by 2014–15 SY
 - Materials, Supplies, Operating Costs by 2015–16 SY
 - Full-day Kindergarten by 2017–18 SY
 - K–3 Class Size Reduction by 2017–18 SY

Bill requires a specific funding level by the last year (2018) of phase-in, but not a predictable schedule leading up to full funding.

SHB 2776 Resource Phase-in

School Year	2010–11	2011–12	2012–13	2013–14
<p>Full-Day Kindergarten Must be fully funded statewide by 2017–18 Phase-in based on FRPL</p>	219 schools	More funding can begin	More funding must begin	Continues to ramp up
<p>K–3 Class Size Reduction Must be fully funded statewide by 2017–18 Phase-in based on FRPL</p>	\$0	More funding can begin	More funding must begin	Continues to ramp up
<p>Materials, Supplies, Operation Costs (MSOC) Must be fully funded by 2016–16 \$ per student basis</p>		More funding can begin	More funding must begin	Continues to ramp up
<p>Basic Transportation Must be fully funded by 2014–15 % of formula funded basis</p>		More funding can begin	More funding must begin	Continues to ramp up

SHB 2893 – Local Levies

Eliminates the 2012 sunset of inclusion of the unfunded I-728, I-732 amounts in the levy base.

Includes any K–4 funding cuts into the levy base through 2017 and makes other minor fixes.

Increases districts levy lid by 4 points for 2011–17. New levy limit = 28% for non-grandfathered districts; up to 36+% for grandfathered.

Provides districts with the authority to seek additional levy for subsequently enacted levy increases.

Increases levy equalization up to a 14% levy.

Levy Assumptions

- Changes to Per Pupil Inflator
 - Conference Budget PPI = 4%
- ARRA - IDEA Awards will be included in both the 2011 and 2012 levy base at 50%.

Levy/LEA Calculations

- The 2009 adjusted assessed valuations were released in early April. (The valuation basis used for the 2011 Levy.)
- Statewide the valuation dropped 6%. Districts' results varied.
- Assume any LEA/Levy projections performed earlier are now outdated.
- Refer to the 2011 levy worksheet on OSPI's website for the most accurate projections.

ESSB 6444

Grade 4 Staffing Level Impacts

- The 53.2 funding ratio will now apply only to K–3.
- Fourth grade will receive a funding ratio of 47.43/1,000.
- For districts with >25% of their student FTE in digital or online learning, the staffing enhancements above 49/1,000 for K–3 and 46/1,000 for fourth grade will only be provided based upon reported staff on the S-275.



Other Policy Directives in ESSB 6444

ALE Separate Financial Accounting of Expenditures
[Section 501(1)(p)]

STEM Working Group [Section 501(1)(c)]

Highly Capable Working Group [Section 501(1)(q)]

School District Consolidation Commission
[Section 501(1)(b)]

2011–13 Budget Outlook for State

- State economy is on track to rebound; but slowly
- State must:
 - Replace one time federal stimulus and other one time funding used this biennium, not available next biennium (about \$3B out of \$33.4B state budget).
 - Restore cuts to I-728 and I-732 over 4 years, beginning in the 2011–12 SY (\$560M per year once fully restored).
 - Increase employer pension contributions (roughly \$350M per year increase over current biennium contributions).
- State Funding for K–12 will be impacted by all above hurdles; outlook for 2011–12 is bleak.

The K–12 Financial Crisis Was Not Resolved-It Was Delayed

Prior to the 2010 session, OSPI presented the following facts to the Quality Education Council:

- By 2011–12 levies will increase to over \$120M but all of this will be used to pay for local costs of pension rate increases.
- \$221M in Federal Special Education will be gone.
- \$134M in Federal Title I will be gone.
- The COLA is supposed to be reinstated with additional costs to districts to cover non-state paid staff.
- Health benefits will increase 6–11%.
- NERC (MSOC) and transportation costs which are heavily subsidized by levies will increase faster than state revenue.

Continued



- The state is not paying for (on average) \$9,870 per certificated FTE, \$10,878 per classified FTE and \$46,818 per administrative FTE.
- The number of districts with ending fund balances below two percent increased dramatically and more districts were being forced into binding conditions.

2009–11 Bills

5,200

- Total bills introduced

600

- Bills passed

500

- Education related

100+

- Education related passed

E2SSB 6696

Education Reform

Accountability

- Incorporates new federal system with lowest 5%.
- Establishes a voluntary and required phase.
 - Required action only if federal or state funding is available.
- Adds recognition of successful schools.



E2SSB 6696 – Education Reform cont.

Teacher and Principal Evaluations

- Four-level rating system.
- New evaluation criteria for teachers and principals.
- Two-year evaluation pilot to recommend statewide model or models.
- New evaluation systems to be implemented statewide in 2013–14.
- Provisional status extended from 2 to 3 years.
 - Employee in third-year of provisional status must be observed three times.

E2SSB 6696 – Education Reform cont.

TRII

- Adds “implementing innovation activities, including professional development” in Achievement Gap, STEM, and Arts Education.

Common Core Standards

- OSPI may provisionally approve in August: Final approval only after 2011 session.

E2SSB 6696 – Education Reform cont.

Educator Certification

- Expands the alternative certification preparation program.
- Requires teacher preparation programs to administer a new evidence-based assessment to all pre-service candidates.
- PESB and ESDs to convene regional meetings of school districts and higher education to identify regional staffing needs and recruitment/enrollment plans.

E2SSB 6696 – Education Reform cont.

Parents and Community

- Beginning in 2010–11, schools to seek feedback from parents and community members and include it in their annual reports. OSPI to provide model tools by September 2010.
- OSPI to identify and highlight successful models and practices of parental involvement.

2SHB 2731 – Early Learning Program for Educationally At-Risk Children

- Establishes a phased-in voluntary program of early learning for 3 and 4 year-olds who are educationally at-risk.
 - Full implementation by 2018–19.
 - Funding for 2012–13 may not be less than 2011–12.
 - Additional funding in 2013–14 in school districts with all-day K.
 - When fully-implemented, eligible children shall be entitled to enroll.
- SSB 3759 requires OSPI and DEL to convene a technical working group to develop a comprehensive plan for a voluntary program of early learning.

ESSB 6604

Education System Flexibility

- Requirements for Student Learning Plans are repealed, except for students in grade 8 who have not passed the state assessments and are not on track to graduate.

E2SHB 1418

Dropout Reengagement System

- Directs OSPI to develop model contracts and inter-local agreements that districts may use to contract with community technical colleges, ESDs, community-based organizations, or other entities providing dropout reengagement programs. Specifies issues to be addressed in the model contracts and inter-local agreements.
- Authorizes, but does not require, districts to offer dropout reengagement programs.

ESSB 6403 – Vulnerable Students (Dropout Prevention)

- Defines a K–12 dropout prevention, intervention, and reengagement (D.P.I.R.) system.
- Requires the Building Bridges workgroup to recommend state targets for graduation and reengagement and funding to support a career guidance and dropout system.
- Tasks state agency workgroup members to work together on various activities to support the building of a K–12 D.P.I.R. system.

HB 2621 – Designating Lighthouse Programs for STEM Instruction

- Subject to funds appropriated for this purpose, OSPI is directed to designate up to three “lighthouse” middle schools and up to three high schools to provide technical assistance and advocacy to other schools on best practices in STEM education.
- Requires the designated schools to have proven experience and be recognized as model STEM programs.

ESHB 2913 – Innovative Interdistrict Cooperative High School Programs

- Authorizes non-high school districts to form an interdistrict cooperative to offer an Innovation Academy for their high school students.
- An innovation academy cooperative is a program that includes at least one of the following: an interdisciplinary curriculum with a STEM focus, intensive and accelerated learning, project-based learning, creative scheduling and use of existing school or community facilities, and a combination of learning environments.
- Participating non-high school districts will work with local colleges to help expand the learning options.

ESHB 2913 cont.

- Provides funding of “academies” based on the small high school allocations and adjusts participating districts’ levy bases to reflect that one of the districts acts as fiscal agent for the cooperative.
- Requires the non-high districts to submit their cooperative agreement and proposed plan for an academy to OSPI.

SHB 2801

Anti-harassment Strategies

- Directs OSPI, in consultation with the Office of the Education Ombudsman and WSSDA, to update anti-bullying/anti-harassment model policy and procedure and requires districts to incorporate them by August 1, 2011.
- Requires districts to designate a primary contact regarding the policy and procedure. The district contact person must provide a summary of policies, programs, partnerships, and training materials to OSPI to be posted on the School Safety Center website.
- The Office of the Education Ombudsman is designated as the lead agency in providing resources and tools to parents about anti-harassment policies and strategies.

E2SHB 3026 - School District Compliance with State Civil Rights

- Adds a new chapter to the school code paralleling the current Sexual Equity chapter and prohibiting discrimination on the basis of race, creed, religion, color, national origin, sexual orientation including gender expression or identity, veteran or military status, disability, or the use of a trained guide or service animal by a person with a disability.
- OSPI is charged with developing rules and guidelines to eliminate such discrimination; and, OSPI is authorized to enforce and obtain compliance with these guidelines.

SSB 6702

Institutions - Jails Funding

- Bill includes adult jail facilities into the institution education funding.
- Youth in jails up to age 18 may be claimed for an educational program.
- Funding formula provides one CIS staff unit per 9.30 FTE with a minimum of 1.0 FTE staff.
- Formula provides a minimal allocation for CLS and CAS.
- MSOC (NERC) is provided at \$306 per student FTE.

SSB 6702

Institutions – Jails Education

- Each school district, within which there exists an adult jail, must provide a program of education for juveniles confined therein within five days of notification.
- By September 30, 2010, districts must, in coordination with the adult jail facility submit an instructional plan to OSPI.

In retrospect...

In retrospect...

WASA's Platform 1999

- Simple Majority
- Education Reform and Accountability
- School Funding
- Levy Lid/Levy Equalization
- Education Options
- Special Education
- School Construction
- School Consolidation
- Retirement
- Safe Schools
- Administrator Salary Allocations

Legislative and Governor's Work on Basic Education Funding 1990–2010

For two decades, our elected leaders have been “studying” the state’s responsibility to fully fund basic education:

- The Governor’s Council on Education Reform and Finance (1991–93)
- The Commission on Student Learning (1993–99)
- The A+ Commission (2000–05)
- Washington Learns (2005–06)
- The Basic Education Finance Task Force (2007–08)
- The Quality Education Council (2009-ongoing)

Legislative and Governor's Work on Basic Education Funding 1990-2010 cont.

- The Education Reform Bill of 1993 (HB 1209)
- A new definition of basic education in 2009 (ESHB 2261) and 2010 (E2SSB 6696).
- Initiate a prototypical model for allocating funds to schools (SHB 2776).
- Add accountability requirements for schools, teachers, and administrators over the years including the 2010 Race To The Top bill (E2SSB 6696).

WASA's Work on Full Funding 2003–2010

The Ample School
Funding Project

2003–05

What Will It Take?

2003

Generations of
Progress

2004–06

Washington
Adequacy Study

2007

The Full Funding
Coalition Report

2008

Anatomy of Change
2009

Washington State
Leadership Academy

2008–ongoing

Charter Schools

2001

Simple Majority

2007

Leaders Workshop

April 23, 2010

We Have Improved...

- We ranked above the national average in all five NAEP tests in 2007.
- We have made continuous progress in improving student performance on our state assessments.
- Enrollment in AP courses grows with each school year.
- Graduation rates have increased even though the characteristics of each new generation of students reflect the challenges inherent in an increasingly diverse and complex society.



How Did We Do It?

We fundamentally changed the delivery of teaching and learning by implementing processes based on best practices and evidenced-based research.

- Curriculum alignment with essential academic learning requirements and grade level expectations
- Classroom-based assessments
- Teaching and learning coaches
- Problem of practice and data-driven decision-making
- Professional learning communities
- Innovative middle and high schools
- School and district DIF, SIF and Summit improvement projects
- An exemplary leadership training component (the Washington State Leadership Academy)

McCleary v. State – Judge John Erlick

February 4, 2010

Reiterating Seattle School District v. State-1998 Supreme Court

“This court is left with no doubt that under the State’s current financing system, the state is failing in its constitutional duty. 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 (ed. note: for example-federal funds) to supplement state funding for a basic education.”

“Paramount means preeminent, supreme, and more important than others. Funding K–12 education...is the state’s first and highest priority before any other state programs or operations.”

The paramount duty

Is a CONSTITUTIONAL mandate

It is a legal and moral obligation

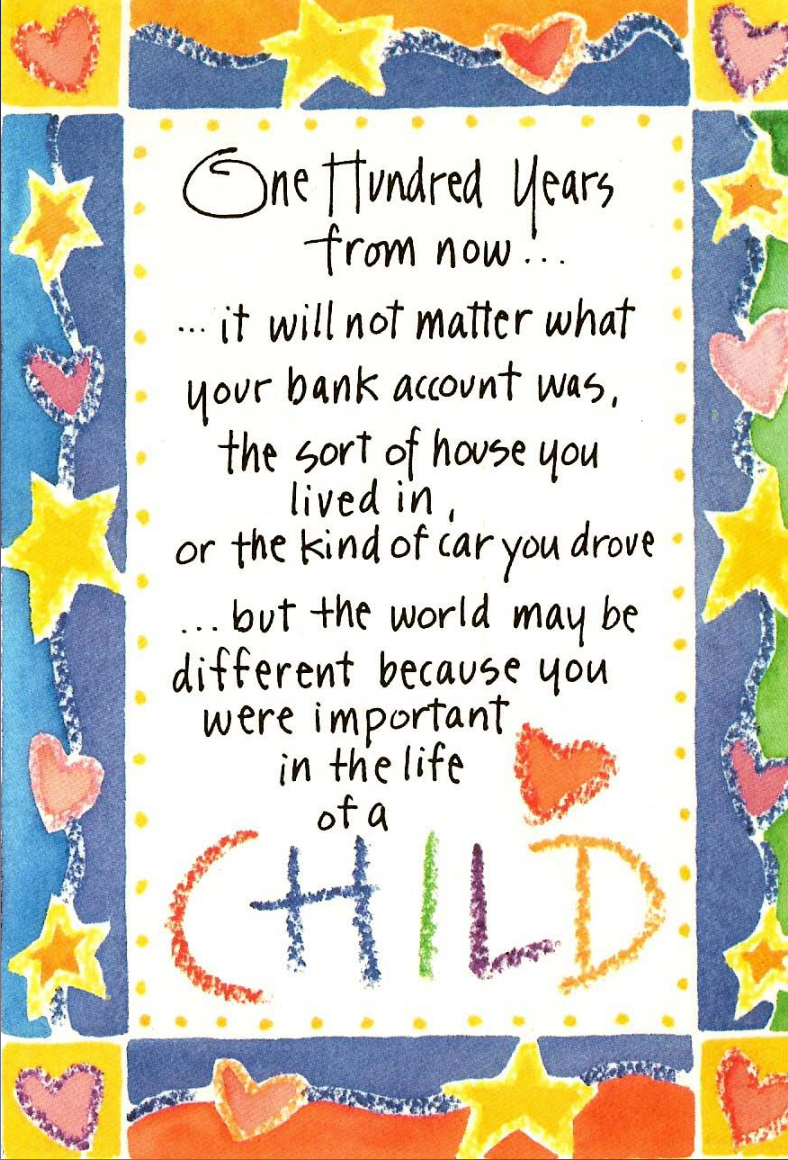
WE LIVE IT

It is time for the citizens and elected
officials of Washington to give more
than LIP SERVICE to it.





Thank You...
Sine Die



One Hundred Years
from now...

... it will not matter what
your bank account was,
the sort of house you
lived in,
or the kind of car you drove
... but the world may be
different because you
were important
in the life
of a

CHILD