



This Week in Olympia

Washington Association of School Administrators

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Week 6

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**This is the 40th day of
the
Jan. 12 through April 26
2009 Regular Session
(65 to go).**

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REVENUE FORECAST AND 2009-11 BUDGETS

THIS WEEK IN REVIEW

The Economic and Revenue Forecast Council reported on Thursday that the deficit has climbed to over \$8 billion. For more information you can go to their website at www.erfc.wa.gov and click on *Economic and Revenue Presentations*. The “early” report was requested so that legislative budget writers have more information upon which to base their 2009-11 budget proposals. The council’s regular forecast will take place on March 19. March 24-26 is targeted for the rollout of the Senate budget. The House is scheduled to follow with its budget shortly after that.

FEDERAL STIMULUS

On Tuesday, President Obama signed the “American Recovery & Reinvestment Act,” a \$787 billion federal effort to get America’s economy back on the right track. Washington will receive \$4.7 billion divided among about forty “pots,” most of which will be distributed through state agencies. Education (early learning, K-12 and higher education) will receive about \$882 million in “stabilization funds” and \$175M in Title I, \$8.5M in technology, \$232M in IDEA, \$10M for Head Start, and \$1.5M for School Lunch Equipment. The Governor’s Office of Financial Management (OFM) has received the first series of “guidance” memos and are diligently working out the details of what this will mean to individual school districts and how the funding will be allocated. The stimulus package will be a key component in the legislators’ decision-making process as they write the 2009-2011 budgets.

THIS WEEK IN REVIEW

(Cont'd)

HEARINGS/WORK SESSIONS

As the policy cut-off date for committees rapidly approaches (February 25), more bills are being “exec’d.” That means the bill is moved out of committee and either goes to budget committees or to “Rules” prior to moving to the floor of its house of origin. The [Bill Watch](#) shows a bill’s status—bills in Ways and Means, Appropriations, or Rules are “on the move.”

The Senate education committee heard SB 5624 - restricting the use of mechanical restraints and chemical sprays in public schools. An interim workgroup overseen by WSSDA, established by the legislature last session, issued a report with a model policy and recommendations in December which was supposed to have resolved this issue (See [FULL REPORT](#) or [SUMMARY REPORT](#)). Concerns with this bill are focused on requirements for training of SROs and the availability and funding for the training. The committee also moved a number of bills out of committee—most of which were amended—including the school flexibility bills (SB 5880, SB 5889, and SB 5890). These bills represent the best effort we’ve seen so far to repeal, suspend, or amend “unfunded mandates.” As was anticipated, the bills, which began with almost a hundred statutes, have been whittled down to about half that number, but we continue to support this effort and look forward to favorable action on the floor.

On Thursday, the committee heard SB 5887 which would send a constitutional amendment to the people to allow school districts to collect their levies for up to 18 months after the levy was approved (to help districts who want to use the November election). The sponsor expressed her willingness to work with her school district to see if there are other avenues that can be explored to provide this option for districts. SB 5774 was also heard on Thursday. The bill’s intent is to define levy equalization as a basic education program—which we fully support. There is a problem, however, with the other sections of the bill. Section 3 limits the flexibility of a school district’s use of I-728 to only class size reduction and building improvement directly related to class size and removes the requirement of holding a public hearing. Section 4 permanently reduces I-728 from \$450 per FTE to \$275 per FTE, and removes the education legacy trust fund as a source of revenue. Because of these two sections, WASA opposed the bill.

On Tuesday, the House Education Committee heard its version of a flexibility bill, HB 2167. The discussion during testimony demonstrated the challenge legislators will have repealing statutes as individuals and advocacy groups made their case to keep them. Still, there is a resolve on the part of the legislators in both the House and Senate to keep working this process to remove unfunded/underfunded mandates. WASA fully supports this effort.

OTHER BILLS OF INTEREST HEARD THIS WEEK ...

HB 2070 and SB 5779 would require the State Board of Health to present their proposed new rules on school environmental health along with the related cost estimates to the legislature for approval prior to implementation. The bill also states that a plan for a phase-in period will be necessary due to the current revenue crisis. WASA fully supports these bills.

HB 2041 and SB 5914 are OSPI request bills making changes to the pupil transportation funding formula, using the recommendations of a task force convened by the Governor’s Office during the interim. The new distribution formula would be implemented in 2011-12 and new reporting requirements must be developed by OSPI by December, 2009. The purpose of the new formula is to rectify the long-standing underfunding of this component of basic education. Members of the task

**THIS WEEK
IN REVIEW**

(Cont'd)

force consistently made the point that any new formula must be equitable and must take into account the unique circumstances that exist in many of our districts based on their size and location.

HB 1678 relates to an issue that was prominent during the last session—the taping of all local government executive sessions. The controversial measure died but it was resurrected this session in an amended version. The bill now allows voluntary tapings which would be exempt from public disclosure, mandates tapings for two years if governing bodies intentionally violate the Open Public Meetings Act, provides an exemption to this if the violation is “self-disclosed,” establishes an advisory committee to recommend model rules, and requires certified training on OPMA/PRA. WASA is part of the Coalition of Local Governments which sponsored training workshops across the state last fall and has been working on the compromise bill.

Another returning issue is the student free speech bill, SB 5946. Proponents maintain that students should be allowed to self-censor their publications and that administrators should be prohibited from exercising censorship. Opponents maintain that the student newspaper is a part of the public school system and, therefore, falls within the duties and responsibilities of school administrators and boards who exercise the same oversight to student publications that an editorial board and publisher would exercise for any newspaper. WASA continues to oppose this bill.

SB 5881 would amend the BECCA parent notification requirements to have schools send notices in the language in which the child and parent are fluent. Federal Way SD provided WASA with a list of the 107 languages spoken in their district which was given to the Senate Human Services and Corrections Committee during testimony on Thursday to demonstrate that the proposed change is neither practical nor possible. In addition, it is clearly another unfunded mandate.

EDUCATION FINANCE REFORM

Senator Oemig, Representative Kathy Haigh, and SPI Randy Dorn all unveiled “compromise” proposals for getting something done this session to set us on the right path to clearly define basic education and adopt a plan to fully fund it. All of the bills that have been heard so far—The Basic Education Task Force’s bill HB 1410/SB 5444 and the Full Funding Coalition’s bills HB 1817/SB 5607—have been put down—which means they will no longer be given consideration. However, [SB 6048](#), [HB 2244](#) and Superintendent Dorn’s letter to legislators ([Supt. Dorn’s letter](#)) signal the beginning of a concerted effort to unite all of the various interest groups on this critical issue. WASA fully supports these efforts.

HOUSE CAPITAL BUDGET

JLOB ROOM C

2/24/09 1:30 - 3:30 p.m.

PUBLIC HEARING:

1. HB 2251 - Concerning leases of facilities by school districts.
2. Other bills referred to committee.

POSSIBLE EXECUTIVE SESSION:

1. HB 2142 - Renaming components of the formula for allotment of appropriations for school plant facilities.
2. Other bills previously heard in committee.

2/27/09 1:30 - 3:30 p.m.

2/28/09 9:00 - 11:00 a.m.

PUBLIC HEARING: Bills referred to committee.

**COMMITTEE
HEARING SCHEDULE
Week of Feb 23 - 27**

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HEARING SCHEDULE
Week of Feb 23 - 27**

(Cont'd)

HOUSE EDUCATION APPROPRIATIONS

JLOB ROOM A

2/25/09 8:00 - 10:00 a.m. TVW

PUBLIC HEARING:

1. SHB 1162 - Providing for social emotional learning in public schools.
2. SHB 1323 - Providing for coordination of workforce and economic development.
3. HB 1075 - Enacting the interstate compact on educational opportunity for military children.
4. SHB 1879 - Providing for the delivery of educational services to children who are deaf and hard of hearing.
5. HB 2021 - Revitalizing student financial aid.
6. HB 1328 - Allowing public technical colleges to offer associate transfer degrees.
7. HB 1312 - Eliminating the exclusive authority of the University of Washington and Washington State University to offer certain engineering courses.
8. SHB 1813 - Regarding establishing and meeting graduation and reengagement goals.

POSSIBLE EXECUTIVE SESSION: Bills previously heard in committee.

2/25/09 1:30 - 3:30 p.m.

2/26/09 8:00 - 10:00 a.m.

PUBLIC HEARING: Bills referred to committee.

POSSIBLE EXECUTIVE SESSION: Bills previously heard in committee.

HOUSE TRANSPORTATION

JLOB ROOM B

2/24/09 1:30 - 3:30 p.m.

PUBLIC HEARING:

1. HB 2095 - Clarifying the permitting, training, and licensing process for driver training schools.

POSSIBLE EXECUTIVE SESSION: Bills previously heard in committee.

2/27/09 1:30 - 3:30 p.m.

2/28/09 TBA

PUBLIC HEARING: Bills referred to committee.

POSSIBLE EXECUTIVE SESSION: Bills previously heard in committee.

HOUSE WAYS & MEANS

JLOB ROOM A

2/24/09 1:30 - 3:30 p.m.

PUBLIC HEARING:

1. HB 1347 - Regarding financial education.
2. SHB 1355 - Establishing the opportunity internship program for high school students.
3. SBH 1356 - Providing for career and technical education opportunities for middle school students.

POSSIBLE EXECUTIVE SESSION: Bills previously heard in committee.

2/27/09 1:30 - 3:30 p.m.

2/28/09 9:00 - 11:00 a.m. TVW

PUBLIC HEARING: Bills referred to committee.

EXECUTIVE SESSION: Bills previously heard in committee.

**COMMITTEE
HEARING SCHEDULE
Week of Feb 23 - 27**

(Cont'd)

SENATE EARLY LEARNING & K-12 EDUCATION

JAC ROOM 4

2/23/09 1:30 - 3:30 p.m.

PUBLIC HEARING:

SB 5487 - Changing the notification date for nonrenewal of a certificated employee's contract.

SB 6048 - Concerning the state's education system.

EXECUTIVE SESSION:

1. SGA 9144 - Edwin Snook, Member, Bd of Trustees, State School for the Blind.
2. SB 5694 - Modifying provisions relating to record checks using fingerprints.
3. SB 5801 - Regarding basic education allocations for tribal schools.
4. SB 5738 - Req. OSPI to review annual SD compliance reports.
5. SB 5779 - Regarding adoption of school environmental health and safety rules.
6. SB 5619 - Req developmt of recommendations for kindergarten entry assessm.
7. SB 5973 - Closing achievement gap / provide all students excell/equitable educ.
8. SB 6048 - Concerning the state's education system.

2/25/09 8:00 - 10:00 a.m.

PUBLIC HEARING: To be announced.

EXECUTIVE SESSION: To be announced.

SENATE WAYS & MEANS

JAC ROOM 1

2/23/09 3:30 - 5:30 p.m. TVW

WORK SESSION:

1. American Recovery & Reinvestment Act of 2009 Overview.
2. Capital Budget Overview.

POSSIBLE EXECUTIVE SESSION: Bills previously heard in committee.

2/24/09 3:30 - 5:30 p.m.

2/25/09 1:30 - 3:30 p.m.

2/26/09 1:30 - 3:30 p.m.

2/26/09 3:30 - 5:30 p.m.

2/27/09 1:30 - 3:30 p.m.

2/27/09 3:30 - 5:30 p.m.

PUBLIC HEARING: To be announced.

POSSIBLE EXECUTIVE SESSION: Bills previously heard in committee.

BILL WATCH

The Bill Watch tracks education related bills. A bill's journey to become a law changes as it is heard in committees and then either dies or moves to the floor of the House or Senate. If it passes there, it crosses over to the other side and goes through the same process. The first cut-off - for bills to be out of their committee of origin - is Feb. 25. A bill must be signed by the Governor before it becomes a law. Information about each bill - including sponsors, bill digests, bill reports, amendments, actions, and history can be found by clicking on the link below.

BILL WATCH

Click [HERE](#) to see the 2009 Session Cut-off Calendar.

RETIREMENT/HEALTH BENEFITS

We gave testimony on two health related bills this past week in the House Ways and Means Committee. HB 1940, Representative Bailey's bill, would have all K-12 and ESD employees moved into the state PEBB health plans in 2011. HB 1601, Representative Cody's bill, would allow separated Plan 2 members who don't start their pension to have access to the PEBB if they have 20 years of service and are at least age 55. Testimony on HB 1940 was similar to that shared in the Senate on Senator Brandland's SB 5491 with most unions opposing the legislation and OSPI and WASA, together with Northwest Region superintendents, giving tentative policy support. However, we expressed significant concern related to expected cost of the initial proposed legislation, especially as it relates to part time employee funding. No fiscal note is available at this time. Our association, together with other stakeholder groups, gave supportive testimony to the Plan 2 Access to the PEBB bill, HB 1601. An identical bill passed the House last year.

We continue to push for a hearing on either HB 1602/SB 5490 or HB 2143. Both would reinstate hours of postretirement employment for Plan 2 and 3 members who take advantage of the new age 62 early retirement.

Governor Gregoire announced her plan to combine the Department of Retirement Systems (DRS) and the Health Care Authority (HCA) into a single agency. The Governor has asked HCA's Administrator, Steve Hill, to lead the merger. This will take legislative action that is not expected until 2010.

Quite a few new pension and health benefit bills continue to be introduced and added to our associations [Retirement/Health Benefit bill watch](#) which is available on our web site.

AEA

On Monday, AEA testified in support of SB 1975 which would extend the time (from six years to ten years) a school district has to spend its school construction revenues from school impact fees, giving the districts more flexibility.

We also testified on Monday in House Ways and Means in support of HB 2070 which charts the path for the implementation of the State Board of Health's Environmental Health and Safety Rule at the legislature's direction as funding is available. Later in the week, WAMOA and WASBO, who have been involved with the development of the rule since 2002, met with Rep. Pat Sullivan, the bill's prime sponsor, to provide additional assistance in helping him "fine tune" the bill. We also sent written testimony to the Senate Early Learning/K-12 Committee on SB 5779, the companion bill of HB 2070.

On Tuesday, WASBO held a very successful legislative workshop in Olympia, attended by about 40 members. Then, on Wednesday, there were 37 AEA members who participated in our annual Day on the Hill.

Also on Wednesday, WSNA testified in support of SB 5361, feeding hungry kids bill, which would enable students qualified for reduced price lunch in grades pre-K and four through six to eat lunch for free. Later that day, the House Education Committee amended SHB 1416, companion to SB 5361, to eliminate the reduced price lunch copay for pre-K and only grades four and five. The revised cost is \$1.9M for the 2009-11 biennium, along with \$.5M for the summer food program expansion.

On Thursday, AEA testified in Senate Early Learning/K-12 in favor of SB 5828 which would allow 23 large school districts and several urban ESDs to designate an employee to be the district treasurer rather than going through the county treasurer to handle fiscal matters. In the same committee, AEA opposed SB 5774, which reduces I-728 substantially and makes it only available for class size reduction; it also does not reduce levy equalization. In addition, it takes the school board public hearing and community involvement out of the process for using I-728 funds.

**KEEPING UP WITH
THE LEGISLATIVE
SESSION**

You can contact legislators using the Legislative Hotline
1-800-562-6000 or by going to the legislature's website:
<http://www.leg.wa.gov>

TVW
<http://www.tw.org/index.cfm?bhcp=1>

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