



# 2014 Legislative Summary

WASHINGTON STATE SCHOOL DIRECTORS' ASSOCIATION

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## How to read this summary

The following information offers an overview of the supplemental 2013–14 operating and capital budgets and a “scorecard” review of bills that passed and didn’t pass. The scorecard is broken into topical categories.

The summary also provides a list of interim activities that should be of interest to school directors — new rules, reports being written, and work groups tasked with making recommendations for the next session. A lot of work takes place during the interim and many of the recommendations will set the tone for legislation or budget changes next session.

Finally, see how the positions adopted at the WSSDA Legislative Assembly in September 2013 fared during the 2014 session on page 63.



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# 2014 session in review

When the Legislature convened January 13 for a 60-day session, many predicted a short, limited-issue and lean-budget event. Some even were wagering lawmakers might get out of town early. But as the session wore on, it became clear they would need every day of the regular session to get the job done.

The dynamics of the two chambers remain challenging, with the Senate controlled by 24 Republicans and two Democrats, and the House controlled by the Democrats by a 55-43 margin. The Senate “Majority Coalition Caucus,” as it calls itself, picked up another seat in the November 2013 elections, giving it a little bit more breathing room than in 2013. Still, the Senate had six new senators and the House had seven new members, which is much higher than usual for an off-year election session.

In the end, education funding remained top of mind and, for the third session in a row, no cuts were imposed on school districts. In fact, an additional \$58 million investment was included for Materials, Supplies and Operating Costs (MSOC), and nearly \$2 million will be restored to many districts that receive federal timber payments, allowing the Legislature to put another couple of check marks in the McCleary box this session.

But it isn’t enough, and legislators adjourned without meeting the Washington State Supreme Court’s January 9 order to provide a complete phase-in plan for meeting the goals of ESHB 2261 (Chapter 548, Laws of 2009) and SHB 2776 (Chapter 236, Laws of 2010) by an April 30, 2014 deadline.

In its January 9 response to the Legislature’s 2013 report on education funding, the Court acknowledged that “meaningful steps were taken” in the 2013-15 biennial budget. However, the Court also expressed concern that the state was “not on target to implement (the basic education laws) by the 2017-18 school year.”

House and Senate Democrats introduced legislation that would have codified a linear phase-in of basic education as redefined in 2009 and 2010, but neither bill passed a chamber. In addition, while discussions occurred about funding – and the level of funding needed – no action was taken to create a comprehensive, stable and sustainable system to fund K-12 education.

Supplemental budget years usually are short on big policies, but the 2014 Legislature took on two fairly sizeable topics: graduation requirements and a change to the teacher and principal evaluation system.

The first issue passed in the final days of session, with plenty of concessions to ensure funding, fairness and flexibility are considered as well as the number of credits (an increase from 20 to 24) required to graduate. On the second issue, legislators faced intense opposition from teachers and the teacher’s union, who both rallied against changes to the system even if it meant losing the state’s waiver from the federal No Child Left Behind act.

Legislators left town without adopting a supplemental capital budget or a transportation revenue package. The supplemental operating budget included some funding for early learning and extended the limit on state college and university tuition increases for a second year in a row. Three senators have announced they will not be returning, at least three House members will not be back, and the 2014 elections are expected to be heated and expensive, particularly in the Senate.

Looking ahead, the 2015 session, and adoption of a 2015-17 biennial operating budget, will be pivotal related to McCleary and meeting the State’s obligation to amply fund K-12 education by the 2017-18 school year. Stay tuned!



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# 2014 Supplemental Budget and Related Bills

Typically when the Legislature meets in the 60-day session it makes slight adjustments to the operating, capital and transportation budgets based on the revenue forecast, caseloads, changes to spending patterns, or new policy objectives.

Compared to 2012, when the state was just starting to climb out of the Great Recession, no cuts were anticipated when the 2014 session started. Governor Jay Inslee proposed a very lean budget, with only \$6.4 million in new funding for K-12 and nothing for the McCleary buckets. The word at the beginning of session was that no new funding would be forthcoming for K-12. All that changed with the January 9th Supreme Court order, which put more pressure on legislators to make additional investments in K-12 education.

When the February 2014 revenue forecast was slightly to the positive, Inslee suggested the Legislature spend \$200 million for K-12, with a hefty investment in “MSOC” (Materials, Supplies, and Operating Costs) and restoration of teacher COLAs. The Democratic governor linked closing seven tax preferences to the new investments, which had failed to gain much traction the previous year with the Senate majority.

Sen. Andy Hill, R-Redmond, the Senate’s lead budget writer, ignored the Governor’s suggestion and responded to the forecast with a proposed investment of \$38 million for MSOC and the addition of a bunch of new or extensions of tax preferences. A few days later, Rep. Ross Hunter, D-Medina, offered the House Democratic proposal, which included \$60 million for MSOC and nearly \$2 million in restoration for timber-payment districts.

After slight modifications in both chambers, the budget negotiators got down to the details and ultimately settled on \$58 million in MSOC and nearly \$2 million in basic education restoration to districts that get federal timber payments. ESSB 6002, the supplemental operating budget, passed the Senate by 48-1 and the House by 85-13 votes.

School construction fared more poorly, however, with lawmakers leaving town without adopting changes to the 2013-15 capital budget. Several ideas were floated during the session to address capacity issues linked to the expansion of full-day kindergarten, smaller K-3 class sizes, and additional lab science space for graduation requirements.

Initially started in the Senate, legislators proposed \$50 million in unspent School Construction Assistance Program funding, split equally between STEM facilities and full-day kindergarten. The House responded with a bipartisan effort: \$700 million in bonds backed by lottery revenues for full-day kindergarten and smaller K-3 class sizes. The Senate then proposed \$825 million in general obligation bonds, for STEM and full-day kindergarten, with a study of the impacts of smaller class sizes on student outcomes.

In the end, no capital “capacity” bills were adopted, but the space issue is expected to remain front and center as policy changes under McCleary are implemented over the next few years.

# PASSED

ESSB 6002

## **2014 Supplemental Changes to the 2013-15 Operating Budget**

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The supplemental operating budget adopted in the regular session of the 63rd Legislature included new funding for Materials, Supplies, and Operating Costs (MSOC), the restoration of basic education funding to some districts that receive federal timber payments, and a shift in the use of about \$97 million originally intended to increase instructional hours from 1,000 to 1,080 for grades 7-12, averaged by grade, starting in the 2014-15 school year.

In addition, a few policy level changes were funded for early learning, K-12 and higher education. Tuition rates at public state colleges and universities will remain stable again next year. Unless specified otherwise, funding for new investments would begin July 1, 2014 and end June 30, 2015.

### **QUICK GLANCE AT FUNDING ESSB 6002**

#### **K-12 AND EARLY LEARNING**

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- \$97 million shift from 1,080 instructional hours to 24-credit diploma phase-in. Removed the requirement to implement 1,080 hours in the 2014-15 school year.
- \$58 million to increase the Materials, Supplies, and Operating Costs (MSOC) allocations.
- \$2 million for the New Teacher Mentoring Program.
- \$2 million for federal forest deductible revenues, partially eliminating the reductions to school districts' apportionment that is based on federal timber revenue receipts.

#### **EARLY LEARNING**

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- \$23 million to fund the child care collective bargaining agreement with family home providers and to provide a rate increase for child care center providers.
- \$3 million to continue delivering the Medical Treatment Child Care program; federal Medicaid funds to support this program have been disallowed.

#### **HIGHER EDUCATION**

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- \$25 million for the Opportunity Scholarship Program (public-private scholarship program).
- \$5 million for SB 6523 (the Real Hope Act). The appropriation is in SB 6523.
- \$2 million for additional engineering and computer science enrollments.
- \$1 million to support the Institute of Protein Design at the University of Washington.
- \$1 million in matching funds for a federal grant for the Jet Fuels Center of Excellence; Washington State University has been designated the lead agency for the Center.

Here are the details of funding ESSB 6002:

## **K-12 EDUCATION**

### **24-credit Graduation Requirement: Shift of \$97 million**

Chapter 4, Laws of 2013, 2nd Special Session (3ESSB 5034) established an implementation schedule for a requirement that school districts increase instructional hours from an average of 1,000 hours districtwide to 1,000 hours in each of grades 1-6 and 1,080 in each of grades 7-12. This requirement is eliminated and a portion of the funding associated with the requirement, along with funding from the Education Legacy Trust-Account, is reallocated for implementation of Engrossed Second Substitute Senate Bill 6552 (student hour and graduation requirement).

The following enhancements to the prototypical school funding formula are included in the reallocation:

- Enhanced funding for class size reduction for two laboratory science classes within grades 9-12;
- An increase in the prototypical school allocation for high school guidance counselors from 2.009 to 2.539 full-time equivalent staff; and
- An additional minimum allocation for MSOC for grades 9-12 of \$164.25.

The net impact of these changes is a reduction to the general apportionment allocation and an increase in the special education allocation. (General Fund-State and Education Legacy Trust Account-State)

### **Materials, Supplies and Operating Costs (MSOC): \$58 million**

Allocations for Materials, Supplies, and Operating Costs (MSOC) are further increased by \$66.32 per full-time equivalent student, from \$781.72 to \$848.04 for school year 2014-15. The increase in the MSOC allocation is distributed proportionally across the seven MSOC categories.

Here is a comparison of 2013-14 and 2014-15 MSOC Rates per Student FTE:

<b>MSOC Component</b>	<b>2013-14 school year</b>	<b>2014-15 school year</b>
Technology	\$77.46	\$89.13
Utilities and Insurance	\$210.46	\$242.17
Curriculum and Textbooks	\$83.17	\$203.16
Other Supplies and Library Materials	\$176.56	\$203.16
Instructional Professional Development for Certificated and Classified Staff	\$12.86	\$14.80
Facilities Maintenance	\$104.27	\$119.97
Security and Central Office	\$72.24	\$83.12
Total Basic Education MSOC per Student FTE	\$737.02	\$848.04

### **New Teacher Mentoring Program: \$2 million**

Funding is provided to expand the Beginning Educator Support Team (BEST) program at OSPI. The program provides grants to school districts to provide an enhanced level of support and professional development for new teachers. Additional funding is provided for support for first year teachers.

**Federal Forest Deductible Revenues: \$1.991 million**

Funding is provided for the implementation of Substitute House Bill 2207 (basic education funding), partially eliminating the reduction of school district federal timber revenue receipts from school district general apportionment allocations. The estimated fiscal cost for state FY 2015 is \$1,991,000. This figure assumes that the federal forest revenues will be reauthorized for school year 2014-15.

*Editor's note: The Governor vetoed the subsection that appropriated this funding but the policy in E2SHB 2207 regarding partial restoration of basic education apportionment for eligible districts remains intact. The reason for the veto was that the original 2013-15 state operating budget assumed no federal payments after October 1, 2014 and, therefore, no reductions in districts' state basic education apportionment payments.*

*According to the veto message, if the federal government reauthorizes the federal timber payments beyond September 30, 2014, "... eligible school districts will receive the benefits of increased combined state and local funding under E2SHB 2207, and state general apportionment appropriations in this budget bill will be more than sufficient to fully fund state general apportionment without the appropriation provided in this subsection."*

**Transportation Funding Adjustment: \$558,000**

Funding is provided for pupil transportation funding formula adjustments in school year 2014-15. School districts whose allocations for the 2013-14 school year exceed their allocations under the fully funded expected cost pupil transportation funding model, and have an efficiency rating of at least 95 percent, are eligible to receive an adjustment in their respective pupil transportation allocation, in order to account for extenuating circumstances beyond district control such as geographical anomalies.

**24-credit Graduation Requirement for State Agencies: \$309,000**

Funding is provided for OSPI to develop curriculum frameworks for a selected list of Career and Technical Education (CTE) courses where content is considered equivalent to science or mathematics courses that meet high school graduation requirements. Of this total funding, \$22,000 is provided for the State Board of Education to adopt rules to implement a 24-credit diploma (E2SSB 6552).

**Paraeducator Development: \$278,000**

Funding is provided for implementation of Substitute Senate Bill 6129, directing the Professional Educators Standards Board to convene a work group to design program-specific minimum employment standards for paraeducators, recommend professional development, develop a career ladder, and design an articulated pathway for teacher preparation from paraeducator certificates through teacher certification.

**Program Compliance: \$267,000**

Funding is provided for OSPI to monitor districts' compliance with state and federal equity and civil rights laws, as well as conduct ongoing consolidated program reviews of Alternative Learning Experience and dropout reengagement programs.

**Closing the Opportunity Gap: \$245,000 (one-time funding)**

- \$28,000 for OSPI to create a clearing house of best practices for high quality alternative instruction for expelled students;
- \$49,000 for OSPI to develop a content outline for cultural competence professional development;
- \$117,000 for OSPI to convene an English language learner accountability task force whose purpose is to design a performance-based accountability system for the Transitional Bilingual Instructional Program;
- \$14,000 for the Professional Educators Standards Board (PESB) to examine principles of language acquisition;
- \$10,000 for PESB, in collaboration with OSPI, to convene a work group to revise education related Career and Technical Education courses to incorporate cultural competence standards; and,
- \$27,000 for the incorporation of cultural competency in the Teacher and Principal Evaluation Program system.

**Youth Suicide Prevention: \$148,000**

Funding is provided for the implementation of Substitute Senate Bill 6431, directing OSPI to work with state agencies and community partners to assist schools in implementing youth suicide prevention activities, which may include: training; partnering with local coalitions of community members; and responding to communities determined to be in crisis following a suicide or attempted suicide.

**Expanded Learning Opportunities: \$83,000**

Funding is provided for staffing at OSPI to implement Second Substitute Senate Bill 6163.

**Homeless Student Education Outcomes: \$44,000**

Funding is provided for implementation of Substitute Senate Bill 6074, directing the Superintendent of Public Instruction to: (1) collect and report homeless student data to the Governor and the Legislature; (2) post a short video providing information on identifying and providing support to homeless students, and why these activities are critical to student success; and (3) distribute best practices for choosing and training district-designated homeless student liaisons.

**Biliteracy Seal: \$21,000**

Funding is provided for the implementation of Senate Bill 6424, establishing the State of Washington Seal of Biliteracy to recognize public high school graduates who have attained a high level of proficiency in speaking, reading, and writing in one or more world languages in addition to English. The funding allocation of \$21,000 supports costs associated with required rule adoption and staffing at OSPI.

**Alternative Assessment: Within existing resources**

The Superintendent of Public Instruction is directed to create an alternative assessment that aligns with the common core state standards within existing resources. The alternative assessment is for students with the most significant cognitive challenges.

**Biology Collection of Evidence (COE): Within existing resources**

The Superintendent of Public Instruction is directed to develop and administer the Biology Collection of Evidence (Biology COE) assessment within existing resources. The Biology COE assessment is comparable to the current biology end-of-course test. The Biology COE is a primary alternative for high school students, and requires intensive ongoing development activities.

**State Employee Health Insurance: No reduction to K-12 employees**

The state contribution for public employee insurance benefits is reduced for FY 2015 from \$763 per month to \$662 per month. Reductions are achieved while keeping the insurance reserves fully funded due to the use of accumulated surplus funds from prior periods, and reduced claims costs. The new funding level is sufficient to fund expected expenses through the end of FY 2015 while maintaining current benefits and a 15 percent average employee contribution to monthly premium costs.

**EARLY LEARNING****Center-tiered Reimbursement: \$2.4 million**

Funding is provided for a tiered reimbursement pilot for child care centers who participate in the Early Achievers Quality Rating and Improvement System. The data received from this pilot will be used to estimate costs associated with achieving and maintaining higher quality child care. Funding provides incentive payments and supports for providers who participate in the tiered reimbursement pilot in FY 2015.

**Electronic Time System: \$944,000**

Adjustments are made to the funding provided to develop a new child care time, attendance and billing system. Expenditures that cannot be financed through a certificate of participation are now directly funded with state operating funds.

**Local Grant for Early Achievers: \$50,000**

Private/local expenditure authority is provided to spend local grant funds to integrate the Early Childhood Education Assistance Program and the federal Head Start program into the Early Achievers Quality Rating and Improvement System.

**Family Home Child Care Rate Increase: \$2.2 million**

The collective bargaining agreement with family home child care providers increases base payment rates by 4 percent starting July 1, 2014, and another 4 percent starting January 1, 2015. Beginning in FY 2015, a pilot program shall determine the appropriate payment increases at each Early Achievers level. Funding covers the pilot program and payment increases for the seasonal and homeless child care programs.

**Center Child Care Rate Increase: \$299,000**

Funding is provided to increase base payment rates for child care center providers by 4 percent starting July 1, 2014, and another 4 percent starting January 1, 2015. This funding is sufficient to cover payment increases for the seasonal and homeless child care programs.

**Maintain MTCC Program: \$3 million**

Funding is provided to continue delivering the Medicaid Treatment Child Care (MTCC) program. Use of federal Medicaid dollars to support this program has been disallowed.

**Reach Out and Read Program: \$50,000**

Funding is provided for the Department of Early Learning to increase the Reach Out and Read contract to \$200,000 in fiscal year 2015. Reach Out and Read provides services that promote early literacy by giving new books to children during pediatric doctor visits and advising parents about the importance of reading.

**HIGHER EDUCATION**

**Real Hope Act: \$5 million**

Senate Bill 6523 appropriates \$5 million to the Student Achievement Council for the purpose of student financial aid payments under the State Need Grant program.

**STEM for Under-represented Students: \$410,000**

National Science Foundation funding, due to expire in 2014, is replaced with state funding to continue the Mathematics Engineering Science Achievement (MESA) Community College Program on six community college campuses. MESA provides educational support for traditionally underrepresented students majoring in STEM fields (science, technology, engineering, and mathematics) to improve academic outcomes and promote transfer to four year institutions.

** DID NOT PASS**

HB 2224/SB 6020

**Relating to supplemental capital appropriations**

The Senate version would have redistributed \$50 million from the School Construction Assistance Program to be spent on STEM facilities (\$25 million) and full-day kindergarten capacity issues (\$25 million). The House version also included funding for a new school nutrition equipment grant program. Both were the topics of legislation covered under School Facilities.



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# Implementing and funding McCleary

In January 2012, the Washington State Supreme Court affirmed a lower court decision that found the state had failed to amply fund its public schools and, in an unprecedented action, decided to retain jurisdiction over the *McCleary v. State* case.

A majority of the Justices said that they couldn't rely on the Legislature's promises to comply with their decision, and directed the state to submit annual reports to the Court showing steady, measurable and real progress from the immediate past session.

On January 9, 2014, the Court issued an order in response to the 2013 report submitted by the Legislature that acknowledged some progress had been made with the 2013-15 biennial operating budget but that the state was not on track to fully fund K-12 education — using the state's own funding estimates — by 2018. Further, the order stated:

“The State shall submit, no later than April 30, 2014 a complete plan for fully implementing its program of basic education for each school year between now and the 2017-18 school year. This plan must address each of the areas of K-12 education identified in ESHB 2261, as well as the implementation plan called for by SHB 2776, and must include a phase-in schedule for fully funding each of the components of basic education.”

Twenty-five House Republicans responded to the Court's order with a letter that “rejected” the Court's “attempt to wrongfully intrude upon the constitutional prerogatives of the legislative branch... It is our sincere hope that you will not continue to perpetuate a constitutional crisis by insisting on violating the very constitution every member of the court has sworn, by oath to uphold. It is a crisis in which you will not prevail.”

Others, for example, Sen. Michael Baumgartner, R-Spokane, spoke out strongly in the media and introduced legislation to reduce the number of Supreme Court Justices. House and Senate Democrats offered legislation designed to phase in the various elements of ESHB 2261, including smaller K-3 class sizes, full-day kindergarten, prototypical school funding and other elements of the state's program of basic education.

Legislators met April 14 to discuss the post-session response to the Court and a response to the Court's order to produce a plan by April 30, 2014. This document was in production at the time of the deadline.

## **DID NOT PASS**

SHB 2244/SB 6546

### **Restoring resources to the capital budget**

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Would have stopped the transfer of three dedicated funding sources from the Public Works Assistance Account to the Education Legacy Account at the end of the 2013-15 biennium.

HB 2465

### **Narrowing the extracted fuel tax exemption to provide funding for the education legacy trust account**

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Would have narrowed the application of the extracted fuel use exemption to the use of biomass fuel (eliminating the preference for oil refineries), and dedicated the captured refinery fuel tax revenue to the Education Legacy Trust Account.

HB 2792

### **Implementing the state's education funding obligation by increasing allocations to school districts, which include materials, supplies, and operating costs, all-day kindergarten, and class size reduction in kindergarten through third grade**

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Would have implemented a linear phase in of the state's redefined program of basic education.

HB 2794

### **Adjusting the state expenditure limit to accommodate enhancements to the prototypical school funding formula**

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Would have required the state to increase the state expenditure limit to reflect the cost of funding enhancements to the prototypical school funding formula from fiscal years 2014-2019.

HB 2795

### **Investing in education by clarifying laws relating to tobacco substitutes**

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Would have imposed a 75 percent "other tobacco products" (OTP) tax on tobacco substitutes, such as e-cigarettes and would have directed the OTP tax revenue generated from the distribution of tobacco substitute to the Education Legacy Trust Account.

HB 2796

### **Investing in education by narrowing or eliminating certain tax preferences**

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Would have changed four tax preferences and directed the "captured" funding to the Education Legacy Trust Account. The bill would have eliminated the B&O tax rate for resellers of prescription drugs; repealed the sales and use tax exemption for bottled water; changed the nonresident sales tax exemption to a refund program; and narrowed the use tax exemption for extracted fuel produced by oil refineries during the extracting or manufacturing activity.

SB 5881

### **Prioritizing state revenue growth for education**

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Would have sent to the voters a proposal to capture two-thirds of any new revenues for education (defined as early learning, K-12 and higher education) expenditures, starting July 1, 2015 through June 30, 2025.

SB 6108

**Implementing linear K-3 class size reductions**

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Would have placed in statute a roadmap for steady forward progress to implement the basic education K-3 class size reduction to 17 students by 2018, and provided additional non-basic education funds to assist with capital costs for school districts with capacity limitations in meeting the target of reducing class sizes for grades K-3 to 17.

SB 6120

**Public works assistance account**

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Would have changed the date from June 30, 2019 to June 30, 2017 regarding the diversion of the real estate excise tax and solid waste tax from the Public Works Assistance Account to the Education Legacy Trust Account.

SB 6230

**Strengthening the tax structure, tax equity, and essential governmental services by a voter-approved tax**

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Would have established a state income tax, decreased the state sales tax rate from 6.5 percent to 5.5 percent and dedicated all tax revenues collected under the act to be deposited in the Education Legacy Trust Account to fund education. Would have required a vote of the people at the next general election.

SB 6563

**Concerning basic education funding**

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Would have provided additional investments to improve the state's program of basic education by expanding eligibility for early learning programs, continued class-size reductions in kindergarten and grade 1, and provided an increased opportunity for all qualified students to be able to financially afford higher education.

SB 6571

**Remote seller taxes for education funding**

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Would have required the Department of Revenue to annually estimate the anticipated net increase in state sales tax from Internet sales once the U.S. Congress or courts grant individual states the authority to impose sales and use tax collection charges on remote sellers. Also would have required that all sales taxes collected from remote sellers would be transferred to the Education Legacy Trust Account.

SB 6574

**Education financing**

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Would have created a beginning proposal for an expenditure plan for redefined components of the state's basic education program as required by the state Supreme Court's order dated January 9, 2014.



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# The Scorecard

In January 2012, the Washington State Supreme Court confirmed what school districts already knew — the state wasn't meeting its constitutional obligation to amply fund public education and was relying on local levies to pay for basic education requirements.

Following debate and ranking of WSSDA's legislative positions at the Fall Legislative Assembly, the WSSDA Board of Directors adopted three priorities for the 2014 legislative session.

## Three Priorities for 2014

WSSDA's top priorities for the 2014 session were:

1. Fund and implement all aspects of Washington's redefined program of Basic Education (ESHB 2261, Chapter 548, Laws of 2009), in the following order:
  - Pupil transportation by FY15.
  - Materials, Supplies and Operating Costs (MSOC) by FY16.
  - Full-day kindergarten, starting with highest poverty schools, by FY18.
  - Compensation for administrative, certificated and classified staff by FY18.
  - Smaller K-3 class sizes, starting with highest poverty schools, by FY18.
  - Increased instructional hours — to 1,000 for K-6 and 1,080 for grades 7-12 by FY18.
  - Full Funding Technical Working Group staffing recommendations for prototypical schools by FY18.
  - 24-credit diploma that provides options to students pursuing different post-secondary paths, for graduating class of 2020.
2. Fund two days of state- and district-directed professional development for all state- and locally-funded classroom teachers and principals through an appropriation in the 2014-15 supplemental budget.
3. Impose no new mandates — funded or not — for the 2014-15 school year.

To support the priorities, WSSDA's Board of Directors decided to pursue legislation to fund two days of professional development. In addition, WSSDA developed bills and advocated for legislation that would implement Position 15, a long-standing WSSDA position that affects 215 school districts across the state that receive federal timber payments.

The association secured sponsors for bills in both the House and Senate, including bipartisan sponsorship for federal forest payments and two Republicans joining many Democrats in support of professional development.

The legislation related to professional development came with a \$50 million a year price tag, a tough sell during a supplemental budget year with little shift to the positive in revenue. Not surprisingly, neither HB 2313 nor SB 6161 received a hearing, although the House Appropriations Subcommittee on Education agreed to hold a work session on professional development and invited WSSDA to participate.

The federal forest legislation, HB 2207 and SB 5986, fared much better this session. The annual price tag for restoration was estimated at \$8.3 million, which lawmakers decided was still too steep for a budget designed to make technical adjustments. ESHB 2207 partially ends a law that has been in place for 32 years and has deprived 215 districts from state basic education funding because they receive federal timber payments. It's a first, but critical step, towards full restoration.

In addition, forward progress was made with new investments in Materials, Supplies and Operating Costs and in minimizing unfunded mandates, which is described at greater length in this summary.

Individual school directors, superintendents, and WSSDA staff were active and visible with their legislators this session. Advocacy took the form of testifying, participating in work session panels, writing emails, making phone calls, and in-person meetings during the annual Day on the Hill and other visits to Olympia.

It is that level of engagement that truly makes a difference and brings that public education leader “voice” to the State Capitol. And nowhere was that more apparent than in ESHB 2207, with school directors and superintendents from across the state advocating for restoration of their basic education allocations.

The following “scorecard” is divided into topical sections of the bills tracked by WSSDA during the 2014 session. Each section indicates bills that passed and bills that were introduced but didn’t pass. Additional information can be found at [www.leg.wa.gov](http://www.leg.wa.gov).

# Accountability

Accountability means different things to different people. Over the past couple of sessions, the mantra has been no additional funding without additional accountability or reform. In 2013, the Legislature restructured the state's school accountability and achievement index, melded the state and federal accountability systems, and created two tiers of technical assistance and intervention.

Seen through the lens of "legislative" accountability to meet the terms of the McCleary decision, the Legislature has made some progress with funding but is clearly not on the path of full funding by the 2017-18 school year.

Efforts to enact recommendations to fully fund prototypical schools; create a plan to phase in the state's redefined program of basic education (commonly referred to as ESHB 2261 (Chapter 548, Laws of 2009) and SHB 2776 (Chapter 236, Laws of 2010)); restore professional development; or take on the thorny issue of compensation (and the state's obligation to be a much more significant funder for compensation) have failed.

## PASSED

HB 2167

### **Relating to changing the date by which challenged schools are identified**

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Changes the due date for the first and annual identified list of the Office of the Superintendent of Public Instruction on challenged and persistently lowest-achieving schools to February 1, rather than December, of each year, starting with 2014.

Chapter 191, Laws of 2014

## DID NOT PASS

HB 2201

### **Improving fiscal accountability and transparency standards with respect to state tax preferences**

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Would have increased the availability and consistency of tax preference data reported to the Department of Revenue and authorized public disclosure of certain tax information of publicly traded companies annually claiming one or more tax preferences in excess of \$10,000 under certain circumstances.

HB 2242

**Implementing selected education reforms using recommendations from the Quality Education Council's 2014 report to the legislature**

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Would have made changes to the Indicators of Educational System Health (SB 5491, 2013); authorized a 24-credit diploma and stated that all the funding that was needed for 24 credits had been provided in the 2013-15 omnibus operating budget; codified the requirement to increase instructional hours from 1,000 to 1,080 in grades 7-12 for the 2014-15 school year; and allowed the QEC to meet outside of public meetings to conduct its work.

SB 6241

**Requiring that reports be submitted to legislative education committees**

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Would have required the Joint Legislative Audit and Review Committee to review all annual compliance reports required of school districts and recommend to the legislative education committees which reports should be discontinued; integrated into OSPI's database; or maintained in their current form.

SB 6555

**Requiring the Washington Institute for Public Policy to conduct systematic reviews of investments in education**

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Would have directed the Washington State Institute for Public Policy to conduct ongoing systematic reviews and report to the Governor and Legislature by December 1, 2016 and every two years to identify the investments in education that result in the most effective and evidence-based practices, starting with a review of the 2013-15 operating budget enhancements to the program of basic education.

# Achievement

How to help all students be successful, whether it is bridging transitional points between grades, making the jump to post-secondary pathways, or closing the educational opportunity gap continues to be a significant topic of discussion at the state level.

Many bills introduced in 2013 were reintroduced and discussed in the 2014 session, and several were enacted. Other bills didn't pass, but elements were incorporated into the supplemental operating budget to implement aspects of the legislation. And others may return in upcoming sessions. There is quite a bit of crossover between achievement and school operations.

## PASSED

HB 2626

### **Establishing statewide educational attainment goals**

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The bill acknowledges the recommendations in the Washington Student Achievement Council's 10-year Roadmap, and codifies two of the goals for adults (defined as ages 25-44):

1. Earn a high school diploma or equivalent by 2023.
2. At least 70 percent will have earned a postsecondary credential by 2023.

Chapter 209, Laws of 2014

SHB 2739

### **Relating to early childhood development as it relates to school success**

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The bill requires the Education Data Center to contract with the Area Health Education Center of Eastern Washington through the Washington State University extension to conduct a geographic analysis to identify areas where cumulative effects of family factors, such as health status and safety, correlate with academic and behavioral indicators of student success. A report is due January 31, 2015.

Chapter 196, Laws of 2014

2SSB 5958

### **Concerning accountability in providing opportunities for certain students to participate in transition services**

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OSPI must establish interagency agreements with agencies that provide high school transition services for Individualized Education Plan (IEP) eligible special education students. The purpose of the interagency agreements is to foster multiagency collaboration to provide transition services for special education students from the beginning of transition services through age 21 or high school graduation, whichever occurs first. However, interagency agreements entered into by OSPI must not interfere with existing individualized education programs, nor override any individualized education program team's decision-making power.

Also, the agreements are intended to streamline services and programs, promote efficiencies, and establish a uniform focus on improved outcomes related to self-sufficiency. However, transition services plan development in addition to what already exists in law is not required.

The Education Research Data Center must monitor a number of outcomes for special education students after high school graduation, to the extent that data is available through data-sharing agreements established by ERDC. OSPI must prepare an annual report on the data and outcomes and submit the report to the Legislature within existing resources. A due date for the report is not specified.

Chapter 47, Laws of 2014

SSB 6074

### **Enacting provisions to improve educational outcomes for homeless students**

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By January 10, 2015, and every odd-numbered year thereafter, OSPI must report to the Governor and the Legislature the following data regarding homeless students:

1. The number of identified homeless students enrolled in public schools;
2. The number of students participating in a certain learning assistance program, the highly capable program, and the Running Start program; and
3. The academic performance and educational outcomes of homeless students, including but not limited to the following performance and educational outcomes:
  - Student scores on the statewide administered academic assessments;
  - English language proficiency;
  - Dropout rates;
  - Four-year adjusted cohort graduation rate;
  - Five-year adjusted cohort graduation rate;
  - Absenteeism rates;
  - Truancy rates, if available; and
  - Suspension and expulsion data.

This reported data must include state and district-level information and must be disaggregated by at least the following subgroups of students: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low income, transitional bilingual, migrant, special education, and gender.

By July 1, 2014, OSPI, in collaboration with experts from community organizations on homelessness and homeless education policy, must develop or acquire a short video that provides information on how to identify signs that indicate a student may be homeless, how to provide services and support to homeless students, and why this identification and support is critical to student success. The video must be posted on OSPI's website.

By July 1, 2014, OSPI must adopt and distribute to each school district, best practices for choosing and training school district-designated homeless student liaisons.

On an annual basis each school district must strongly encourage the following:

- All school staff to annually review the video posted on OSPI's website on how to identify signs that indicate a student may be homeless, how to provide services and support to homeless students, and why this identification and support is critical to student success to ensure that homeless students are appropriately identified and supported; and
- Every district-designated homeless student liaison to attend trainings provided by the state to ensure that homeless children and youth are identified and served.

Each school district must include in existing materials that are shared with students at the beginning of the school year or at enrollment, information about services and support for homeless students. School districts may use the brochure posted on OSPI's website as a resource. Schools are also strongly encouraged to use a variety of communications each year to notify students and families about services and support available to them if they experience homelessness, including but not limited to:

- Distributing and collecting an annual housing intake survey;
- Providing parent brochures directly to students and families;
- Announcing the information at school-wide assemblies; or
- Posting information on the district's website or linking to OSPI's website.

Each school district must account for the educational progress of each of its students. To achieve this, school districts must report annually to OSPI on a number of issues including, but not limited to, dropout rates for student populations in each of the grades 7 through 12 by identified homeless status.

Chapter 212, Laws of 2014

2SSB 6163

### **Concerning Expanded Learning Opportunities**

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Expanded Learning Opportunities (ELOs) are defined as:

- Culturally responsive enrichment and learning activities that may focus on an array of academic and nonacademic areas;
- School-based programs that provide extended learning and enriching experiences beyond the traditional school day or calendar; and
- Structured, intentional, and creative learning environments outside the traditional school day that are provided by the community-based organizations in partnership with schools and align in-school and out-of-school learning to complement classroom-based instruction.

An ELO Council is established to advise the Governor, the Legislature, and OSPI regarding an ELO system, with particular attention to solutions to summer learning loss. The ELO Council must provide vision, guidance, and assistance related to summer learning opportunities, school-year calendar modifications to reduce summer learning loss, increasing partnerships between schools and the community-based organizations to deliver the ELOs, and other programs or initiatives that could contribute to a statewide ELO system.

The ELO Council must identify resources and partnership opportunities, coordinate policy development, set quality standards, promote evidence-based strategies, develop a comprehensive action plan, and track performance of the ELOs in closing the opportunity gap. When making recommendations for evidence-based strategies, the ELO Council must consider the state best practices menus developed by SPI's expert panel.

OSPI must convene the ELO Council, all of whom must have experience with the ELOs and include representation of diverse student interests and geographical locations. Up to 15 individuals may be invited to participate, with representation from specified organizations and associations, including WSSDA. Staff support is provided by OSPI. Appointees to the ELO Council must be selected by May 30, 2014, and the first meeting must be held before August 1, 2014. The first report from the Council is due December 1, 2014, and annually thereafter until 2018.

If funds are not appropriated for a summer learning loss pilot program, the first report from the Council, and any subsequent reports as necessary, must include recommendations for an action plan for a program to reduce summer learning loss through additional student learning days in elementary schools with low-income students. The Council may also recommend additional strategies. The Council expires August 31, 2019.

Chapter 219, Laws of 2014

ESSB 6436

### **Creating a work group to make recommendations for the continued viability of the college bound scholarship program**

A work group is created to make recommendations to ensure the College Bound Scholarship Program is viable, productive, and effective. The workgroup must submit a report by December 31, 2014, to the Governor and appropriate committees of the Legislature with recommendations for making the program viable, including but not limited to funding. It must meet at least once, but no more than five times. It is staffed jointly by Senate Committee Services and the Office of Program Research in the House of Representatives. The Office of Financial Management will present necessary data.

Chapter 215, Laws of 2014

E2SSB 6552

### **Improving student success by modifying instructional hour and graduation requirements**

Several bills were introduced related to high school graduation requirements, increased instructional hours, and Career and Technical Education (CTE) course equivalencies in the 2013 and 2014 sessions. Elements of these bills were incorporated into E2SSB 6552.

For historical reference, the main legislation related to a 24-credit diploma was HB 1656 and HB 2181. The former served as a guide for what was eventually adopted by the Legislature; the latter would have authorized the State Board of Education's 24-credit framework adopted January 9, 2014 for the graduating class of 2019 and stated that no additional funding was needed beyond that which was allocated in the 2013-15 biennial budget for an increase in instructional hours. Stakeholders disagreed with this conclusion.

The bill that was adopted in the final days of session contains the following elements:

- The State Board of Education is authorized to develop rules related to a 24-credit diploma for the graduating class of 2019.
- School districts may extend the requirement to classes of 2020 or 2021, following an application to the SBE. The board must approve the extension at its next scheduled meeting.
- WSSDA will develop a model policy by June 30, 2015, and districts must adopt a policy before the 2015-16 school year to allow a student to graduate with 22 credits due to unusual circumstances.
- Starting with the class of 2015, the state requirement to complete a culminating project is removed.
- SBE rules must provide that the 3rd credit of math or science must be chosen by the student based on his/her High School and Beyond Plan and approval of parent, guardian, principal or counselor.
- OSPI shall develop a list of CTE courses that are equivalent to math and science courses required for graduation.

- Starting in 2015-16, districts must offer students the opportunity to access at least one math or science CTE course from the OSPI list.
- A task force is created to identify barriers to a 24-credit diploma and make recommendations regarding students with special needs, with reports due each year.

In addition, the Legislature shifted \$97 million in the supplemental budget from being used for an increase of instructional hours in grades 7-12 to 1,080 in the 2014-15 school year to three areas that will help begin phasing in a 24-credit diploma. These include:

- \$164.25 per student in grades 9-12;
- Guidance counselor ratio in prototypical high school of 600 students is increased from 2.009 to 2.539;
- Lab science classroom ratio is reduced to 19.98; and
- 1,080 instructional hours will apply to the 2015-16 school year, grades 9-12, and 1,000 instructional hours for grades 1-8. Hours may be calculated using a district-wide average of instructional hours over grades 1-12 (1,027 instructional hours).

Chapter 217, Laws of 2014

SCR 8409

**Approving the Workforce Training and Education Coordinating Board’s “High Skills High Wages” plan**

The House of Representatives and the Senate, by way of concurrent resolution, approved the state comprehensive plan for workforce training and education submitted by the Workforce Training and Education Coordinating Board.

 **DID NOT PASS**

3SHB 1424

**Enhancing the statewide K-12 dropout prevention, intervention, and reengagement system**

Would have improved upon the existing system for dropout prevention, intervention and re-engagement strategies and programs, including counseling, family engagement, and grants.

3SHB 1680/SB 6529

**Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee**

Would have implemented recommendations relating to student discipline; required cultural competence training; required classroom teachers assigned to the Transitional Bilingual Instruction Program to hold bilingual or ELL endorsements by the 2017-18 school year; created an accountability system for the TBIP; required data disaggregation of the Black/African American and Asian categories; and defined an articulated pathway for teacher preparation. Several of the bill components were funded in the supplemental budget.

SHB 2158

**Concerning dropout prevention, intervention, and reengagement activities by educational service districts**

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Would have authorized as a core service to be provided by ESDs dropout prevention, intervention and re-engagement programs, including awarding credit and transcripts to students as provided under contract with a school district.

HB 2383

**Integrating career and college readiness standards into K-12 and higher education policies and practices**

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Would have authorized six studies, to be compiled by the Washington Student Achievement Council, on topics such as improving the High School and Beyond Plan; embedding Common Core and Next Generation Science Standards into CTE courses; mitigating the need for remedial courses and ensuring college or career readiness upon graduation; identifying barriers to participating in Running Start; and mentoring and service-learning opportunities available to K-12 and postsecondary students.

HB 2462/SB 6338

**Giving preferences to housing trust fund projects that involve collaboration between local school districts and housing authorities to help children of low-income families succeed in school**

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Would have included a preference in the Housing Trust Fund program for projects that involve collaboration between local school districts and low-income housing developers.

HB 2621

**Expanding participation in college in the high school program**

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Would have extended College in the High School to students in the 10th grade, and required schools to provide 9th grade students, in addition to students in grades 10 through 12, general information about College in the High School.

HB 2697

**Concerning a weighted grade point average for purposes of the standardized high school transcript**

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Would have directed OSPI to develop a common method for assigning additional weight for Advanced Placement and International Baccalaureate courses for the purposes of calculating a student's GPA.

HB 2763/SB 6365

**Creating a pilot program to provide educational stability for homeless children**

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Would have created a two-year pilot program that linked homeless children and their families with stable housing located in the homeless child's school district.

SB 6061

**Requiring adoption of high school academic acceleration policies**

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Would have required school districts to automatically enroll students who pass statewide assessments in the next level of most rigorous courses starting in the 2014-15 school year. (Note: Legislation that made automatic enrollment “permissive” was adopted in the 2013 legislative session.)

SB 6083

**Concerning precollege placement measures**

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Would have authorized state colleges and universities and regional universities to use multiple measures to determine whether a student must enroll in a precollege course when setting minimum college admissions standards.

SB 6107

**Concerning implementation of the Learning Assistance Program (LAP) for students needing remediation**

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Would have allowed school districts to use LAP funding for students who need remediation to pass the statewide assessments required for high school graduation in addition to focusing LAP funds on students in grades K-4 who need assistance in reading.

SB 6535

**Concerning the provision of evidence-based supports for struggling students by community-based organizations**

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Would have created a grant program to link community-based programs that support struggling students who are at risk of chronic absenteeism and low literacy rates and dropping out of school with school districts.

# Early Learning and Higher Education

Early learning and higher education are the bookends for K-12 education and many conversations this session emphasized the continuum of education from the earliest years to post-secondary education and careers.

This session the Legislature tried to restructure the state's system of early education and child care and, while the legislation didn't pass, some elements were funded or referenced in the 2014 supplemental operating budget. In addition, the Legislature held the line for a second year in a row on tuition, helping make attending a state college or university more affordable for many students.

## PASSED

SHB 2612

### **Changing provisions relating to the opportunity scholarship**

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This legislation increased the membership of the Opportunity Scholarship Board to 11 members, increased the quorum to seven members, and changed the membership composition. The Board was authorized to allow the Washington State Investment Board (WSIB) to invest funds in the Scholarship and Endowment Accounts with other funds subject to investment by the WSIB, and required the Washington Student Achievement Council to enter into an agreement with the Program Administrator to demonstrate exchange of consideration for the matching funds.

Chapter 208, Laws of 2014

SB 5318

### **Removing the one-year waiting period for veterans or active members of the military for purposes of eligibility for resident tuition**

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The definition of a resident student was revised to include the following:

- A student who is on active military duty or a member of the National Guard who entered service as a Washington resident and has maintained Washington as their domicile but is not stationed in the state;
- A student who is a spouse or a dependent of a person who is on active military duty or a member of the National Guard entered service as a Washington resident and has maintained Washington as their domicile but is not stationed in the state;
- A student who has separated from the military under honorable conditions after at least two years of service, enters an institution of higher education in Washington within one year of the date of separation, and meets one or more criteria regarding a connection or intended connection to Washington; and
- A student who is the spouse or a dependent of an individual who has separated from the military under honorable conditions after at least two years of service, and meets certain criteria regarding a connection or intended connections to Washington.

Chapter 183, Laws of 2014

SB 6523

### **Expanding higher education opportunities for certain students**

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Initially introduced in the 2013 legislation session as HB 1817, the Real Hope Act was the first bill signed into law by Governor Jay Inslee. The new law expands access to the State Need Grant to undocumented students who meet certain requirements, and included an additional \$5 million in state financial assistance to support expansion of the grant program.

Under the law, students who meet the category of “resident student” include any person who:

- Completed a full senior year of high school and obtained a diploma at a Washington public or private high school, or received the equivalent of a diploma;
- Lived in Washington for at least three years immediately prior to receiving the diploma or its equivalent;
- Continuously lived in the state after receiving the diploma or its equivalent and until being admitted to a public institution of higher education; and
- Provided to the institution an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in other activities necessary to acquire citizenship.

Additionally, students are eligible for the State Need Grant if they are granted Deferred Action for Childhood Arrival status, and:

- Completed the full senior year of high school and obtained a diploma at a Washington public or private high school, or received the equivalent of a diploma;
- Lived in Washington for at least three years immediately prior to receiving the diploma or its equivalent; and
- Lived continuously in the state after receiving the diploma or its equivalent and until being admitted to a public institution of higher education.

Chapter 1, Laws of 2014

## **⊗ DID NOT PASS**

HB 2282/SB 6520

### **Changing provisions relating to the Early Learning Advisory Council**

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Would have increased the number of members on the Early Learning Advisory Council from 23 to 34.

E2SHB 2377

### **Improving quality in the early care and education system**

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Would have made a number of changes to the state’s early learning, child care, and assistance programs, integrating the programs and adding accountability for student outcomes. Some of the bill’s components were funded in the 2014 supplemental budget.

HB 2598

### **Clarifying the lead agency for the early support for infant and toddlers program**

---

Would have designated the lead agency for the Early Support for Infant and Toddlers Program as the state Department of Early Learning.

# Governance

Under this section, WSSDA focuses specifically on bills that were designed to change the governance authority of school directors, whether it was changing how school boundaries are set, requiring district-based elections only, or increasing school director compensation.

## DID NOT PASS

HB 1413

### **Enacting the Washington voting rights act of 2013**

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Would have established the state Voting Rights Act to prohibit at-large and district-based elections from being imposed or applied in a manner that denied a protected class an equal opportunity to elect candidates of its choice or to influence the outcome of an election.

HB 2200

### **Authorizing increased compensation for school directors in districts enrolling twenty thousand or more students**

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Would have authorized a salary for school board directors (up to the annual salary of a state legislator) in school districts that enroll 20,000 or more students.

HB 2291

### **Concerning the transfer of school district territory initiated by school district boards of directors**

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Would have required changes in school district boundaries to be signed by a majority of the school board members of each of the affected school districts, rather than by a petition signed by a majority of school board members in one of the districts.

# In the Classroom

What and how students are taught is usually a significant conversation at the legislative level. Sometimes the policy ideas result in unfunded mandates to school districts. Sometimes the policy change is needed because of national or state circumstances. This section addresses bills that were considered by the 63rd Legislature.

## PASSED

HB 2776

### **Renaming the Washington civil liberties public education program**

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The Washington Civil Liberties Public Education Program is named the Kip Tokuda Memorial Program.

Chapter 46, Laws of 2014

## DID NOT PASS

HB 1173

### **Regarding the financial education public-private partnership**

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Would have required that financial education skills and content knowledge be incorporated into the Common Core State Standards as well as incorporated into definitions and standards for career and college readiness. Financial education curricula would have been required to be available and offered by all school districts.

HB 2216

### **Encouraging the inclusion of local history information in Washington state history and government curriculum**

---

Would have encouraged school districts to include information on local history in curriculum on Washington State history and government, which could include visits to local landmarks and museums, readings on local history, and interaction with local historical societies.

SB 6373

### **Concerning instruction in Spanish and Chinese languages**

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Would have created an instruction pilot program for up to two school districts, to support a sequentially articulated Spanish and Chinese language program starting in elementary schools.

SB 6376

### **Including information on preventing sexual abuse and violence in sexual health education**

---

Would have required public schools that offer sexual health education to include information about preventing sexual abuse and violence, and understanding consent.

# People and Staffing

Legislation is regularly introduced related to the human capital side of public schools, e.g., teachers, principals, classified employees, administrators and related topics, such as compensation, health benefits, training, and pensions.

Restoring teacher cost-of-living-adjustments (passed by the voters as I-732) was top of mind for teachers this year, who sported bright yellow buttons with “000000” to indicate the number of years without a COLA. I-732 had been suspended for several years and was eliminated in the 2013 legislative session. In a supplemental budget year with no new revenue, teachers were unsuccessful in restoring the COLA.

Teachers successfully prevented further changes to the new teacher and principal evaluation system. And classified employees scored a big win with a study to identify uniform standards and professional development for paraeducators who work with many of our most struggling learners.

## PASSED

SSB 5173

### **Respecting holidays of faith and conscience**

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Employees of the state and its political subdivisions, including employees of school districts are entitled to two unpaid holidays per calendar year for reasons of faith or conscience or for an organized activity conducted under the auspices of a religious denomination, church, or religious organization. Employees of public institutions of higher education, including community colleges, technical colleges, and workforce training programs are included in the group of employees who can take the two unpaid days.

An employer must allow an employee to take an unpaid holiday on a specific day for a reason of faith or conscience or for an organized activity conducted under the auspices of a religious denomination, church, or religious organization unless the employee’s absence would impose an undue hardship on the employer or the employee is necessary to maintain public safety. The Office of Financial Management must establish a definition for undue hardship.

Subject to approval by the students’ parents, students are excused from school for reasons of faith or conscience or for an organized activity conducted under the auspices of a religious denomination, church, or religious organization for up to two days per academic year without penalty. Students excused for these absences may still be claimed as full-time equivalent students. The student absences will not affect school district compliance with basic education minimum instructional requirements, annual basic education allocation requirements, or enrollment calculations. Student absences may not mandate school closures.

Institutions of higher education and state-funded workforce training programs must develop policies to accommodate student absences for reasons of faith or conscience to prevent adverse effects on students’ grades.

Chapter 168, Laws of 2014

SB 6128

**Concerning the delivery of medication and services by unlicensed school employees**

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Beginning July 1, 2014, a school district employee not licensed under the Nursing Care statute who is asked to administer medications or perform nursing services not previously recognized in law must submit, at the time the employee is asked to administer the medication or perform the nursing service and without coercion by the employer, a voluntary, written, current, and unexpired letter of intent stating the employee's willingness to administer the new medication or nursing service.

The letter of intent expires if the conditions of acceptance are substantially changed. If a school employee who is not licensed under the Nursing Care statute chooses not to file a letter, the employee is not subject to any employer reprisal or disciplinary action for refusing to file a letter.

If a school employee provides the medication or service to a student in substantial compliance with rules adopted by the Commission and the instructions of a registered nurse or advanced registered nurse practitioner issued under such rules and written policies of the school district or private school, then the employee, the employee's school district or school of employment, and the members of the governing board and chief administrator thereof are not liable in any criminal action or for civil damages in individual, marital, governmental, corporate, or other capacity as a result of providing the medication or service.

The board of directors must designate a professional person licensed under certain medical professional statutes to consult and coordinate with the student's parents and health care provider, and train and supervise the appropriate school district personnel in proper procedures to ensure a safe, therapeutic learning environment. School employees must receive the training provided under this subsection before they are authorized to deliver the service or medication. Such training must be provided, when necessary, on an ongoing basis to ensure that the proper procedures are not forgotten because the services or medication are delivered infrequently.

Non-nurse school employees are added to the list of individuals who are not liable for civil damages resulting from any act or omission in the rendering of emergency care at the scene of an emergency, during a school activity or in transporting a person there from, other than acts or omissions constituting gross negligence or willful or wanton misconduct.

Chapter 204, Laws of 2014

### **Concerning paraeducator development**

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The Professional Educator Standards Board (PESB) must convene a workgroup to design program specific minimum employment standards for paraeducators, professional development and education opportunities that support the standards, a paraeducator career ladder, an articulated pathway for teacher preparation and certification, and teacher professional development on how to maximize the use of paraeducators in the classroom.

By January 10, 2015, the workgroup must submit a report to the Legislature recommending:

- Appropriate minimum employment standards and professional development opportunities for paraeducators who work in English language learner programs, transitional bilingual instruction programs, federal limited English proficiency programs, the Learning Assistance Program, and the Federal Disadvantaged Program;
- A career ladder that encourages paraeducators to pursue advanced education and professional development; and
- Professional development for certificated employees that focuses on maximizing the success of paraeducators in the classroom.

The workgroup must also report on proposals for an articulated pathway for teacher preparation including the following:

- Paraeducator certificate and apprenticeship programs that offer course credits that apply to transferrable associate degree programs and are aligned with the standards and competencies adopted by PESB;
- Associate degree programs that build upon and do not duplicate the courses and competencies of paraeducator certificate programs, incorporate field experiences, are aligned with the standards and competencies for teachers adopted by PESB, and are transferrable to bachelor's degree in education programs and teacher certification programs;
- Bachelor's degree programs that lead to teacher certification that build upon and do not duplicate the courses and competencies of transferrable associate degrees;
- Incorporation of the standards for cultural competence developed by PESB and codified at RCW 28A.410.270 throughout the courses and curriculum of the pathway, particularly focusing on multicultural education and principles of language acquisition; and
- Comparisons of the current status of pathways for teacher certification to the elements of the articulated pathway, highlighting gaps and recommending strategies to address those gaps.

The workgroup must submit a final report to the education committees of the Legislature by January 10, 2016, detailing minimum employment standards for basic education and special education paraeducators and appropriate professional development and training to help paraeducators meet the employment standards. The section creating the workgroup expires June 30, 2016.

Chapter 136, Laws of 2014, Partial Veto

SB 6321

**Removing the statutory provision that allows members of Plan 3 of the public employees' retirement system, school employees' retirement system, and teachers' retirement system to select a new contribution rate option each year**

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The option of PERS 3, TRS 3, and SERS 3 members to select a new contribution rate option each year for their individual defined contribution accounts is removed. The change is effective after January 2015 for members of TRS 3.

Chapter 95, Laws of 2014

 **DID NOT PASS**

HB 2017/SB 6266

**Concerning the written notice requirement for nonrenewal and transfer of educational staff**

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Would have changed the date for school districts and ESDs to issue a nonrenewal notice to June 15 if the Legislature has not adopted the omnibus appropriations act by the end of the regular legislative session.

HB 2238

**Addressing paid vacation leave**

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Would have set minimum leave accrual requirements for paid vacation leave for employees who work an average of 20 or more hours per week for all private and public employers with 25 or more employees (in 20 or more work weeks per year).

HB 2284

**Regarding state-funded learning improvement days (OSPI request)**

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Would have funded two days of professional development for state-funded certificated instructors and building-level administrators, with the topic and funding level set in the omnibus budget.

HB 2313/SB 6161

**Requiring state funding to support professional development for K-12 educators (WSSDA request)**

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Would have required the legislature to begin funding at least two days of professional development for state-funded certificated instructors, building-level administrators, and classified employee instructors, with the topic and funding level set in the omnibus budget.

HB 2358

**Adopting a definition of professional learning**

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Would have created a statutory definition of "professional learning" as a comprehensive, sustained, and intensive approach to improving teachers' and principals' effectiveness in raising student achievement.

HB 2422/SB 6235

**Restoring the suspended inflationary increases in educational employee compensation**

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Would have restored the I-732 COLA beginning in fiscal year 2015 for all applicable education employees. Also would have restored inflation adjustments for the 2014-15 school year for National Board certified teachers.

HB 2506/SB 6105

**Concerning school library information and technology programs**

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Would have renamed the School Library Media Program to the “School Library Information and Technology Program,” and defined the programs as providing “a broad, flexible array of services, resources, instruction, and support within the context of all current educational standards adopted by OSPI. Also would have required school boards to provide the resources and materials for school libraries necessary for the proper education of the district’s students as provided in the prototypical school model, or as required by law or rule, rather than merely as the board of directors deems necessary.

SHB 2531/SB 6152

**Changing explicit alternative routes to teacher certification program requirements to expectations for program outcomes**

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Would have eliminated the four specific alternative route pathways to teacher certification and instead allowed the Professional Educator Standards Board to establish policies based on expectations for program outcomes.

HB 2583

**Adding charter school chief executive officers to the list of individuals who may file complaints of unprofessional conduct regarding certificated employees**

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Would have added the Chief Executive Officer of a charter school to the list of individuals who could file a complaint to OSPI regarding conduct on the part of a certificated school employee that could result in an action against the employee’s certificate.

HB 2609/SB 6530

**Restoring cost-of-living increases for educational employees**

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Would have restored COLAs for teachers over a four-year period, including catch-up funding for the lack of a COLA in years 2009-10 through 2014-15.

SB 5959

**Concerning professional educator learning days**

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Would have required one day of professional development for state-funded certificated instructors and building-level administrators, starting with training on the new teacher and principal evaluation system.

SB 6519

**Concerning public school employees' insurance benefits reporting**

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Would have authorized the Office of the Insurance Commissioner to share all data, information, and documents collected for the health benefit study with the Health Care Authority, and made the data, information, and documents provided to the HCA by the OIC, a school district, a health plan providing school district benefits, or the JLARC exempt from public disclosure.

HB 2607/SB 6532

**Establishing competitive wages for beginning teacher salaries**

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Would have increased the minimum salary for any level of experience and education provided in any salary allocation model used in state funding formulas for certificated instructional staff allocations to \$52,074.

HB 2608/SB 6531

**Establishing the minimum wage for classified school employees**

---

Would have established a minimum wage of \$15 per hour for all classified public school employees, beginning January 1, 2015, and would have required the wage rate to be adjusted for inflation beginning January each year thereafter.

SSB 6418

**Creating flexibility for the educator retooling conditional scholarship program**

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Would have renamed and expanded a conditional scholarship program for teachers seeking endorsements in mathematics and science to include support for teachers seeking an endorsement in special education, bilingual education, or English Language Learner.

## PEOPLE AND STAFFING

# A closer look at the Elementary and Secondary Act (ESEA) Waiver

Several bills were introduced during the 2014 session that were designed to change the state's teacher and principal evaluation system so that the U.S. Department of Education would reauthorize Washington's waiver from certain requirements under the Elementary and Secondary Education Act (ESEA), informally known as No Child Left Behind (NCLB).

In the summer of 2013, the Education Department had put the state's waiver at "high risk" because the use of student test scores on statewide assessments was allowed but not required as part of the evaluation. Subsequent conversations with federal staff and Education Secretary Arne Duncan to allow implementation of the evaluation system without changes failed to sway the "other Washington," forcing both Superintendent Randy Dorn and Governor Jay Inslee to introduce legislation to make the change.

Intense lobbying from teachers and the teacher's union through the final days of session closed the books on the concept, and OSPI has warned school districts to plan to set aside 20 percent of their Title I money in the 2014-15 school year to meet that requirement under NCLB. Another consequence may be that schools where 100 percent of all students don't pass the state assessments will be sending home letters to parents that say the school has failed to meet standard and to offer a choice for the student(s) to attend a different school.

Here's a quick look at the various bills considered this session:

### **HB 2800**

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Would have specified that student growth data used in educator evaluations must include results from federally mandated statewide student assessments beginning in the 2017-18 school year, contingent upon federal approval of the state's waiver from No Child Left Behind. (OSPI and Governor request)

### **SB 5880**

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Would have required that student results on the statewide assessment be used as one of the multiple measures of student growth for teachers who teach reading, language arts, or mathematics in a grade in which a federally mandated statewide test is administered.

### **SB 5246**

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Would have initially required that student growth related to state administered assessments count as 50 percent of the evaluation. As changed in committee, student growth would have been used to rank order teachers and principals, with the bottom 25 percent identified for assistance. As adopted on the Senate floor, the bill mirrored language from SB 5960.

### **SB 5960**

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Would have required that for teachers who teach reading, language arts, or mathematics in a grade in which a federally mandated statewide student assessment is administered, student results on the statewide assessment must be used as one of the multiple measures of student growth.

### **SB 6055**

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Would have specified that student growth data elements used in teacher and principal evaluations include statewide assessment results as one of multiple measures and would have delayed the use of the evaluation results in making human resources and personnel decisions until the 2016-17 school year. (OSPI request)

# School Facilities

Due to the large number of bills introduced this session related to school facilities and school capacity — particularly capacity limitations related to phasing in smaller K-3 class sizes, expanding to full-day kindergarten and increase lab science classrooms — it made sense to create a separate category in the scorecard.

While nothing passed in the 60-day session, legislators are more aware than ever of the capital side of the McCleary equation and the need to take another look at school construction programs in general. Look for more action on these topics in subsequent sessions.

## DID NOT PASS

SHB 2410

### **Creating a competitive equipment assistance grant program to enhance student nutrition in public schools**

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Would have created a small equipment assistance grant program to enhance student nutrition in public schools.

HB 2780

### **Concerning the school construction assistance program**

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Would have made changes to calculating eligible space for state funding construction assistance.

HB 2797

### **Funding all-day kindergarten and early elementary class size reduction facility needs with lottery revenues**

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Would have created a \$700 million grant program for school districts facing McCleary-related capacity challenges for full-day kindergarten and smaller K-3 class sizes. Initially, bonds would be backed by state lottery revenues; the bill as it passed the House would have recommended review of that option, including bond-rating information, and a report to the Legislature.

SB 6081

### **Relating to grant programs for specialized STEM facilities and all-day kindergarten education facilities**

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Would have reduced \$58 million in appropriations from the School Construction Assistance Program to match current projections, and redirected \$50 million in bonds to support STEM facilities and all-day kindergarten grant programs at \$25 million each.

SSB 6451

### **Relating to the school construction assistance program**

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Would have created a task force to review issues related to funding for construction and renovation of public schools.

SSB 6483

### **Financing facilities to support education reform with general obligation bonds**

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Would have created an \$825 million grant program backed by general obligation bonds for STEM facilities and full-day kindergarten, and a review of the impact of smaller class sizes in grades K-3 on student outcomes.

# School Finance

School budgets and financing issues are at the heart of the following bills, which range from tax exemptions and simple majority elections for bond issues to funding formulas and breaking the 32-year-old practice of reducing state basic education apportionment in districts that receive federal timber payments – a position routinely adopted at WSSDA’s Legislative Assembly.

Initially designed to fully restore basic education allocations to all impacted districts, WSSDA worked with bill sponsors on an amended Federal Forest Revenue bill to phase in restoration of the funding over three biennia, starting with one-third of the highest poverty school districts. Eventually, the restored funding for the supplemental budget was capped at a little under \$2 million, which meant picking a formula that was a start in stopping this unfair practice. Bill sponsors remain committed to complete restoration. The bill was signed into law by Governor Jay Inslee on March 31st.

## PASSED

ESHB 2207

### **Eliminating the reduction in state basic education funding that occurs in counties with federal forest lands (WSSDA request)**

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The law partially eliminates the reduction of federal forest revenues from school district basic education allocations for school districts that have a poverty level of at least 57 percent.

Districts meeting the poverty threshold may retain up to \$70,000, depending on their level of federal timber payment. In other words, districts where federal timber payments exceed \$70,000 will have \$70,000 restored in state basic education funding. Districts that receive less than \$70,000 in federal timber payments will have an amount equal to their federal timber funding restored.

Chapter 155, Laws of 2014

## DID NOT PASS

HB 2270

### **School construction tax exemption**

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Would have allowed school districts to request a refund on sales and use tax paid for labor and materials used for school construction projects as defined in the bill.

HB 2441

### **Providing for a simple majority of voters voting to authorize school district levies and bonds**

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Would have allowed school districts to issue general obligation bonds for capital purposes and make payments on those bonds through the levy of taxes with approval by a simple majority of the voters voting at an election for that purpose, provided voters amend the state Constitution to allow this change.

HB 2553

**Authorizing competitive grants to persistently lowest-achieving schools to implement models of family and community engagement**

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Would have created a grant program for persistently lowest-achieving schools to implement successful models of family and community engagement.

HB 2554

**Expanding the urban school turnaround initiative**

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Would have created an Urban School Turnaround Initiative grant program for the 2014-15 school year for up to four schools in two large urban school districts to receive additional funding to improve student outcomes.

HB 2677/ SB 6461

**Establishing a process for the payment of impact fees through provisions stipulated in recorded covenants**

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Would have required counties, cities and towns that collect impact fees to allow for the deferral of impact fees on no less than 30 building permits by jurisdiction until the time of closing or 18 months or more after issuing the building permit, whichever would be earlier.

HB 2715/SB 6340

**Aligning student transportation formulas with 2013 session laws**

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Would have stated that effective the first day of the 2014-15 school year, the pupil transportation funding formula was revised to reflect full funding and implementation of the expected cost model. Also would have created transportation funding for tribal compact schools.

HB 4216

**Amending the Constitution to provide for a simple majority of voters voting to authorize school district levies and bonds**

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Would have submitted an amendment to the state Constitution at the next general election to authorize school districts to issue general obligation bonds for capital purposes and make payments on those bonds through the levy of taxes with approval by a simple majority of the voters voting at an election for that purpose.

SB 5994

**Concerning a sales and use tax exemption provided to the state, public school districts, and public charter schools on school construction when the funds used were obtained from indebtedness**

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Would have created a sales and use tax exemption on purchases for construction, maintenance, or improvement of facilities owned by public school districts or public charter schools, if the purchase was made with money acquired by the state public school district or public charter school from indebtedness.

2SSB 6121

**Concerning the calculation and allocation of appropriations  
for alternative learning experience courses**

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Would have changed the calculations for ALE courses as they related to CTE courses, and directed OSPI to implement the changes by rule.

SB 6499

**Local education financing reform**

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Would have created a Joint Task Force on Local Education Financing Reform to review the use and equity issues related to local school levies, and directed the task force to review previous studies including the Compensation Technical Working Group's June 2012 recommendations.

# School Operations

By far the most active category for bills in the 2014 session was School Operations. The following bills affect or could have affected actual operations of a school district, a school or the school board of directors. The following bills are related to the internal workings of a district, new mandates for data collection and/or reporting, facility use, public records requests and open meetings, and everything in between.

## PASSED

2SHB 1709

### **Training for volunteer foreign language interpreters in K-12 public schools**

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Directs the Office of the Education Ombuds to conduct a feasibility study for development of a foreign language education interpreter training program and submit a report by February 1, 2015.

A much longer bill related to language access policies, HB 1815, was not adopted but the concept of developing a policy was incorporated into this bill. Washington State School Directors' Association is directed, subject to funds appropriated, to develop a model family language access policy and procedure for school districts by June 1, 2015. Funds were not provided in the 2014 supplemental budget specifically for this activity. An expiration date of August 1, 2017 was included, allowing for the possibility for funding in subsequent fiscal years.

Chapter 150, Laws of 2014

SHB 2105

### **Promoting transparency in government by requiring public agencies with governing bodies to post their agendas online in advance of meetings**

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Requires public agencies with governing bodies, such as school boards, to post meeting agendas online at least 24 hours in advance of regular meetings. Agencies without websites or that employ fewer than 10 full-time equivalent employees are exempt from the requirement to post agendas online.

Chapter 61, Laws of 2014

HB 2276

### **Concerning the operation by educational service districts of educational programs for residents of residential schools**

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Authorizes an Educational Service District to enter into an agreement to provide a program of education for residential school residents or detention facilities on behalf of the school district as a cooperative service program, and clarifies that the statute addressing provision of an educational program at county detention facilities applies throughout the Residential Education Programs Chapter.

Chapter 157, Laws of 2014

HB 2575

**Relating to teacher assignment data collection**

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Requires school districts to record in the statewide student data system the dates of teacher assignment and reassignment, by course, no later than the 2014-15 school year.

Chapter 161, Laws of 2014

ESB 5964

**Concerning training public officials and employees regarding public records, records management, and open public meetings requirements**

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Requires that every member of the governing body of a public agency, including school boards, must complete training in Open Public Meeting Act requirements, the Public Records Act requirements, and records retention protocols within 90 days of assuming their duties. Training must be completed at least once every four years as long as the individual is a member of the agency's governing body. The training may be completed online or via technology.

Public records officers and records retention officers must complete training in Public Records Act requirements and records retention protocols within 90 days of assuming their responsibilities, and complete refresher training at least once every four years as long as they remain designated as such. The training must be consistent with the Attorney General's model rules for Public Records Act compliance and may be completed online or via technology.

The Attorney General's Office has developed online training for all three requirements, which is available on the AGO web site. Training must start following July 1, 2014 (the effective date of the law).

Chapter 66, Laws of 2014

SB 6013

**Making a technical correction to school law governing the use of epinephrine autoinjectors (EPI pens)**

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Makes a technical correction to the statute that was most recently amended during the 2013 legislative session through Engrossed Senate Bill 5104.

Chapter 34, Laws of 2014

2SSB 6062

### **Requiring internet access to public school data and expenditure information**

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Requires that each school district, charter school, and state-tribal compact school must publish on its website a copy of its public school employee collective bargaining agreements by September 1, 2014. Subsequent collective bargaining agreements must be posted within 30 days of approval, renewal, or amendment of any such agreement.

In addition, each school district that has an associated student body (ASB) program fund must publish the fund balance at the beginning and end of the school year and a summary of revenues and expenditures during the year on its website. This information must be published for each ASB of the district and each account within the ASB program fund. If the school district website contains separate websites for schools in the district, the information under this section must be published on the website of the applicable school of the ASB.

No later than August 31, 2014, school districts must publish this information on their websites for the 2012-13 and 2013-14 school years. School districts must add updated annual information to their websites.

Chapter 211, Laws of 2014

ESSB 6242

### **Concerning waivers from the one hundred eighty-day school year requirement**

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Up to five small school districts are allowed to seek a waiver to the 180-school day to operate a flexible school calendar from the State Board of Education (Economy & Efficiency Waiver). This waiver program is extended through August 31, 2017. Waivers are limited to two school districts with fewer than 150 students and three of the waivers are limited to districts with 150-500 students. A change to the waiver application includes the requirement that districts explain the impact of the waiver on employees in education support positions. The requirement that SBE provide a report to the Legislature regarding the waivers is removed.

Chapter 171, Laws of 2014

SSB 6431

### **Concerning assistance for schools in implementing youth suicide prevention activities**

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OSPI must work with state agency and community partners to assist schools in implementing youth suicide prevention activities, which may include the following:

- Training for school employees, parents, community members, and students in recognizing and responding to the signs of suicide;
- Partnering with local coalitions of community members interested in preventing youth suicide; and
- Responding to communities determined to be in crisis after a suicide or attempted suicide to prevent further instances of suicide.

OSPI, working with state and community partners, must prioritize funding appropriated for implementing such youth suicide prevention activities, to the following schools and communities:

- Schools identified by the Department of Health as situated in a high-risk area or in a community with high-risk populations;
- Tribal communities; and
- Communities with a high percentage of students who speak English as a second language.

Chapter 103, Laws of 2014

SB 6424

### **Establishing a state seal of biliteracy for high school students**

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The Washington State Seal of Biliteracy (Seal) is established to recognize public high school graduates who attained a high level of proficiency in speaking, reading, and writing in one or more world languages in addition to English.

OSPI must adopt rules establishing criteria for the award of the Seal, including requiring a student to demonstrate proficiency in English by meeting the state high school graduation requirements in English, and proficiency in one or more other world languages. For the purposes of awarding the Seal, world languages include American Sign Language and Native American languages.

School districts are encouraged to award the Seal to qualifying students, and participating districts must place a notation on the student's diploma and transcript indicating the student has earned the Seal. Technical changes are made to permit the standardized high school transcript to include a notation of whether the student has earned the Seal.

By December 1, 2017, OSPI must report to the Legislature the number of students awarded the Seal in the previous two school years and the languages spoken by those students; and report the number of students enrolled or previously enrolled in the Transitional Bilingual Instructional Program (TBIP) and the languages spoken by those students. OSPI must also report the methods used by students to demonstrate proficiency for the Seal, and how OSPI plans to increase the number of possible methods for students to demonstrate proficiency, particularly in world languages that are not widely spoken.

Chapter 102, Laws of 2014

## **DID NOT PASS**

HB 2118

### **Concerning student parking fees collected by school districts**

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Would have authorized school districts to charge students a fee to park on campus during regular school hours, created a tax exemption on student parking fees, and allowed all or a portion of the parking fee revenue to be deposited into the Associated Student Body fund.

HB 2132

### **Concerning architectural plans for school construction**

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Would have required all architectural plans drafted under contract using public funds to be filed with OSPI; OSPI would have been required to maintain the plans and make them available to all school districts.

HB 2133

**Maintaining privacy of student educational records**

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Would have required the Joint Legislative Audit & Review Committee (JLARC) to conduct a detailed analysis of documents and agreements by OSPI, OFM, and school districts related to collection, sharing, storage, security, dissemination, and access to personally identifiable student data or student-level data to determine the extent and circumstances the agreements require or permit dissemination of personally identifiable student data or student-level data from Washington state students without written consent of students or their parents or guardians.

2SHB 2166

**Providing for educational data on students from military families**

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Would have required school districts to identify students from military families (defined as active duty, reserves, or Washington National Guard) and to submit the information to OSPI starting in the 2015-16 school year.

HB 2217

**Encouraging school districts to work with community partners to improve the utilization of K-12 capital facilities**

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Would have changed the prototypical school funding formula staffing allocation and LAP references from “parent involvement coordinator” to “family and community engagement coordinator,” and encouraged school districts to use the family engagement coordinators to coordinate partnerships between schools, the school district, and community-based organizations in order to expand program offerings using school facilities outside of the regular school day or year.

HB 2319

**Permitting school districts to publish certain legal notices using public websites maintained by school districts as an alternative to publishing notice in newspapers**

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Would have allowed school districts to publish notice of certain activities on a public website maintained by the school district, instead of in a newspaper of general circulation.

HB 2396

**Addressing barriers for students to participate in the running start program**

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Would have required the Washington Student Achievement Council to conduct an analysis of the Running Start program and submit a report on barriers to participation; and would have required school districts that have more than 50 participants in the Running Start program to develop participation plans to increase the enrollment of underrepresented students.

SHB 2400

**Relating to a mentoring and service learning opportunity program for students in K-12 and postsecondary education**

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Would have required Western Washington University to host a statewide consortium of public and private institutions of higher education, and to develop and administer a state campus compact with the purpose of providing and increasing the number of campus-based mentoring and service-learning opportunities in K-12 education and at eligible institutions of higher education.

HB 2499/SB 6221

**Permitting school siting outside of urban growth areas**

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Would have allowed counties with a population of at least 500,000 that abuts at least five other counties to permit schools outside of the Urban Growth Area when specified criteria are met.

HB 2536/SB 6444

**Creating the breakfast after the bell program**

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Would have required school districts with certain poverty levels to offer Breakfast After the Bell programs to all students, starting in the 2014-15 (85%) and continuing into the 2015-16 (70%) school year and beyond.

HB 2538

**Concerning the eligibility of tribal students to participate in interschool extracurricular activities**

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Would have prohibited the Washington Interscholastic Activities Association from enforcing a rule or policy that requires a transferring student be enrolled in a school for any period of time before becoming eligible to participate in any extracurricular activity if the student is a member of a federally recognized tribe, transferring at the beginning of the school year, or is transferring between schools that are both located within the exterior boundaries of a reservation of a federally recognized tribe.

SHB 2605

**Relating to making school district policies on restraint or isolation of certain students available to parents and guardians**

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Would have repealed the requirement to provide a copy of school district policies regarding restraint or isolation to all parents or guardians of special education and 504 Plan students at the time the IEPs and Plans are developed; would have repealed the requirement that parent notification procedures be included in IEPs for all special education students; and would have replaced these with a requirement that the policies and procedures for notification must be made available on the school district website or in written form upon request.

SHB 2610

**Identifying characteristics of the homeless youth population**

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Would have required the Washington State Institute for Public Policy to conduct an analysis to identify characteristics of the homeless youth population ages birth to 10 years, including barriers to accessing available services.

2SSB 5735

**Relating to registered sex or kidnapping offenders**

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Among other requirements, would have required OSPI to publish on its website educational materials developed in conjunction with partner agencies for parents and other interested family members in recognizing characteristics of sex offenders and preventing victimization.

SB 5982

**Preserving K-12 instructional time**

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Would have limited the number of late start and early release days occurring during the minimum required 180-day school calendar to no more than seven occurrences.

SSB 6023

**Including searches by school resource officers and local police school liaison officers within the warrantless school search exception**

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Would have added school resource officers and local police liaison officers as persons who may search students and students' possessions, containers, and lockers if they have reasonable grounds to suspect evidence of a violation of school rules or laws.

SB 6059

**Concerning charges for scanning public records**

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Would have prohibited an agency from charging a fee for locating public records and making them available for scanning, although a reasonable fee may be required for the use of agency equipment for scanning public records.

SSB 6064

**Requiring an analysis of how school districts use school days**

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Would have required the Washington State Institute for Public Policy to conduct an analysis of how school districts use school days, including the use and duration of instructional hours and non-instructional hours.

SB 6082

**Concerning K-12 instructional hours**

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Would have added "teacher collaboration time" to the definition of instructional hours and clarified that the minimum instructional hour offering is comprised of instructional hours that include teacher collaboration time.

SSB 6104

**Establishing the interactive gaming in schools public-private partnership**

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Would have created an Interactive Gaming In Schools Public-Private Partnership to consider how interactive games and advances in technology could be integrated into Washington's education system from early learning through grade 12, with a focus on improving student engagement and achievement.

SB 6106

**Requiring charter schools to implement the four-level evaluation systems for classroom teachers and principals**

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Would have required charter schools to implement the state system for teacher and principal evaluations.

SB 6112

**Requiring classroom instruction regarding harassment, intimidation, and bullying prevention policies and procedures**

Would have required WSSDA to update its model policy Harassment, Intimidation and Bullying (HIB) to use the phrase “cyberbullying” and identify strategies for students to prevent cyberbullying. Would have required districts to include the current policy and prevention strategies in all student handbooks.

SB 6332

**Requiring a policy and procedures for notifying parents that their child was injured on school property**

Would have required WSSDA to update its model policy and procedures that require a school that receives a report that a student was physically injured on school property to notify the injured student’s parents or guardians.

SSB 6439

**Concerning preventing harassment, intimidation, and bullying in public schools**

Would have expanded the definition of Harassment, Intimidation, or Bullying (HIB) of a student to include acts that “emotionally harm” a student; and would have required Educational Service Districts to develop and offer annual training for the school districts’ primary contacts on HIB policies; and would have required the primary contact from each school district to attend at least one training class once it is available.

## Trust Lands

Income from state trust lands managed by the Department of Natural Resources support construction of K-12 public schools in Washington. Trust land revenues include timber sales, timber-related sales, trust land transfers, revenues from leases and interest on earnings. The protection of these trust lands is of essential interest to the beneficiaries, including school directors across the state.



ESSB 5972

**Specifying recovery for fire damages to public or private forested lands**

In 2013, Washington’s neighboring states of Oregon, Idaho and Montana recognized an urgent need to clarify reasonable damages that can be claimed for forest land when a forest fire occurs. Washington law was unclear and relatively undeveloped regarding the types and amounts of damages that could be recovered when forest fires damage public and private forest lands.

Recent litigation related to forest fires in California exhibited an alarming trend toward excessive claims for property damage that far exceeded the fair market value of the property damaged by the forest fire. The Department of Natural Resources introduced legislation to address this concern and protect trust beneficiaries funds and forests.

The legislation establishes a new statutory cause of action for property damage to public or private forested lands (forested lands) resulting from a fire that started on or spread from forested lands. An affected owner of forested lands must bring this action in superior court. When it applies, the cause of action is the exclusive remedy for fire-related property damage.

The new cause of action applies to property damage to forested lands resulting from a fire that started on or spread from forested lands.

Forested lands are those capable of growing tree species suitable for producing wood-based forest products, regardless of the existing land use. However, the term excludes lands where the predominant physical use of the land is inconsistent with growing, conserving, or preserving these tree species. Examples of inconsistent use include home sites of up to 10 acres, airports, parking lots, crop fields, pastures, roads, and railroad and utility rights of way.

Liability under the new cause of action attaches where a person's action or inaction relates to the start or spread of a fire, constitutes negligence or a higher degree of fault, and is a proximate cause of the property damage.

When liability attaches, recoverable property damages are limited to the following:

- Either the difference in fair market value of the property immediately before and after the fire, or the reasonable cost of restoration, to the extent permitted by Washington law. The fair market value determination for real property must be made by a state-certified real estate appraiser after evaluation of specified aspects of the property and consistent with standards of professional appraisal practice applicable to these appraisers;
- Reasonable fire suppression expenses, unless otherwise provided for in the fire protection statutes;
- Any other objectively verifiable monetary loss, such as loss of earnings, loss of use of property, and loss of business and employment opportunities; and
- Damages for injury to archaeological objects, archaeological sites, or historic archeological resources in an action brought by a tribe, to be measured under an existing rule of the Department of Archaeology and Historic Preservation that provides for identification of an independent investigator and necessary site restoration actions.

Chapter 81, Laws of 2014



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# Rules, reports, recommendations and work groups

After the legislative session ends, state agencies and work groups are busy implementing the bills that passed and following the directions set forth by the Legislature. Often these activities — including new administrative rules, reports with recommendations to the Legislature, and work group discussions — are when policy proposals get developed for the upcoming session.

Occasionally school districts will be named to participate in some of these activities but, more likely than not, it's up to us to stay engaged and track what is going on during the interim. Here's a brief overview of the workload created by 2014 Legislature and a quick glance at ongoing activities from past sessions that continue into the future.

## New Rules, Resources and Criteria

SSB 5173

### Respecting holidays of faith and conscience

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- The Office of Financial Management is to establish by rule a definition of “undue hardship” for an employee’s absence based on the employee’s preference of taking two unpaid holidays on specific days for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.
- The employer must allow the employee to take the two unpaid holidays based on the employee’s preference unless the employee’s absence would impose an undue hardship on the employer or the employee is necessary to maintain public safety.

Chapter 168, Laws of 2014

ESSB 6002

### Supplemental operating budget

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- Section 501(1)(w) requires OSPI to create a clearinghouse of research-based best practices for school districts to provide academic and nonacademic support for students while they are subject to disciplinary action and after their re-engagement in school. By June 30, 2015.
- Section 501(1)(x) requires OSPI, in collaboration with the Educational Opportunity Gap Oversight and Accountability Committee, PESB, colleges of education, and representatives from diverse communities and community-based organizations, to develop a content outline for professional development and training in cultural competence for school staff, which ESDs and districts are encouraged to use.
- Section 501(3)(c)(iii) requires that starting in the 2014-15 school year, students in the foster care system or who are homeless shall be given priority by districts offering the Jobs for America’s Graduates program. OSPI shall convene staff representatives from high schools to meet and share best practices for dropout prevention.
- Section 502(11) – Dropout Re-engagement Program.
  - OSPI shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout re-engagement programs authorized under RCW 28A.175.100

through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact, starting with the 2014-15 school year.

- Districts must provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts or resident and nonresident students.
- Section 513(1)(c) – Learning Assistance Program.
  - Starting with the allocation for the 2014-15 school year, the prior school year’s October headcount enrollment for Free and Reduced Price Lunch shall be as reported in the Comprehensive Education Data and Research System (CEDARS).

Chapter 221, Laws of 2014

## **New Policies**

2SHB 1709

### **Concerning foreign language interpretation services for public schools**

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The law also directs the Washington State School Directors’ Association to develop a model family language access policy and procedure for school districts by June 1, 2015, if funds are appropriated for this purpose. Funds were not provided in the 2014 supplemental budget specifically for this activity but an expiration date of August 1, 2017 was included, allowing for the possibility for funding in subsequent fiscal years.

Chapter 150, Laws of 2014

SSB 5173

### **Respecting holidays of faith and conscience**

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School district boards of directors must adopt guidelines through resolution under which an employee may take two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

School district boards of directors must excuse a student from school, subject to approval by the student’s parent, for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, for up to two days per school year without penalty. This type of excused absence counts towards instructional hours.

Chapter 168, Laws of 2014

SB 6424

### **Creating the Seal of Biliteracy**

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OSPI must adopt rules establishing criteria for the award of the Seal, including requiring a student to demonstrate proficiency in English by meeting the state high school graduation requirements in English, and proficiency in one or more other world languages. For the purposes of awarding the Seal, world languages include American Sign Language and Native American languages.

Chapter 102, Laws of 2014

E2SSB 6552

### **Improving student success by modifying instructional hour and graduation requirements**

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Requires the Washington State School Directors' Association to develop a model policy and procedure that school districts may use for granting waivers to individual students of up to two credits required for high school graduation based on unusual circumstances. The policy must be distributed to all school districts in the state that grant high school diplomas by June 30, 2015.

The purpose of the model policy and procedure is to assist school districts in providing all students the opportunity to complete graduation requirements without discrimination and without disparate impact on groups of students. The model policy must take into consideration the unique limitations of a student that may be associated with such circumstances as homelessness, limited English proficiency, medical conditions that impair a student's opportunity to learn, or disabilities, regardless of whether the student has an Individualized Education Program or plan under Section 504 of the Federal Rehabilitation Act of 1973.

The model policy must also address waivers if the student has not been provided with an opportunity to retake classes or enroll in remedial classes free of charge during the first four years of high school.

Chapter 217, Laws of 2014

## **Reports and Work Groups**

### **NEW EFFORTS**

2SHB 1709

#### **Foreign language volunteer interpreters**

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- The Office of the Education Ombuds is directed to conduct a feasibility study for the development of a state foreign language education interpreter training program to create a pool of trained interpreters for public schools, including the use of volunteer interpreters.
- The report is due February 1, 2015.

Chapter 150, Laws of 2014

SHB 2739

#### **Student success in school**

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- The Education Data Center shall contract with Eastern Washington University to conduct geographic analysis to identify areas where the cumulative effect of family factors, including employment, health, safety and stability, correlate with academic and behavioral indicators of student success.
- The report is due by January 31, 2015, including maps from across the state.

Chapter 196, Laws of 2014

ESSB 6002

### **Supplemental operating budget**

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- Section 219(24): Creates the Healthiest Generation Council.
  - When Governor-request legislation (SB 6383/HB 2643) failed to pass the Legislature, elements were inserted into the supplemental operating budget. The Departments of Health and Early Learning, OSPI, and others are to discuss ways to expand programs across the state to increase physical activity and access to healthy food and water. The group is also given the authority to revise statewide guidelines for schools for quality health and fitness education.
  - A report is due December 31, 2014 and June 30, 2015.
- Section 501(1)(y): Transitional Bilingual Instruction Program Accountability Task Force
  - OSPI is required to convene a task force to design a performance-based assistance and accountability system for the Transitional Bilingual Instruction Program.
  - A report and recommendations are due January 15, 2016.
- Section 609(3): Washington State Institute for Public Policy modification.
  - WSIPP is directed to complete an inventory of evidence-based and research-based effective practices, activities and programs for school districts related to the Learning Assistance Program.
  - The modification is to include “partnerships with community-based organizations that deliver academic and nonacademic supports to students who are significantly at-risk of not being successful in school, such as one-to-one services to overcome barriers of success at school and school-wide afterschool academic support.”
  - The initial inventory is due August 1, 2014, and shall be updated every two years thereafter.

Chapter 221, Laws of 2014

SSB 6074

### **Outcomes for students who are homeless**

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- OSPI is required to report on the number of identified homeless students enrolled in public schools; the number of homeless students participating in the Learning Assistance Program, the Highly Capable Program, and Running Start; and disaggregated academic performance data, including test scores, dropout rates, absenteeism, and truancy, suspension and expulsion data.
- A report is due January 10, 2015, and every two years thereafter.

Chapter 212, Laws of 2014

SB 6129

### **Paraeducator standards review**

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- The Professional Educator Standards Board is directed to convene a work group to design program-specific minimum employment standards and professional development and educational opportunities that support the standards.
- The work group also must design a paraeducator career ladder, an articulated pathway for teacher preparation and certification, and professional development for teachers on the use of paraeducators in classrooms.
- An initial report on paraeducators who support students in ELL, TBIP, LAP, and Title I programs, as well as the career ladder and articulated pathway, and professional development for teachers who use paraeducators is due January 10, 2015.
- A final report on paraeducators who support students in special education and basic education, and paraeducator professional development is due January 10, 2016.

Chapter 136, Laws of 2014

SB 6163

### **Expanded learning opportunities council**

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- OSPI shall convene a council to provide recommendations on an annual basis to the governor and the legislature to improve the Expanded Learning Opportunities system.
- The first report is due December 1, 2014, and annually through 2018.

Chapter 219, Laws of 2014

SB 6424

### **Seal of biliteracy**

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- OSPI is required to submit a report on the number of students awarded the Seal of Biliteracy and the languages spoken compared to the number of students in the Transitional Bilingual Instruction Program and languages spoken.
- The report is due December 1, 2017.

Chapter 102, Laws of 2014

SB 6436

### **College Bound Scholarship Feasibility**

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- A work group is convened to examine the feasibility of the College Bound Scholarship program. It will be staffed by Senate Committee Services and the Office of Program Research.
- A report is due December 15, 2014, then annually through 2016.

Chapter 215, Laws of 2014

## **ONGOING EFFORTS**

DUE BY JANUARY 2015

2SHB 1355

### **Opportunity Internship Program Outcome Evaluation**

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- The Workforce Board must conduct an outcome evaluation of the Opportunity Internship Programs. At a minimum, the analysis examines financial benefits of on-time graduation, youth employment, postsecondary enrollment and completion, and adult employment in high-demand occupations.
- Final report is due December 1, 2014

Chapter 238, Laws of 2009

E2SHB 1546

### **Innovation schools**

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- The 2011 Legislature directed OSPI to establish a process to designate schools as Innovation Schools or Innovation Zones. Approved applicants will start in the 2012-13 school year.
- OSPI will report on the progress of innovation schools by January 15, 2013, and every odd-numbered January 15th thereafter.

Chapter 260, Laws of 2011

SHB 2159

### **Aerospace and STEM career enrollments**

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- The ERDC must track students who enroll in grant-supported aerospace assembler programs, enhanced manufacturing skills programs, and specialized STEM courses and report on course participation and completion, as well as employment or further training two years after completion. For students in the STEM courses, the ERDC must also examine math and science course-taking patterns and the extent that participation in the program reduces remediation.
- A report is due January 2014, and annually through January 2018.

Chapter 1, Laws of 2011, 2nd Special Session

3ESSB 5034

### **2013-15 Operating Budget**

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- Section 103(12) – K-12 Health Benefits System analysis by the Joint Legislative Audit and Review Committee.
  - Include an analysis of the impacts of using the Washington Health Benefit Exchange as a mechanism for providing health insurance for part-time certificated and classified K-12 public school employees.
  - A report is due by December 2014.
- Section 608(1) – Central Washington University Teacher Work Day.
  - The College of Education at CWU is directed to conduct a study identifying the duties encompassed in a state-funded teacher’s typical work day.
  - A report was due December 1, 2013, but not complete, to the appropriate committees of the Legislature.

Chapter 4, Laws of 2013 2nd special session

ESSB 5940

### **K-12 Health Benefits System**

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- The Office of the Insurance Commissioner (OIC) must compile school district and benefit provider data and submit a report to the Governor, the Legislature and the Health Care Authority on an annual basis by December 1, beginning in 2013. (There is no end date.) The report must include a summary of each school district’s health insurance benefit plans and each district’s aggregated financial data and other information required by law.

(Chapter 3, 2012 Laws 2nd Special Session)

ESSB 5946

### **Strengthening student education outcomes**

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- Each school must report to its district on the number of K-4 students reading below grade level and the interventions being provided, disaggregated by student subgroups. Districts must aggregate the reports and submit them to OSPI, which must submit a statewide report annually to the education committees and the Educational Opportunity Gap Oversight and Accountability Committee.
- Report is due annually, unspecified date; no end date.

(Chapter 18, 2013 Laws 2nd Special Session PV)

**ONGOING EFFORTS**  
DUE BY JANUARY 2016

2SHB 1163

**School Bullying & Harassment Prevention Work Group**

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- The work group, convened by OSPI and the Office of Education Ombuds, will submit a progress and status report on strategies to improve school climate and create respectful learning environments, as well as other topics related to data, curriculum, best practices, training, and policies.
- The first report is due December 1, 2013, with a final report due December 1, 2015.

(Chapter 185, Laws of 2011)

ESSB 5940

**K-12 Health Benefits System**

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- By June 1, 2015, the state Health Care Authority (HCA) must report to the Governor, the Legislature, and the Joint Legislative Audit and Review Committee (JLARC) information, based on two years of school district reports on health benefits.
- By December 31, 2015, JLARC must review the school district reports submitted by OIC, and make its own report on the progress school districts and their benefit providers are making in achieving legislative goals of transparency, equity, and affordability. JLARC is also directed to review and make recommendations on the value of alternative health benefit purchasing systems for K-12 school employees.

(Chapter 3, 2012 Laws 2nd Special Session)

**ONGOING EFFORTS**  
DUE BEYOND JANUARY 2017

ESSB 5985

**Use of Teacher and Principal Evaluations**

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- OSPI must report on school district implementation of provisions requiring the use of teacher and principal evaluation results as one of multiple factors in making human resource and personnel decisions beginning with the 2015-16 school year. The TPEP Steering Committee will make recommendations.
- Report is due December 1, 2017

(Chapter 35, Laws of 2012)



6

# WSSDA Advocacy: Report on Legislative Action on WSSDA Positions

On September 21, 2013, delegates to WSSDA's annual Legislative Assembly approved 52 new proposals for the 2014 legislative session. Delegates also added six proposals to WSSDA's Standing Legislative Positions (SLPs), eliminated three SLPs, and amended four SLPs.

Per Assembly procedure, delegates concluded the meeting with a vote to rank the proposals and Standing Legislative Positions in order of priority. Results of the vote were considered by the WSSDA Legislative Committee in October, and priorities were adopted by the Board of Directors soon after. Typically the Board adopts a "short list" of the top priorities for the legislative session, although all positions are used to guide the association on policy and budget issues.

Per WSSDA Operating Policy 2082P, the following is a report indicating action, if any, taken by the Legislature on each position adopted at the Legislative Assembly during the legislative session. The positions are listed in order of priority according to the advisory ranking provided by Assembly delegates. Standing Legislative Positions (SLPs) are indicated by an index number (e.g., 7.1.4).

## **1. Full Funding of Basic Education (SLP 7.1.12)**

WSSDA shall initiate and/or support legislation that fully funds and implements all aspects of Washington's redefined program of Basic Education as outlined in ESHB 2261. (Chapter 548, Laws of 2009) (*Adopted 2012*)

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A number of bills were introduced this session to implement some or all aspects of basic education, however no plan for funding or implementation was adopted. (Bill numbers HB 2589, HB 2792, HB 2794, SB 6108, SB 6563 and SB 6574.) WSSDA testified in favor of bills that would advance the position and spoke with legislators on this top priority.

The 2013-15 omnibus operating budget included increased funding for transportation, MSOC (Materials, Supplies and Operating Costs), full-day kindergarten, smaller K-1 class sizes, increased instructional hours for grades 7-12, and increases to the Learning Assistance Program and the Transitional Bilingual Instruction Program.

The 2014 supplemental operating budget includes \$58 million in additional MSOC funding and nearly \$2 million in basic education restoration for districts in counties with federal forests. The budget also shifts \$97 million from instructional hours to begin phasing in the 24-credit diploma, and includes \$164.25 per students in grades 9-12; an increase in guidance counselors from 2.009 to 2.539; and a reduction to 19.98 for lab science classrooms.

## **2. Professional Development**

WSSDA shall initiate and/or support legislation that fully funds time and training costs for up to 80 hours of annual state or district directed/approved professional development and classroom preparation time for each certificated classroom teacher in Washington State.

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WSSDA wrote HB 2313 and SB 6161, which would have required the Legislature to fund at least two days of professional development for all certificated instructional staff, building-level administrators, and paraeducators who work with ELL, LAP, TBIP and special education students, with the training content and funding level set in the omnibus appropriations act. OSPI also introduced a bill for two days (HB 2281) and SB 5959 would have funded one additional day of professional development for teachers and principals. HB 2358 would have defined quality professional development.

The price tag for WSSDA's legislation, which had at least one Republican sponsor on each bill, was about \$50 million a year for the two days. This was a big amount to take on in a supplemental budget year with no new revenue to speak of. The teacher's union was supporting a COLA of about the same budget impact as its top priority, and Democrats sought to close tax loopholes to fund the COLA.

Not surprisingly, none of the professional development bills received a hearing. However, WSSDA President Mari Taylor (Lake Stevens) was asked to speak to the House Appropriations Subcommittee on Education during a work session regarding the need for professional development.

## **3. Sustainable Revenue for Education Funding**

WSSDA shall initiate and/or support legislation to implement a comprehensive, attainable, stable and sustainable funding plan for education in Washington State.

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Lawmakers introduced a number of bills to close tax loopholes, change tax preference policies, capture growth in general fund revenues, and ask voters to approve an income tax. None of the ideas would raise enough funding to meet McCleary implementation, and none met WSSDA's litmus test of "comprehensive, attainable, stable and sustainable." How to get there from here will be the pivotal issue in the 2015 legislative session.

## **4. Prioritizing Funding of 2261 Requirements**

WSSDA shall initiate and/or support legislation to prioritize the phase-in of ESHB 2261 (Chapter 548, Laws of 2009) components in the following order:

- Pupil transportation by FY15
  - Materials, Supplies and Operating Costs (MSOC) by FY16
  - Full-day kindergarten, starting with highest poverty schools by FY18
  - Compensation for administrative, certificated and classified staff by FY18
  - Smaller K-3 class sizes, starting with highest poverty schools by FY18
  - Increased instructional hours - to 1,000 for K-6 and 1,080 for grades 7-12 by FY18
  - Full funding technical working group staffing recommendations for prototypical schools by FY18
  - 24-credit diploma that provides options to students pursuing different post-secondary paths, for graduating class of 2020
- 

WSSDA supported a linear phase in, based on the priorities above, and emphasized the need to ensure transportation funding was reached by FY15 and the Legislature was on track with MSOC by FY16. This session lawmakers added \$558,000 in transportation funding to help districts

that are being harmed under the new transportation funding formula. In addition, MSOC was increased beyond the enacted 2014-15 funding level by \$66.32 per student. Additional funding will be needed to reach the full level by FY16.

In addition, WSSDA supported shifting the \$97 million included in the 2013-15 omnibus budget for increased instructional hours to begin phasing in the 24-credit diploma. WSSDA and school directors spoke in favor of legislation that would have supported funding for smaller class sizes and facilities to support implementation of the full-day kindergarten, K-3 class size reductions and science lab classrooms policy objectives under ESHB 2261 (Position 1).

## **5. Changing School Bond Approval Requirements**

WSSDA shall initiate and/or support legislation that would change the bond approval percentage from 60 percent to simple majority.

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WSSDA testified in favor of HB 2441 and HCR 4216, which would have changed bond approval to a simple majority and required a constitutional change. The hearing was immediately following the February elections, which made for good testimony before the House Education Committee on February 13th. The bills did not advance. Similar legislation was introduced in the Senate in the 2013 session. WSSDA will continue to raise the issue, particularly due to capacity issues.

## **6. Common Core Funding**

WSSDA shall initiate and/or support legislation to ensure the state fully funds the transition, implementation and execution of new assessments required by Common Core Standards, which include formative and year-end assessments.

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No action

## **7. Levy Equalization/Levy Lid (SLP 7.1.1)**

WSSDA shall initiate and/or support legislation which would increase the percent of levy impacted by levy equalization (local effort assistance) to 20 percent. WSSDA opposes raising or repealing the levy lid; however, if an increase in the levy lid were adopted by the Legislature, WSSDA supports requiring that levy equalization be fully funded and a commensurate increase in levy equalization be included. (*Adopted 1994; Amended 1999, 2005 and 2010*)

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No action, but if passed SB 6499 would have created a Joint Task Force on Local Education Financing to evaluate and make recommendations about the use of local levies; the level of funding and how funding is used; and inequities associated with levy authority, determination of the levy base, different levy lids, and levy equalization. Language to create the task force was included in the House budget proposal, and would have included a review of compensation issues and funding for small schools. Neither the bill nor the budget language survived.

## **8. Teacher and Principal Evaluation System Implementation**

WSSDA shall initiate and/or support legislation that ensures full funding for the Teacher/Principal Evaluation Project (TPEP) and ensures sufficient preparation time for the evaluation and documentation process.

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Several bills were introduced to support funding for professional development training but nothing was enacted. The 2013-15 budget included funding for TPEP training but not enough to fully train all teachers.

## **9. Unfunded Mandates (SLP 7.2.1)**

WSSDA shall initiate and/or support a requirement that all legislation mandating K-12 programs or services provide full funding for all costs, including incidental, administrative and non-employee and other related costs of the programs or services. Additionally, if adequate funding is not provided to school districts to comply with currently mandated programs or services, those mandates should be eliminated. *(Adopted 2005; Amended 2009)*

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No new legislation was introduced this session to eliminate unfunded mandates, although SB 6241 would have required the Joint Legislative Audit and Review Committee to review the various reports that are required and make recommendations about which ones could be eliminated, consolidated or folded into the OSPI data system.

A number of bills were introduced that would have imposed new unfunded mandates on school districts. WSSDA worked hard to amend or stop bills, and legislators were more cognizant this session about unintended consequences of legislation on school districts. Several bills that passed were modified to reduce the impact, including SB 6074 and SB 6552. WSSDA was engaged in bills that would have imposed new requirements, policies, or programs, including HB 1413, HB 1815, HB 2396, HB 2166, HB 2536, SB 5982, SB 6061, SB 6112, SB 6332, SB 6439, and SB 6444.

## **10. MSOC Funding (SLP 7.1.2)**

WSSDA shall initiate and/or support legislation and appropriations which recognize that school districts' abilities to maintain and enhance quality educational opportunities, for a changing student population, are inhibited by the state's inadequate funding for maintenance, supplies and operating costs (MSOC). WSSDA supports enhanced MSOC funding. MSOC funding should be regularly increased recognizing inflationary costs. *(Adopted 2005; Amended 2010)*

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The Legislature continues to invest new dollars into MSOC, including \$58 million for all seven categories, and an additional \$164.25 per student in grades 9-12 to support implementation of a 24-credit diploma.

## **11. Accountability through Local Governance**

WSSDA shall initiate and/or support legislation that promotes local control over restructuring efforts (school/district improvement). Specifically, all mandated corrective action shall be negotiated with and implemented by the locally elected school board. The local board may seek assistance and support from the Office of Superintendent of Public Instruction and/or the State Board of Education.

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No action

## **12. Delinking Assessments from Graduation Requirements**

WSSDA shall initiate and/or support legislation that removes state-mandated assessments as a graduation requirement.

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No action

### **13. Special Education Funding (SLP 7.1.6)**

WSSDA shall initiate and/or support legislation which requires full funding for mandated Special Education (handicapped) programs and services; such programs and services should maximize assistance to children rather than to their various categorizations and assessments. Any state funding formula shall: recognize that costs will vary according to the needs of every child and, therefore, for every district, based upon the I.E.P. of each student; provide adequate funding for all of the required services for eligible special education students without imposing an artificial cap; exclude from any special education program enrollment funding caps students for whom districts do not receive an annual basic education allocation; and recognize that any funding formula based upon the assumption that every district has the same budget percentage costs for special education is inherently flawed and will not work. *(Adopted 1988; Amended 1990, 1996 and 2005)*

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No action

### **14. All-Day Kindergarten (SLP 7.1.8)**

WSSDA shall initiate and/or support legislation for the funding of kindergarten for all districts that chose to offer full-day kindergarten at 1.0 FTE. Legislation will include provisions to change the space allocation formula for un-housed students to reflect full-time kindergarten. *(Adopted 1990; Amended 2004 and 2006)*

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The space formula has been changed to reflect full-time kindergarten and this position is no longer necessary.

### **15. Forest Revenue Apportionment Withholding (SLP 7.1.20)**

WSSDA shall initiate and/or support legislation preventing the State from withholding moneys from the State's monthly apportionment in the amount equal to state forest revenue or to the federal forest fees received by school districts from the federal government. *(Adopted 2013)*

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After 32 years and multiple attempts, the Legislature approved a partial restoration of basic education allocations in districts that receive federal forest payments and have a poverty level of 57 percent.

WSSDA introduced HB 2207 and SB 5986 this year and worked closely with Whatcom County school directors and timber-impacted districts to restore the funding. Bill sponsors and WSSDA see the partial restoration as a first step in what we hope will be complete restoration in the 2015-17 biennium.

### **16. Removing Barriers to Innovation in Public Schools**

WSSDA shall initiate and/or support legislation that provides public schools the same opportunities as charter schools to create innovative programming based on outcomes not tied to mandated seat time, staffing, grade levels, or operational restrictions.

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No action

### **17. Transportation (SLP 7.1.3)**

WSSDA supports a school transportation funding formula that is based on actual operational costs. Such an operational formula will be designed to:

- Account for cost differentials between districts based on geography, congestion, safety and other factors;
- Eliminate underfunding based on once-per-year student rider counts;
- Address the under-utilization of vehicles for kindergarten routes and in rural areas;
- Provide funding for bus monitors when necessary, especially for high-need special education students;
- Permit districts to use funds for adult crossing guards when they are more cost-efficient than transporting students; and
- Allow districts to use bonds or multi-year levies to purchase student transportation equipment.  
*(Adopted 2001)*

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A new transportation funding formula was adopted as part of the redefinition of basic education. Some districts continue to have underfunding in transportation due to the formula and geography of their districts. The Legislature included \$558,000 in additional funding for the 2014-15 school year for school districts that meet certain requirements and need assistance.

### **18. Early Literacy (Pre-K through 3rd grade) Support**

WSSDA shall initiate and/or support legislation that provides full funding for a support-based learning model from pre-K through 3rd grade.

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Funding for the state's littlest learners remains a priority for many lawmakers, and this year efforts were made to consolidate the state's early learning, child care and welfare programs to benefit students who, in particular, could use the additional assistance. Ultimately no changes were made to the overall system, although HB 2519 will change the definition of a child eligible for the state's early learning program in 2018 and funding was provided in the supplemental operating budget to begin enacting some of the reforms.

### **19. Baseline MSOC Funding**

WSSDA shall initiate and/or support legislation that creates a system to allocate adequate revenue to School Districts for relief of the burden of Materials, Supplies, and Operating Costs (MSOCs) with a required review by OSPI every four years of actual costs as submitted by school districts.

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The Legislature continues to invest new dollars into MSOC, including \$58 million for all seven categories, and an additional \$164.25 per student in grades 9-12 to support implementation of a 24-credit diploma.

### **20. Exempting Fund Balance**

WSSDA shall initiate and/or support legislation that exempts district fund balances from supplanting shortfalls in state funding.

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No action

## **21. Early Childhood Education (SLP 7.5.1)**

WSSDA shall initiate and/or support legislation which would provide funding for public early childhood education and assistance programs. *(Adopted 1991; Amended 2011)*

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Funding for the state's littlest learners remains a priority for many lawmakers, and this year efforts were made to consolidate the state's early learning, child care and welfare programs to benefit students who, in particular, could use the additional assistance. Ultimately no changes were made to the overall system, although HB 2519 will change the definition of a child eligible for the state's early learning program in 2018 and funding was provided in the supplemental operating budget to begin enacting some of the reforms.

## **22. Teacher Collaboration Time**

WSSDA shall initiate and/or support legislation that ensures ample time and funding for teachers to collaborate.

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SB 6082 would have defined teacher collaboration time as part of "instructional time." SB 5982 would have limited school districts to no more than seven early release or late start partial days; more than seven would have resulted in a loss of 50 percent of basic education funding. SB 6064 would have directed the Washington State Institute for Public Policy to have conducted an analysis of instructional time and non-instructional time. None of the bills passed, but instructional time remains a huge issue of concern for legislators.

## **23. Early Learning**

WSSDA shall initiate and/or support legislation that promotes access to early learning within our public education system.

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No action

## **24. Charter Schools under Locally Elected School Boards**

WSSDA shall initiate and/or support legislation that authorizes charter schools be formed only under the governance of existing locally elected Boards of School Directors.

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No action

## **25. Kindergarten Preparedness**

WSSDA shall initiate and/or support policies or legislation that provide resources to support kindergarten preparedness, especially for children in poverty or for whom English is not their primary language.

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Funding for the state's littlest learners remains a priority for many lawmakers, and this year efforts were made to consolidate the state's early learning, child care and welfare programs to benefit students who, in particular, could use the additional assistance. Ultimately no changes were made to the overall system, although HB 2519 will change the definition of a child eligible for the state's early learning program in 2018 and funding was provided in the supplemental operating budget to begin enacting some of the reforms.

## **26. Employee Dismissal**

WSSDA shall initiate and/or support legislative revisions that provide districts with a reasonable process by which to terminate certificated staff, yet protect terminated staff's due process rights. The pre-termination due process should be streamlined so the termination decision can be expedited. The due process rights of the terminated employee would remain protected by the post-termination hearings process.

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No action

## **27. Alternative Learning Experience (ALE) Funding**

WSSDA shall initiate and/or support legislation that provides full, equal state apportionment funding to school districts that implement and provide educational services to Alternative Learning Education (ALE) students. The apportionment should be the same as that provided to students enrolled in regular General Education programs.

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In 2013, the Legislature required that funding for all ALE courses be determined by the statewide Basic Education Allocation (BEA) rate for grades 9-12, allocated on a student FTE basis.

SB 6121 would have adjusted the funding formula for ALE Career and Technical Education (CTE) courses and allowed for an enhanced rate in brick and mortar schools to reflect the higher costs of training and equipment associated with CTE courses and hands-on vocational education. Online CTE courses would have to offer a hands-on vocational educational experience to qualify for the enhanced rate. OSPI would have developed rules to implement the different levels of funding for CTE courses.

## **28. Increased Funding for High-Poverty Schools (SLP 7.1.5)**

WSSDA shall initiate and/or support state and federal legislation that would provide sufficient additional direct funding for each student that qualifies for Free and Reduced Price meals to significantly close the achievement – opportunity gap. An even higher level of funding should be provided to schools with high concentrations of students that qualify for Free and Reduced Price meals. *(Adopted 1991; Amended 2012)*

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No action

## **29. Technology Funding (SLP 7.1.10)**

WSSDA shall initiate and/or support legislation which would fully fund the provision and maintenance of technology in school districts, as a part of basic education, to a statewide standard established by OSPI, in consultation with its K-12 technology advisory committee. *(Adopted 2010)*

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The Technology Component of MSOC was increased from \$77.46 per student in the 2013-14 school year to \$89.13 per student in the 2014-15 school year. Students in grades 9-12 would generate an additional \$36.35 in technology MSOC allocations a year.

### **30. Building Schools outside Urban Growth Areas**

WSSDA shall initiate and/or support legislation to allow school districts to build a school outside of a county's urban growth area (UGA) under the state's Growth Management Act (GMA) when certain circumstances are met. The legislation should also authorize counties that fully plan under the GMA to permit the construction of schools outside of designed UGAs when specified criteria are met. Legislation should establish planning actions that counties must satisfy in complying with the requirement to permit school construction outside of UGAs.

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HB 2499 and SB 6221 would have allowed counties with a population of at least 500,000 that abut at least five other counties to permit construction of schools outside of the Urban Growth Area when certain criteria were met. HB 2499 had a public hearing but SB 6221 did not. King County, the Building Industry Association of Washington, and others testified against HB 2499 at the January 29 and January 30 public hearings.

### **31. Authorizing End of Course Exams**

WSSDA shall initiate and/or support legislation that ensures that students sit for secondary end-of-course exams in each subject at the end of an actual math or science course, regardless of the course completion sequence or grade level.

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No action

### **32. Removing Poor Performing Teachers**

WSSDA shall initiate and take action to cause the Washington State Legislature to change the applicable provisions of RCW 28A.405 to provide for a practical and efficient system for the non-renewal of certificated staff who do not meet the new evaluation criteria as defined in 28A.405.100.

Such a system would provide the following:

1. That the statute not require the same timeline for or number of employee-supervisor conferences and fully completed evaluation documents during the established probationary period; and
  2. The administrative appeal process ends with a decision by the Board of Directors after providing the employee an opportunity to present his/her information. The employee retains the right to appeal to a judge.
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No action

### **33. Career and Technical Education Funding (SLP 7.1.15)**

WSSDA shall initiate and/or support legislative action that will amply fund career and technical education for seventh through twelfth grade, including appropriate staff, equipment and minor facility remodeling. *(Adopted 2011)*

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SB 6121 would have adjusted the funding formula for ALE Career and Technical Education (CTE) courses and allowed for an enhanced rate in brick and mortar schools to reflect the higher costs of training and equipment associated with CTE courses and hands-on vocational education. Online CTE courses would have to offer a hands-on vocational educational experience to qualify for the enhanced rate. OSPI would have developed rules to implement the different levels of funding for CTE courses.

### **34. Average Daily Attendance (Unexcused Absence)**

WSSDA opposes any legislation that requires districts to use average daily attendance for student FTE funding.

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No action

### **35. School Construction (SLP 7.1.16)**

WSSDA supports “ample provision” for school construction through state policies that:

- Fund school construction needs when districts are determined eligible;
- Maintain a reliable system of funding that supports adequate planning at the local level;
- Provide specific sources of revenue to support and enhance state trust revenue;
- Give highest priority to projects that address un-housed student needs, either through new construction or remodeling
- Allocate square footage to meet current and future program needs;
- Recognize realistic construction costs including mandated green building costs; and
- Equalize funding for modernization of existing school facilities in lieu of abandonment and new construction.

*(Adopted 2001; Amended 2008)*

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Several bills were introduced in 2013 and 2014 to make adjustments to the School Construction Assistance Program. HB 2780 and SB 6451 would have made several changes to the existing funding formula. In addition, a couple of bills were introduced to create either a sales tax refund or sales tax exemption on school construction projects, and several bills were introduced to meet program needs related to full-day kindergarten, smaller K-3 class sizes, and additional STEM facilities.

### **36. Teacher Seniority and Reductions in Force**

WSSDA shall initiate and/or support legislation that would support district consideration of variables, in addition to teacher seniority, when faced with a reduction in force due to declining enrollment or reduced state funding.

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No action

### **37. School Director Involvement on Education Workgroups**

WSSDA shall initiate and/or support legislation ensuring that school directors are involved on all state government committees and working groups that affect public education as they relate to basic education, funding, school operations, and governance.

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At our request, WSSDA was formally included in legislation creating the Expanded Learning Opportunities Council.

SHB 2365 (paraeducator development) included WSSDA as a formal member and SB 6129 as amended in the House included WSSDA, but all of the House amendments were rejected by the Senate during the concurrence process. The Professional Educator Standards Board and PSE SIEU 1948 (which represents paraeducators) have indicated WSSDA will be invited to participate on the standards work group created under SB 6129.

Also, WSSDA asked SB 6436 bill sponsor Sen. Dave Frockt, D-Seattle, to include a school director on the College Bound Scholarship feasibility work group. Sen. Frockt indicated a preference for an informal member, since he was trying to keep numbers down and not have to invite the “alphabet soup” of stakeholder associations. Frockt agreed to send a letter inviting WSSDA to participate.

Finally, budget proposals initially included WSSDA in a public records work group to be convened by the Ruckelshaus Center. The final budget proviso is generic.

### **38. WaKIDS Implementation**

WSSDA shall initiate and/or support legislation that enacts the full recommendations of the WaKIDS Workgroup report released by OSPI in January 2013. Particular emphasis should be placed on enacting recommendations to:

- Provide for automatic waivers of conference time at the start of the year from the 180-day requirement;
  - Provide “WaKIDS Implementation Grants” to cover the additional costs of completing the assessments;
  - Continue to take steps to reduce the amount of time it takes for teachers to complete WaKIDS assessments; and
  - Specifically allow schools to use strategies that involve school/district-based teams to support and assist classroom teachers in making the observations required under WaKIDS.
- 

No action

### **39. School Construction Funding (SLP 7.1.17)**

WSSDA shall support an increase to the state’s funding formulas for school construction so that the allocation of square feet per student at least meets the national average and the cost per square foot allocation reflects actual costs. (*Adopted 2005; Amended 2008*)

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Several bills were introduced in 2013 and 2014 to make adjustments to the School Construction Assistance Program. HB 2780 and SB 6451 would have made several changes to the existing funding formula. In addition, a couple of bills were introduced to create either a sales tax refund or sales tax exemption on school construction projects, and several bills were introduced to meet program needs related to full-day kindergarten, smaller K-3 class sizes, and additional STEM facilities.

#### **40. Career and College Ready Diploma**

WSSDA shall initiate and/or support legislation that makes school district implementation of the Career and College Ready Diploma (24 credits) voluntary until full funding of district costs for new credit requirements is provided.

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E2SSB 6552 authorizes a 24-credit diploma for the graduating class of 2019, and includes extension options to 2020 and 2021 for school districts to address funding issues, along with other concessions to make the 24-credit diploma more fair and flexible for students. WSSDA worked this bill throughout the session, offering amendments and options, many of which were adopted in the final days of session.

The bill shifts \$97 million from increased instructional hours to begin phasing in the 24-credit diploma: an increase of \$164.25 MSOC per student in grades 9-12; increase in guidance counselor ratio in a prototypical high school from 2.009 to 2.539 FTE; and a reduction in lab science classroom to 19.98. This funding will be ongoing. Legislator arguments and bills that stated that 24 credits were authorized and all the funding provided (e.g., HB 2181, HB 2242) were rejected. Districts will need to continue to share what funding they will need to help ALL students achieve a 24-credit diploma.

#### **41. Levy Rollbacks**

WSSDA shall initiate and/or support legislation which would ensure that no school district would lose levy authority if the district's apportionment/budgets are decreased by the state. Districts should be held harmless for at least a two-year period.

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No action

#### **42. Perpetual Levy Authority**

WSSDA shall initiate and/or support legislation that allows school districts the authority to make levies perpetual.

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No action

#### **43. Grandfathered Inequities**

WSSDA shall initiate and/or support legislation that removes grandfathered inequities in K-12 education levy lids.

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No action, but if passed SB 6499 would have created a Joint Task Force on Local Education Financing to evaluate and make recommendations about the use of local levies; the level of funding and how funding is used; and inequities associated with levy authority, determination of the levy base, different levy lids, and levy equalization. Language to create the task force was included in the House budget proposal, and would have included a review of compensation issues and funding for small schools. Neither the bill nor the budget language survived.

#### **44. Defining a Minimum School Day**

WSSDA shall support and/or initiate legislation that authorizes local school districts to define the minimum standards of a school day until the Legislature provides funding for an additional 80 hours of professional development and collaboration time.

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Efforts were made again this year to limit the number of early release and late start days or to include collaborative time as counting towards instructional time. In addition, WSSDA, OSPI and Sen. Rosemary McAuliffe, D-Bothell, introduced legislation to fund professional development days. This issue will remain at the top of the list for legislators focused on student outcomes linked to seat time.

#### **45. OSPI Investigations**

WSSDA shall initiate and/or support legislation that requires OSPI to complete all district personnel investigations within six months of the date they are filed.

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No action

#### **46. OSPI Authority for Graduation Requirements**

WSSDA shall initiate and/or support legislation that allows the Office of the Superintendent of Public Instruction (OSPI) to set minimum graduation requirements for students in the State of Washington.

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No action

#### **47. Enhanced Funding for Transitional Bilingual Instruction**

WSSDA shall initiate and/or support the recommendations of the Quality Education Council for funding and instructional hour increases for the Transitional Bilingual Instructional Program (TBIP) as outlined below:

- Increase hours of English Language Acquisition instruction for students in English proficiency levels 1-3 (as measured by the annual WELPA) to provide six to eight instructional hours per week for grades 6-12;
  - Provide two years of three additional hours of English language instruction for exited students (level 4 students in all grades); and
  - Increase funding to support this as outlined by the QEC.
- 

The 2013-15 omnibus operating budget included additional funding for TBIP, including new funding for students who exit the program. No changes were made to the formula. New this year is a requirement for OSPI to convene a work group to create benchmarks and accountability for the existing TBIP system.

#### **48. Allowing Submission of a Two-Year Budget to OSPI**

WSSDA shall initiate and/or support legislation to allow school districts the option of submitting to OSPI a two-year district budget.

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No action

#### **49. Enrichment Programs**

WSSDA shall initiate and/or support legislation that supports full funding of enrichment programs, such as the AVID (Advancement via Individual Determination) program, in secondary schools.

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No action but the House Education Committee held a work session to hear more about AVID.

#### **50. School Urgent Repair and Energy Efficiency Grants**

WSSDA shall initiate and/or support legislation that supports funding for the Washington Urgent Repair Grant Program, the Energy (Efficiency) Operational Savings Project Grants, and other capital budget funding programs that meet emerging or underfunded maintenance, repair and construction needs at school buildings.

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The 2013-15 capital budget included \$5 million for the small repair program but moved its administration to the Office of Financial Management. No change in funding was made this session.

#### **51. Education for Gifted (SLP 7.1.7)**

WSSDA shall initiate and/or support legislation which would assure funding for the education of gifted students at a level of 10 percent of the student population, place that funding within the basic education allocation system and set a minimum number of students to be funded in small school districts. *(Adopted 1987; Amended 2005)*

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No action

#### **52. Consolidation/Erosion of School Districts (SLP 7.4.1)**

WSSDA believes that consolidation of local school districts should occur only through a process of voting by the affected citizens and not by legislative mandate. *(Adopted 1982; Amended 1986 and 1994)*

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No action

#### **53. State Board of Education Membership (SLP 7.4.2)**

WSSDA shall initiate and/or support legislation to change the composition of the State Board of Education so that the majority is elected by school board directors. *(Adopted 2013)*

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No action

#### **54. Federal DREAM Act**

WSSDA shall initiate and/or support the enactment of a process allowing immigrant students a path toward becoming lawful U.S. residents.

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No action. However, the Legislature passed SB 6523 which extends the State Need Grant eligibility to undocumented students who meet certain conditions. See Early Learning and Higher Education for more information.

## **55. Special-Needs and At-Risk Students (SLP 7.1.4)**

WSSDA shall initiate and/or support legislation that will provide enhanced funding for programs for special-needs and at-risk students and for those districts with proportionately higher numbers or higher costs of such students. *(Adopted 1990; Amended 2011)*

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No action

## **56. Impacts to Common School Funding Revenues**

WSSDA shall oppose legislation that negatively impacts funding revenues that are traditionally used to support common schools, such as impact fees, collection timing, and property tax capacity.

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When Governor Jay Inslee vetoed HB 1652 in 2013, he indicated he was sympathetic to small builder concerns about large impact fees as the building industry climbed back from the Great Recession. However, Inslee also said he was not interested in legislation that would harm schools.

Once again, the Building Industry Association of Washington (BIAW) took aim at deferring impact fees to the time of occupancy or 18 months or more after receiving a building permit. The bills offered a few new concessions, such as one deferral per builder per jurisdiction, but the impact to schools – particularly those facing capacity issues – was too much. HB 2498, HB 2677 and SB 6461 looked primed for passage, but WSSDA worked with legislators, local governments, the Puget Sound Schools Coalition, and environmental organizations to defeat the bills.

## **57. Tax Reform (SLP 7.7.1)**

WSSDA shall initiate and/or support legislation to restructure the Washington State tax system to establish a stable, broad-based, flexible source of revenue for the State of Washington which is equitable and adequate, in order to ensure better educational funding as well as to provide other essential state services. *(Adopted 1989, Amended 2013)*

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Restructuring Washington state's tax system remains elusive – while some legislators this session introduced bills to close tax loopholes others introduced bills that would have added to the more than 600 tax preferences on the books. With a divided House and Senate, it appears unlikely much will happen in the way of tax reform in a comprehensive way.

## **58. Salaries – Experience Recognition (SLP 7.6.2)**

WSSDA shall initiate and/or support legislation that would recognize employment experience as a registered nurse, occupational therapist, physical therapist, communication disorders specialist/speech pathologist, audiologist, psychologist, social worker, counselor or career/technical education professional in a position which requires Washington state licensing, certification or a degree that is comparable to that required for Washington state teacher certification. *(Adopted 2010, Amended 2013)*

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No action

### **59. Keeping the Cap on Charter Schools**

WSSDA shall initiate and/or support legislation that preserves the limit of 40 charter schools over five years passed by voters in 2012. This cap shall not be lifted before 60 percent of authorized Washington charter schools have completed three consecutive school-years of operation at one or two of the highest levels on the Achievement Index for all student groups and without a public vote at the next available general election.

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No action

### **60. Health Care Bargaining (SLP 7.6.5)**

WSSDA shall initiate and/or support legislation which would exclude funding of health benefits from being negotiated in school district's collective bargaining agreements. *(Adopted 2010)*

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No action. However, SB 6519 would have allowed the Office of the Insurance Commissioner to share information it is receiving from school districts under the health benefits reform of 2012 with the Health Care Authority. HCA and others have reports due in the next year, and it is possible action on this topic might be in play in 2015.

### **61. Alternative Routes to Principal Certification**

WSSDA shall initiate and/or support legislation that allows school districts the option of hiring school principals who have not worked in a classroom, provided the person is enrolled in an alternative route towards principal certification and meets experience and leadership requirements specified by the district.

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No action

### **62. Staff Assignments**

WSSDA shall initiate and/or support legislation that provides the needed flexibility for staff assignment decisions made by district administration, to ensure efficient and effective placements are based on qualifications and fit to the individual school needs as codified in RCW 28A.150.230.

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No action

### **63. Students in Residential Placement (SLP 7.3.10)**

WSSDA shall initiate and/or support legislation mandating collaboration and coordination between school districts, OSPI, and those state agencies responsible for placing challenging students in residential placements to develop:

- An agreement by all key agencies on how such students are placed in communities across the state;
- Policy and procedures that mandate timely, collaborative district-agency planning before challenging students are actually moved into school districts; and
- Mechanisms whereby fiscal resources are shared by agencies with those school districts charged with educating these students.

*(Adopted 2013)*

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While not specifically addressing this issue, the Legislature passed HB 2276, which would clarify cooperative agreements between school districts and Educational Service Districts that provide a program of education to resident students in residential schools.

#### **64. Fiscal Nonrenewal Date (SLP 7.6.8)**

WSSDA shall initiate and/or support legislation to change the staff non-renewal notification deadline to May 15 or 30 days after the budget becomes law, whichever occurs last. *(Adopted 1993, Amended 2013)*

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HB 2017 and SB 6266 would have changed the non-renewal notification deadline to June 15 if the omnibus budget wasn't adopted prior to the end of the legislature's regular session. The bills were supported by the teacher's union. However, efforts to modify the bills to conform with WSSDA's position were opposed by the Washington Education Association.

#### **65. Diversity Training (SLP 7.6.10)**

WSSDA shall initiate and/or support legislation and/or regulations that include an academic experience of diversity requirements of certification for all new teachers, administrators and educational staff associate preparation programs. Additionally, continuing education programs will offer diversity training classes. *(Adopted 1995; Amended 2003)*

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Funding for cultural competency training and its inclusion in the new teacher and principal evaluation process was included in the supplemental budget.

#### **66. Student Contact Time (SLP 7.3.7)**

WSSDA shall initiate and/or support legislation that allows school districts to meet the requirements of state law for funding purposes through the use of student contact time rather than student contact days without having to seek waivers from either SBE or OSPI. *(Adopted 2012)*

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Two efforts were made this year to extend the economy and efficiency waivers, but there is little interest in totally eliminating districts having to seek waivers from the State Board of Education.

HB 1492 was amended in the House Education Committee to allow school districts with fewer than 2,000 student FTE to participate in the E&E waiver option; the bill was opposed by the teachers and classified employee unions. SB 6242 passed the Legislature and will extend the E&E waiver through August 1, 2017 for up to five small schools.

#### **67. Retroactive Cuts and Reductions in Force**

WSSDA shall initiate and/or support legislation and policy to ensure that in the event the Washington State Legislature again chooses to make funding reductions to school districts during the academic year in which those committed funds were intended to be spent, then the Legislature must also via specific legislative action change the provisions contained in the applicable sections of RCW 28A.405 to create a clear, efficient and effective mechanism enabling school districts to terminate certificated contracts mid-year when state funding is reduced during that year. Any such employee reduction must not require bargaining action by the district and shall in no case exceed the total amount of funding allocation reductions from the Legislature for that school district.

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No action

## **68. Remote and Necessary Schools (SLP 7.1.11)**

WSSDA shall initiate and/or support legislation which continues to recognize the high-cost nature of providing educational programs and services to school plants designated as being remote and necessary. WSSDA supports the current concept of additional funding for these school plants until full funding of the requirements of ESHB 2261 is implemented. *(Adopted 1991; Amended 2012)*

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No action

## **69. Alternative Routes to Teacher Certification (SLP 7.6.11)**

WSSDA shall initiate and/or support legislation that maintains or increases funding for alternative routes to teacher certification in state-identified shortage areas, particularly for those routes that allow Para-Educators and other classified instructional employees to attain a teaching certificate *(Adopted 2012)*

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Several bills took a look at alternative routes to teacher certification, including SB 6129 which directs the Professional Educator Standards Board to convene a work group to look at an articulated career ladder and alternative routes for paraeducators. SB 6129 was signed into law on March 28. Other bills that addressed the issue included HB 1680 and HB 2531.

## **70. Authorizing Districts to Appeal Hearing Officer Decisions**

WSSDA shall initiate and/or support legislation to amend RCW 28A.405.340 to allow districts to appeal adverse hearing officer decisions in teacher termination or non-renewal cases to Superior Court.

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No action

## **71. Retirement Incentives (SLP 7.6.12)**

WSSDA shall initiate and/or support legislation that would allow the state to offer early retirement incentives for teachers statewide, provided that participation in the program is voluntary and that teachers are legally protected from pressure to participate. *(Adopted 2013)*

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No action

## **72. Strikes and Labor Disputes (SLP 7.6.6)**

WSSDA is opposed to strikes as a means of settling disputes in public education as referenced in RCW 41.56.120. WSSDA strongly supports decisions by Washington courts that strikes by public employees are illegal. Participants in strikes should suffer economic losses or professional sanctions.

WSSDA supports legislation that would:

- Remove mandatory binding arbitration as the means of resolving impasses in negotiations. It is against the public interest to give final authority over the schools' operations to an arbitrator, who has no continuing responsibility for implementing an arbitration award.
- Impose penalties upon either party who fails to participate in impasse processes and other required procedures designed to promote agreement before the beginning of school.

When a local school district is faced with a strike, WSSDA recommends that the school board take the action, including injunctive relief, it deems necessary to fulfill its obligation to students and patrons. During a strike, WSSDA will provide services or assistance requested by the local school board. *(Adopted 2001, Amended 2013)*

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No action

### **73. Building Improvements (SLP 7.3.5)**

WSSDA shall initiate and/or support legislation to permit school districts in the state of Washington to make limited improvements of not more than 10 percent of the current value of the facility, such as energy retrofits, in existing facilities without requiring a review and/or upgrading of the entire building to meet current codes in other areas. *(Adopted 1992)*

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No action

### **74. Mandatory School Age (SLP 7.3.9)**

WSSDA shall initiate and/or support legislation lowering the age for mandatory school attendance from eight to six. *(Adopted 2013)*

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No action

### **75. Attorney/Client Privileges**

WSSDA shall oppose legislation that would erode the attorney/client privilege and current law related to the non-disclosure of attorney work product materials and other communication between a school district and its legal counsel.

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No action

### **76. WSSDA Universal Membership and Dues**

WSSDA shall initiate and/or support legislation that maintains the current dues structure in statute and the association's state agency status.

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For the first time in years, the Legislature did not consider legislation to make WSSDA's dues structure voluntary. In fact, WSSDA has gained in credibility and visibility in the Legislature the past couple of years and is recognized for bringing amendments and legislation forward to address education issues.

In addition, WSSDA was added to various boards and work groups. Also, OSPI determined an actual value for WSSDA model policies, which was described in fiscal notes for legislation that called for a new school district policy. OSPI estimated that when WSSDA drafted a model policy, the statewide cost to districts to implement the policy was \$145,894, compared to \$437,682 when WSSDA does not draft a model policy.

### **77. School Employee Salaries (SLP 7.6.1)**

WSSDA shall initiate and/or support legislation which would require parity for all educational employee groups whenever state salary increases are provided and which would assure the state of Washington of having salaries for education personnel that would allow them to remain competitive with other states and commensurate with comparable professions. *(Adopted 1988; Amended 1990)*

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No action

## **78. Immigration Status**

WSSDA opposes any legislation that would require school districts to inquire into the immigration status of a student or his/her family, or exclude students based on their actual or perceived immigration or citizenship status.

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No action

## **79. Mayoral Control**

WSSDA opposes legislation that authorizes mayoral control of public K-12 schools.

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No action

## **80. Exclude School Calendar from Mandatory Negotiations (SLP 7.3.3)**

WSSDA believes that the school calendar is a matter of public concern and should not be a mandatory subject of collective bargaining. *(Adopted 1979; Amended 2001)*

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No action

## **81. Student Sex Offenders in the Classroom**

WSSDA shall initiate and/or support legislation that permits a school district to deny a registered sex offender from attending the same school or program as the victim.

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No action

## **82. Passage of School Finance Issues (SLP 7.1.18)**

WSSDA believes that passage of all school finance issues should be by a simple majority of the ballots cast on those issues. *(Adopted 1977; Amended 2000 and 2001)*

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WSSDA testified in favor of HB 2441 and HCR 4216, which would have changed bond approval to a simple majority and required a constitutional change. The hearing was immediately following the February elections, which made for good testimony before the House Education Committee on February 13th. The bills did not advance. Similar legislation was introduced in the Senate in the 2013 session. WSSDA will continue to raise the issue, particularly due to capacity issues.

## **83. Authorizing Internal Appeal Prior to Public Records Penalties**

WSSDA shall initiate and/or support legislation that would allow public agencies to require a requestor to use an internal administrative appeal process within the agency itself prior to being able to seek daily penalties for a violation of the Public Records Act.

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No action

## **84. Pension Funding (SLP 7.1.13)**

WSSDA shall initiate and/or support legislation or budget provisions requiring the state to adequately fund pension programs. *(Adopted 2012)*

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No action

### **85. Assessment Delays**

WSSDA shall initiate and/or support legislation to delay by at least one year the current science graduation requirements to allow adequate time for new science standards to be fairly implemented.

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No action

### **86. Truancy Becca Funding (SLP 7.2.2)**

WSSDA shall initiate and/or support legislation that: (1) provides adequate state compensation to school districts for additional secretarial and administrative time to monitor truanancies, send letters, prepare court documents and truancy petitions, attend court hearings and provide follow-up supervision for Becca compliance; or (2) eliminate the Becca law if the funding is not continually forthcoming. *(Adopted 2010)*

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HB 1477 would have made the state's truancy law voluntary. The concept of eliminating Becca or making the program voluntary continues to face opposition in the Senate.

### **87. Changing the Ethics Statute to Address Hiring Decisions**

WSSDA shall initiate and/or support legislation to amend RCW 42.23.030(11) to allow second class school districts with fewer than 1,000 students to hire the spouse of a school district officer as a certificated or classified employee.

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No action

### **88. Washington State Voting Rights**

WSSDA shall initiate and/or support legislation that maintains local school board authority to determine the structure of the school district's voting subdivisions.

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Over the interim, WSSDA, local government representatives and proponents of the Washington Voting Rights Act met to discuss concerns with the current draft of HB 1413. In the 2014 session, the bill was passed without amendment by the House 53-43, and it passed out of the Senate Governmental Operations Committee with a couple of changes. Unfortunately the changes did little to assuage local government concerns with the possible administrative burden and impact, not to mention the possible fiscal impact of litigation (similar to what is occurring in California). Republican members of the Rules Committee fended off two attempts to pull the bill from Rules and bring it to the Senate floor. WSSDA and local government opponents have identified at least six issues with the current bill. Conversations are expected to continue to talk with bill proponents this interim.

### **89. Public Records Act (SLP 7.3.6)**

WSSDA shall initiate and/or support legislation clarifying that any notes taken or electronic recordings made during an executive session are exempt from disclosure under the Public Records Act. *(Adopted 2012)*

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No action

## **90. Legal Notices Website (SLP 7.3.8)**

WSSDA shall initiate and/or support legislation allowing the use of a state or district website for legal notices currently required by law to be published in a newspaper. *(Adopted 2013)*

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Former school director Rep. Chad Magendanz, R-Issaquah, introduced HB 2319, which would have allowed school districts to use postings on a district website in lieu of being published in a local newspaper. School directors testified in support while the newspaper industry lined up solidly against the measure. To have more juice in future sessions, school districts would need to show more significant cost savings if the bill were enacted.

## **91. Full-Time-Equivalent Computation (SLP 7.1.9)**

WSSDA shall initiate and/or support legislation which would modify the method of computing a full-time-equivalent secondary student for the purpose of state apportionment for those students who are enrolled in more than twenty-five hours of instruction per week. *(Adopted 1987)*

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No action

## **92. Enrollment Decline (SLP 7.1.14)**

WSSDA shall initiate and/or support legislation that would lessen the negative fiscal impact when districts are adversely impacted by a dramatic decline in student enrollment. *(Adopted 2010)*

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No action

## **93. School Year (SLP 7.3.2)**

WSSDA shall initiate and/or support legislation which provides state-funded training and planning time for staff and more academic time for students, in the following manner:

- Provide for summer school programs;
- Substantially increase the length of the students' school year;
- Assure that staff has planning and in-service time in excess of the students' calendar year; and
- Provide financial flexibility and incentives for local districts to operate year-round instruction in any or all of their school buildings.

*(Adopted 1988; Amended 1990, 1992 and 2005)*

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Summer learning loss was a big topic this session and the original SB 6163 would have authorized up to 10 pilot projects for an additional 20 days of school for each pilot. That's a hard sell in a supplemental budget year, but one that WSSDA supported. Prior to the bill's introduction, WSSDA provided guidance on bill concepts and offered amendments once it was introduced.

The enacted legislation creates an Expanded Learning Opportunities Council to look at traditional school-based programs and enrichment programs that take place outside of the school day, week and calendar that are offered by community partners. The Council is also directed to consider summer learning loss mitigation strategies, including a pilot program, and make recommendations to the Legislature by the 2015 session.

As mentioned previously, WSSDA initiated legislation (HB 2313/SB 61161) that would have authorized at least two days of professional development "outside" of the 180-day school year. This issue is expected to remain a priority for WSSDA in subsequent sessions.

**94. Community Schools (SLP 7.3.4)**

WSSDA shall initiate and/or support legislation to encourage and incentivize cooperative partnerships and/or joint use of facilities with the local community, such as early learning providers, social service providers, community and technical colleges, and public baccalaureate institutions. The legislation should include revisions in the current calculation of “instructional space” so school districts are not penalized by the loss of any state construction funding due to the facilities partnership. *(Adopted 2011)*

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HB 2217 would have encouraged school districts to use family engagement coordinators to enhance partnerships between schools and community-based organizations to expand programs using school facilities outside of the regular school day or year.

**95. Fiscal Note (SLP 7.1.19)**

WSSDA supports requiring identification of the local cost of compliance (fiscal notes) for any proposed state laws or administrative rules which would affect educational programs or services, as a means of avoiding unfunded mandates. *(Adopted 1978; Amended 2002)*

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No action

**96. Open Public Meetings Act (SLP 7.3.1)**

WSSDA shall initiate and/or support legislation that maintains the current provisions of the Open Public Meetings Act, including without limitations those that allow for confidential executive sessions of the governing board for specified purposes, that allow for the presence of necessary individuals other than board members, and that do not require minutes, taping or any other record of the discussions that transpire in sessions. *(Adopted 2011)*

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No action

**97. Conditional Scholarships (SLP 7.5.2)**

WSSDA shall initiate and/or support legislation that provides policy change to link state conditional college scholarships and loan repayment with federal conditional scholarship and loan repayment programs. Both programs provide scholarship and loan repayment in exchange of teaching service in Washington state’s public K-12 schools in high-need areas – including high-need areas of teaching, such as special education, math, science and teachers with bilingual abilities and high-need districts of the state. These two programs should be linked to maximize the benefit of state dollars. *(Adopted 2011)*

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No action, however SB 6418 would have renamed and expanded the state conditional scholarship program for teachers seeking endorsements in math and science to include support for teachers seeking an endorsement in special education, bilingual education, or English Language Learner.

**98. Administrators for Small Schools (SLP 7.6.3)**

WSSDA shall initiate and/or support legislation that would assure stable financial support for the proper and adequate administrative staffing in small schools and small school districts; preferably at least one administrator per district. *(Adopted 1990)*

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No action

## 2014 LEGISLATIVE COMMITTEE

### DIRECTOR AREA 1

**Tony Ghazel**

Committee Vice Chair  
Orcas Island  
(360) 376-6296 Home  
(360) 622-6033 Cell

**Nancy Truitt Pierce**

Monroe  
(360) 805-9619 Home  
(206) 550-8890 Cell

### DIRECTOR AREA 2

**Lisa Connors**

Auburn  
(253) 887-1977 Home  
(253) 931-8006 Cell

**Danny Edwards**

Committee Chair  
Riverview  
(425) 788-3640 Home  
(206) 660-5914 Cell

**Marnie Maraldo**

Issaquah  
(425) 220-3389 Cell

**Dawn McCravey**

Northshore  
(206) 992-5679 Cell

### DIRECTOR AREA 3

**Pat Donovan**

Puyallup  
(253) 770-0871 Home  
(253) 370-3740 Cell

**Brenda Rogers**

Bethel  
(360) 893-5425 Home  
(253) 312-6826 Cell

### DIRECTOR AREA 4

**Sarah Methner**

Port Angeles  
(360) 460-9730 Home

**Carolynn Perkins**

Bremerton  
(360) 782-5449 Home  
(626) 367-8293 Cell

### DIRECTOR AREA 5

**Neal Kirby**

Centralia  
(360) 330-1392 Home

**Richard (Dick) Stone**

Montesano  
(360) 249-5178 Home  
(360) 593-2800 Cell

### DIRECTOR AREA 6

**Edri Geiger**

Vancouver  
(360) 254-4811 Home  
(360) 901-8499 Cell

**Michael Parsons**

Evergreen  
(360) 892-6309 Home  
(360) 607-9274 Cell

### DIRECTOR AREA 7

**Tricia Lubach**

Quincy  
(509) 787-1457 Home  
(509) 760-0321 Cell

**Roger Thompson**

Palisades  
(509) 884-6293 Home  
(509) 679-1596 Cell

### DIRECTOR AREA 8

**Mike Meyer**

West Valley  
(509) 965-4726 Home  
(509) 952-7487 Cell

**Martha Rice**

Yakima  
(509) 248-7881 Home  
(509) 910-0708 Cell

### DIRECTOR AREA 9

**Robert Douthitt**

Spokane  
(509) 624-6074 Home  
(509) 220-3440 Cell

**Mitch Jensen**

East Valley  
(509) 489-8206 Home  
(509) 868-9841 Cell

### DIRECTOR AREA 10

**Scott Carruth**

Ritzville  
(509) 659-4232 Home  
(509) 660-0158 Cell

**John Zingg**

Freeman  
(509) 443-0733 Home  
(509) 991-9093 Cell

### DIRECTOR AREA 11

**Richard Jansons**

Richland  
(509) 627-6367 Home  
(509) 528-3488 Cell

**Stephen McGaughey**

Finley  
(509) 205-4764 Cell

### WSSDA BOARD LIASON

**Chris Nation**

Marysville  
(360) 651-8098 Home  
(425) 322-6630 Cell

## 2014 OFFICERS

PRESIDENT  
**Mari Taylor**  
Lake Stevens  
425.314.1131  
maritaylor42@gmail.com

PRESIDENT-ELECT  
**Chris Nieuwenhuis**  
Riverside  
509.290.1824  
chrisnieu61@gmail.com

VICE PRESIDENT  
**Chris Nation**  
Marysville  
425.322.6630  
msvlprint@aol.com

IMMEDIATE PAST PRESIDENT  
**Debbie Long**  
Central Valley  
509.922.4442  
debralong@icehouse.net

## WSSDA STAFF

EXECUTIVE DIRECTOR  
**Jim Koval**  
360.252.3001  
j.koval@wssda.org

DIRECTOR,  
GOVERNMENTAL RELATIONS  
AND CONTENT AUTHOR  
**Marie Sullivan**  
360.252.3010  
m.sullivan@wssda.org

ADMINISTRATIVE ASSISTANT,  
GOVERNMENTAL RELATIONS  
**Nan Laughton**  
360.252.3011  
n.laughton@wssda.org

## 2014 BOARD OF DIRECTORS

DIRECTOR AREA 1  
**David Iseminger**  
Lake Stevens  
425.501.4993  
schools1@iseminger.com

DIRECTOR AREA 2  
**Carol Van Noy**  
Riverview  
425.941.8855  
cvannoy@uwkc.org

DIRECTOR AREA 2  
**Nancy Merrill**  
Enumclaw  
360.825.4476  
nancysmerrill@gmail.com

DIRECTOR AREA 3  
**Rick Maloney**  
University Place  
253.566.6918  
rick.maloney@highlineschools.org

DIRECTOR AREA 4  
**Cindy Kelly**  
Port Angeles  
360.460.9549  
ctkelly@olympen.com

DIRECTOR AREA 5  
**Chuck Namit**  
North Thurston  
360.790.9859  
cmapper@comcast.net

DIRECTOR AREA 6  
**Patricia Wood**  
Kelso  
360.431.2524  
patty.wood@kelsosd.org

DIRECTOR AREA 7  
**Aurora Flores**  
Manson School District  
509.679.0519  
aflores1986@gmail.com

DIRECTOR AREA 8  
**Bruce Drollinger**  
Naches Valley School District  
509.901.2088  
brucedrollinger@msn.com

DIRECTOR AREA 9  
**Joanne Greer**  
Deer Park School District  
509.991.5634  
joanne.greer@dpsdmail.org

DIRECTOR AREA 10  
**Harmon Smith**  
LaCrosse School District  
509.592.3504  
hjslax@pionnet.com

DIRECTOR AREA 11  
**Larry Ayre**  
Finley School District  
509.551.5379  
larryayre1947@yahoo.com

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221 College Street NE  
Olympia, Washington 98516  
360.493.9231  
800.562.8927  
mail@wssda.org  
wssda.org