



Washington State
School Directors' Association

Legislative Update

By [Marie Sullivan](#), WSSDA Director of Governmental Relations

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New laws now in effect

July 28th was the effective date for hundreds of bills that passed the Legislature and were signed into law during the regular 105-day session that ended April 28th.

In June, WSSDA conducted a [webinar](#) on the session, providing information to participants about laws that would affect the 2013-14 school year. WSSDA also mailed all school directors an 8-page summary of enacted legislation from the regular session.

WSSDA is in the process of finishing a session overview that includes legislation and budget from both the regular session through the 2nd special session, and may print only a limited number of the 100-page books. If you would like a printed copy, please email Nan Laughton at n.laughton@wssda.org. And for those seeking a complete summary now, check out WASA's [overview](#) prepared by Government Relations Director Dan Steele.

Welcome Marcie!

Former State Rep. Marcie Maxwell, D-Renton, officially joined Gov. Jay Inslee's Legislative Affairs and Policy Office as Senior Education Policy Advisor on July 16. She was elected to three terms in the legislature, and most recently served on the House Education Committee, Appropriations Committee, and Education Appropriations Subcommittee. Maxwell co-chaired the Quality Education Council (QEC) and was a member of the Joint Legislative Task Force on Education Funding.

On Day 4 of her new job, Maxwell joined the WSSDA Legislative Committee for a discussion on what to expect from the Inslee Administration. She encouraged school directors to be more involved in the legislative process and to speak up about what is going on in their district. "You have to be the ones that are stepping up to talk about education. It will take your full board and your superintendent, but your voices are the ones we need to hear."

As a former school director at Renton, Maxwell brings a strong background in education policy and funding plus business experience to this new leadership role. She is known for her work in STEM education, arts education, improving teaching and learning, college access, and preserving the state's safety net to ensure at-risk kids are healthy and ready to learn.

Maxwell can be reached at 360-902-0643 or marcie.maxwell@gov.wa.gov.

SBE adopts new Achievement Index framework

At a meeting last month, the State Board of Education provisionally adopted the Achievement Index "redesign" as described in [Board Packet Materials](#) (pages 47-55), including modifications to incorporate an "Ever ELL" cell into the Index, subject to federal approval. Adopted unanimously, the motion also directed SBE staff to make modifications adopted at the meeting, and to submit the redesign framework to the U.S. Department of Education (USDOE) for its consideration.

The Board acknowledged that the state is in a period of transition, and noted that adjustments may be necessary to address student growth data, implementation of Common Core Standards, and the new assessment requirements ([ESHB 1450](#)) enacted in the 2nd special session, as well as other emerging requirements.

In response to a suggestion by new member Peter Maier, a former Seattle Public Schools director, one of the changes adopted at the meeting was the addition of a sixth tier. The Board relabeled the bottom two tiers: at the very bottom will be “Priority Schools – Lowest 5 Percent,” and directly above it will be a new tier labeled “Underperforming.” As part of the motion offered by Acting Chair Mary Jean Ryan, the Board set the Underperforming tier as the highest level a school could be placed if it has at least one subgroup failing to meet standard or show progress through student growth data. Two members – Cindy McMullen and Tre’ Maxie – voted against the motion.

In addition to checking with the federal education department, SBE staff will begin a process of technical data vetting with OSPI, including an opportunity for districts to see their new Index data before stakes are attached.

The effect of “Ever ELL” being proposed to USDOE is to include both current and former language learner students in evaluating the success of school-wide ELL programs. If approved, Washington would be the first state to use this type of analysis in an accountability index.

Other actions at the SBE meeting included the following:

- Recommend that SPI Randy Dorn adopt the Next Generation Science Standards;
- Begin rule-making on SBE responsibilities under [E2SSB 5329](#);
- Change report requirements for Charter School authorizers, including disaggregating major student subgroup data; and
- Approval and denial of school district waiver requests.

On the waiver requests, member Connie Fletcher asked that each application be considered individually for Board action. This is a troubling trend that started a year ago, when a few applications were pulled out for separate votes. Following the staff presentation and Board’s preliminary discussion of all the waivers, several superintendents from districts submitting requests spoke at the public comment period, explaining the rationale behind their request. However, not all districts were in attendance, and members relied mainly on application materials and the staff report.

During the business action the following day, the SBE denied a number of waiver requests. The Board also opted to reconsider a waiver it had just denied once correct information was brought to light. And members questioned one application for having too much information (it was denied), while another had too little (it was eventually approved). WSSDA elected and/or appointed members Bob Hughes, Kevin Laverty, Peter Maier, and Cindy McMullen voted to approve all district requests. Bunker Frank voted against four waiver applicants that were bundled in a single motion, but later explained that she had been confused by the motion and was in support of the waiver requests.

Also troubling was the perception that school districts had received a significant windfall from the 2013 Legislature and that districts didn’t need waivers because they could spend local levy dollars on professional development or to meet the activities specified in the request.

Riverside Superintendent Roberta Kramer shared during public comment that her district had barely passed a school M&O levy and voters would expect levy dollars to decrease based on new state funding. Davenport Superintendent Jim Kowalkowski shared that state funding from this biennium wouldn’t reach the level of state funding his district had received prior to the cuts of 2010 and 2011-13.

While some districts may end up ahead in funding this school year because of the Legislature’s emphasis on many high poverty schools receiving funding for full-day kindergarten and smaller K-1 class sizes, other districts may

experience a similar situation to Davenport or Riverside. Leading up to the 2014 session, it will be important for district leaders to be able to share comparisons of funding over the years and explain how new dollars will be used to meet state requirements.

Article IX litigation committee meets

Four out of eight members of the Joint Select Committee on Article IX Litigation met July 31 to discuss their report to the Supreme Court regarding progress on meeting the state's obligation to K-12 education funding.

Those attending included Co-chairs Sen. David Frockt, D-Seattle, and Rep. Gary Alexander, R-Olympia, Sen. Christine Rolfes, D-Bainbridge Island, and Rep. Jamie Pedersen, D-Seattle. Rep. Chad Magendanz, R-Issaquah, was in the audience and joined the committee to participate in the proceedings.

Following a number of overviews, committee members discussed report elements, including how to describe the cuts imposed this session (e.g., no COLA for a savings of \$295 million), temporary fund transfers and the sustainability of their actions, and what the Court meant when it referenced "fundamental reforms are needed" in the McCleary decision issued in January 2012.

Committee member Rolfes said that the report shouldn't hide the COLA suspension. "Let's be honest and transparent" said Rolfes, and tell the Court how we will proceed. Alexander, the leading budget negotiator for House Republicans, argued that the COLA suspension was just a continuation of a 2011-13 policy decision and didn't qualify as a "cut" to education funding.

Staff indicated the net "add" to K-12 in the 2013-15 omnibus operating budget was about \$648.5 million.

Materials for the meeting, including a draft discussion document, can be found [here](#) and [viewed on TVW](#). Presentations are at the beginning of the video; the dialogue starts about 90 minutes into the meeting. The Committee will meet to finalize the report August 20 at 2 p.m. in Olympia. The report is due to the Court August 29th. Respondents have 30 days to file and provide written comments addressing the adequacy of the State's implementation of reforms and its progress towards compliance with Article IX, section 1 of the state's constitution.

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