

**Week 6:  
February 18, 2018**

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**“If you want something you've never had.  
You must be willing to do something you've never done.”**

~Thomas Jefferson

**Note:** On mobile devices, some hyperlinks to TVW archived recordings may not link to the exact location indicated. We hope to resolve this issue soon.

**SESSION CONTEXT**

Today marks day 42 of the 2018 60-day Legislative session. The remaining 18 days are sure to fly as fast as the skiers on the Giant Slalom course in the Olympics. So hold on to your poles!

With this week's House of Origin cut-off (5:00 pm on Wednesday the 14<sup>th</sup>), the number of bill issues under discussion continue to be refined and the focus now expands to sharing and gathering input on supplemental (operating and capital) budget proposals for the 2019 fiscal year (2018-19), and especially on the revenue necessary to enact the budget. TVW's [Legislative Week in Review](#) provides a good overview of key issues discussed in the House and Senate Chambers this week; as well as spotlighting some of the insights provided by [Democratic and Republican Leadership](#) (watch minutes 12 - 16) on accomplishments this session, school safety, and the revenue forecast in relation to meeting the McCleary court order and potential property tax relief.

Since “finding the money” is the name of the game during the next phase of legislative deliberations, this week legislative leaders and others began more public discussions about the various options. On Thursday, 2/15, the [Washington State Economic & Revenue Forecast Council](#) met and released the state's revenue forecast for 2017-19 which indicates projected revenue of \$647 million in the current biennium (2017-19) and \$671 million for the 2019-21 biennium. To view the full 47 minute meeting [click here](#) (or check out [pages 14 - 29 of the meeting materials](#)). To gain more insight on the newly projected revenue, [jump to minute 33](#) in the question and answer portion of the meeting regarding the opportunity the positive forecast allows for the Legislature to “stay the course” in complying with the Supreme Court's mandate to accelerate funding to public schools and also allow for some property tax relief.

In addition, during the Democratic and Republican Leadership Media Availability leadership from the House and Senate both reflected on the impacts of the positive revenue forecast:

- The Democrats [reflected on the implications](#) of the forecast on their broad policy goals and goals of longer term tax relief; the purpose of the carbon emissions tax ([SB 6203](#)) to address environmental needs and the capital gains tax ([HB 2967](#)) to bring property tax relief; insights into their budget priorities that will be shared next week; and school / gun safety.
- The Republicans had a [spirited discussion](#) (28 minutes) regarding the influx of additional revenue and the proposals that have been introduced but not heard regarding efforts to address state property tax relief in light of the Senate discussion on [ESSB 6362](#) on Wednesday evening and bills proposing changes in property taxes that have been introduced this session ([HB 2303](#) and [SB 6439](#) sponsored by House and Senate Republicans; and [SB 6525](#) a bipartisan bill sponsored by Senator Mark Mullet).



The carbon and capital gains tax bills received hearings this week and will be discussed in executive sessions next week. A continuing theme of all of the discussions has been the reliability of the projected revenue (whether projections are a one-time bump, or not) and its dependability and sustainability over time.

The coming week will be busy with continued debate in committee hearings on policy bills and proposed supplemental operating & capital budgets. And next weekend, mark your calendars as many Legislators will be hosting **Town Hall Meetings** in their communities to hear from you. Legislators' Web pages will be the best way to know when and where the meetings will be held.

**Key legislative dates in the weeks ahead:**

- February 23** — Policy committee cutoff (opposite house)
- February 26**—Fiscal committee cutoff (opposite house)

- March 2** — Last day to consider opposite house bills (except budgets and matters NTIB and differences between the houses)
- March 8** — Last day of regular session

## WEEKLY RECAP

This week, in addition to bills being voted out of their House of Origin, hearings began to take place in the Opposite Houses: Senate bills in the House and House bills in the Senate.

Here are a few highlights:

- ⇒ [E2SSB 6362](#), the **McCleary/EHB 2242 “fix” or “trailer” bill**, was the “5:00 cut-off” bill on the Senate Floor on Wednesday (2/14) evening. Twelve amendments were proposed and can be viewed as to how they fared on the bill’s Web page. A full striking amendment was offered that had 10 additional amendments proposed to modify it. To hear the full floor discussion on all amendments [skip to 2:30 in the recording](#) or to hear final discussion on the Engrossed bill (including all amendments) [watch the last 18 minutes of the recording starting at 3:22](#). Senator Wellman’s introductory remarks provide important insight into the refined bill; Senator Zeiger and others regarding remaining concerns; and Senator Braun expressing hope for more intentional bipartisan collaboration moving into the next stage of negotiations on the bill. The bill was adopted by the Senate by a partisan vote of 25 yea and 22 nay (2 excused). **For more details on the bill’s content see the [Deep Dive section](#) of this report.**
  - ⇒ [SSB 5064](#) regarding **student freedom of expression** received a public hearing on Wednesday (2/14) in the House Judiciary Committee. Wednesday’s Legislative Review on TVW provides a [good overview of the bill’s context and requirements](#) for K-12 districts to adopt policy for student freedom of speech. WSSDA has worked with the bill sponsor (Sen. Fain) over the past few years to refine the bill and address initial concerns
  - ⇒ [ESHB 2311](#) concerning **improving access to extracurricular activities**, received a hearing on Thursday (2/15) in the Senate Early Learning & K-12 Education Committee. To hear the background on the bill from its co-sponsors (Rep. Bergquist and Rep. Harris), [watch minutes 11 – 26 in the TVW recording](#). [Public testimony](#) (starting at minute 59) included three individuals who testified in support of the bill. Several others, including WSSDA, WASA, WASBO, and other district reps testified in support of the bill’s intent to support students in poverty, but expressed strong concerns about mandating a statewide fee structure without regard to local contexts and in light of waning local levy funds that would be needed to off-set the costs. OSPI estimates the statewide impact on school district budgets would be approximately \$1.1 million. WSSDA will continue to work with the committee and bill sponsor to refine the bill in hopes of taking a step back before mandating this policy. We will keep you posted.
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Senate Early Learning & K-12 Education Committee      February 15, 1:30 pm

JIM STOFFER  
SEQUIM SCHOOL BOARD  
SENATE EARLY LEARNING & K-12 EDUCATION COMMITTEE      2/15/18

Director Jim Stoffer (Sequim) testifies with concerns on HB 2311 on behalf of WSSDA’s Legislative Committee
- ⇒ [PSHB 1060](#) regarding the **administration of medical marijuana on school grounds**, received a hearing in the Senate Early Learning & K-12 Education Committee on Thursday (2/15). The committee heard a refined version of the bill that makes improvement over past bill versions by allowing parents, caregivers, or guardians to administer medical marijuana on school property. To hear background on the bill and Senator Wellman’s goal with the proposed amendment, [skip to 31:52 in the recording](#) (testimony runs through minute 49). WSSDA expressed continued concern about the implications that allowing anyone to administer medical marijuana on school property would have on the commitment to federal Safe and Drug Free Workplace requirements and the potential impacts on federal funding. We will work with the committee to ensure language is in the bill addressing this concern. It is important to note that two other states, New Jersey and Colorado, allow for medical marijuana to be administered on school property and to date there have been no negative implications from the federal level.
  - ⇒ [ESSB 6002](#), the **Washington Voting Rights Act** bill was passed out of the House State Government, Elections & Information Technology Committee on Thursday (2/15). Final efforts to refine the bill will now take place when it is brought to the Floor of the House for passage. Consistent with WSSDA’s legislative position on the issue, the bill includes provisions that allow for voluntary local processes to take place, as well as sufficient time for local governments to work collaboratively with concerned citizens who bring complaints to them. For more information, see [WSSDA’s Week 2 Legislative Update](#). There will be more to come on this in final debate in both the House and Senate.

Bill issues that did not make it past the important hurdle this week include:

- **55% approval in school bond elections** - [SSB 6246](#) / [SJR 8213](#) would provide for approval of school district bonds by 55% of the voters voting and amending the constitution accordingly. It appears that the Senate simply did not have the 2/3 majority of votes needed this year.
- **High school assessments as graduation requirements** - [ESHB 1046](#) would no longer require students to meet standard on the state English language arts, mathematics, and science tests in order to graduate. While this issue may be “dead” for this session, we have assurance it will be a topic that both chambers intend to address in 2019.

## Deeper Dive: Next Steps with *McCleary/EHB 2242* “fixes”

Now that [E2SSB 6362](#) has been adopted by the Senate it goes to the House for further refinement and debate. In their proposed supplemental operating budget ([SB 6032](#)), the Senate will provide more specifics about how the policies contained within E2SSB 6362 will be funded. Specific to the bill, here is a [section-by-section summary](#), however a few **new components** are worth noting:

- ⇒ **Funding for educator salaries and sick leave** - “Full funding” of educator salaries is accelerated to start in 2018-19 to comply with the November Supreme Court order (compared to the policy in EHB 2242 to fund 50% in 2018-19 and the rest in 2019-20). (Here is a [list of expected 2018-19 salary increases](#) by school district.) Language also is included stating the intent to fund the additional costs of paid sick leave required in I-1433 for school employees.
- ⇒ **CIS and administrator salary caps and rebasing**-The maximum instructional staff salary cap of \$90,000 is eliminated and a cap on the percentage of local levies that may be used for administrator salaries is established, setting it to 25% of the total district expenditures for administrative salaries. In addition, rebasing of salaries is changed to every four years (instead of six) starting in 2023-24.

Deep Dive, continued...

- ⇒ **Supplemental contract language** – Original bill language clarified that if a supplemental contract is paid on an hourly rate, the rate cannot exceed the rate normally provided to that same instructional staff. The term “time-based” was added in the original SB 6362 to clarify that all supplemental contracts do not have to be converted into hourly contracts. In this version the term “time-based” has been removed. To hear rationale for this change [skip to 3:15.49 in the recording](#) as it appears to be an effort to “tighten up” concerns around supplemental contracts and work “deemed done”.
- ⇒ **Salary disparities** – A “Salary Safety Net Grant” program is created and administered by OSPI that would provide districts with additional funding (no more than 2% above the statewide CIS average salary allocation) if they can demonstrate need based on a high staff mix or challenges in their regionalization factor.
- ⇒ **Regionalization** – Districts that border a district with a regionalization factor more than one tercile higher receive an increase in regionalization funding. For example if a district has 0% regionalization, their neighboring district must have a regionalization factor of at least 12% in order for the 0% district to be eligible for increased regionalization funding. This applies only to a small number of districts and we will see if further refinements are made.
- ⇒ **Accountability provisions** – Certain accountability provisions (use of local “enrichment” levies; and establishment of a “subfund” for local revenue accounting) are required a year early in 2018, instead of 2019.
- ⇒ **Professional development provisions** – The three year phase-in of professional development days is delayed to start in 2019-20, instead of 2018-19. In addition, late-start/early-release days are phased out to coincide with the phase-in of state-funded professional development days in 2019-20. In 2019-20 partial instructional days will be capped at 13 per year; in 2020-21 they will be capped at 10 per year; and in 2021-22 and beyond they will be capped at seven per year.
- ⇒ **Transportation levies** – The bill retains transportation levies and creates a new Transportation Grant Program for districts to access.
- ⇒ **Resident student definitions** – New language is included in the bill, along with clarifying language for high/non-high districts regarding resident students for levy and Local Effort Assistance (LEA) purposes:
  - **Levy:** excludes online students outside the district unless they receive direct instruction from district certificated staff; includes choice students and other students from outside the district but physically attend school in the district.
  - **LEA:** excludes online students outside the district and includes choice students and other students from outside the district but that physically attend school in the district.

In order to gain a bit of insight into the debate that will now take place as the bill progresses, you might be interested in the discussion on a few of the amendments that were proposed but **did not pass** during the Senate’s debate:

- Proposed modifications in levy policy where school districts would receive a portion of their levy funding back once basic education salaries are fully funded (Amds. [672](#), [673](#), [674](#)). Senator Rolfes (one of the key architects of EHB 2242) provided important insight ([skip to 2:33 in the recording](#)) into the accountability provisions already put in place within EHB 2242 (such as the subfund for state and local funding and the four-year budget requirement) and intentionally sequencing in the bill.
- Special education adjustments ([Amd. 684](#)) proposed by Senator Braun addressed the gap in special education funding for the smallest school districts ([skip to 3:02.32 in the recording](#)).
- Transportation funding modifications ([Amd. 686](#)) proposed by Senator Becker addressed reimbursement for the actual costs of student transportation ([skip to 3:10 in the recording](#)).

It is important to stay engaged and communicating with policy makers as this is the public process we were all wishing for prior to the passage of EHB 2242 in July. Though it is fast and furious, policy makers are still listening and interested in our input.



## THE WEEK AHEAD

This week things will get even busier (as if that is possible). Committees will ramp up public hearings and deliberate on as many bills as possible before the final policy and fiscal cut-off of February 23<sup>rd</sup> and 26<sup>th</sup> respectively. In addition, the House and Senate fiscal committees will unveil their proposed supplemental operating and capital budgets starting Monday, with public hearings to follow in the coming days. For a detailed listing of hearings scheduled for bills on WSSDA’s recently updated comprehensive [Bill Watch List](#), check out our [Weekly Committee Schedule](#) that we keep as up-to-date as possible. Below are a few highlights to note for the week ahead:



### Monday, 2/19:

- ⇒ [SSB 6531](#) regarding **updates to the school construction assistance program** (SCAP) will receive a public hearing in the [House Capital Budget Committee](#) at 3:30. This bill would enhance the funding “drivers” for the SCAP, which are the Construction Cost Allowance and the Student Space Allocation (square foot per student). The bill phases in the new funding formula over a longer period of time and focus early phase-in on grades K-6. WSSDA is in strong support of this bill and getting started with much-needed progress in this area. While the bill is not yet scheduled for executive session, it must be voted out of the committee by Monday, the 26<sup>th</sup>.
- ⇒ The **Senate’s proposed supplemental capital budget** ([SB 6095](#)) will receive a public hearing in the [Senate Ways & Means Committee](#) at 3:30.
- ⇒ Various policy bills will be heard in both the [House](#) and [Senate](#) K-12 Education Committees.

*Continued on p.4...*

Week Ahead, continued...

**Tuesday, 2/20:**

- ⇒ The [Senate Early Learning & K-12 Education Committee](#) will hear several important bills at 1:30, including [E4SHB 1827](#) regarding **educator workforce development and teacher shortages**. The committee will also host a work session on the topic of teacher shortages. It continues to be critical for school districts to communicate with policy makers as to local impacts on this issue. The committee will also hear [2SHB 1896](#) regarding civics education and requiring the .5 civics credit requirement to be offered as a stand-alone course starting in the 2020-21 school year.
- ⇒ **Proposed supplemental operating budgets** will receive public hearings in both the House and Senate budget committees at 3:30: [HB 2299](#) in [House Appropriations](#); and [SB 6032](#) in [Senate Ways & Means](#).
- ⇒ [Senate Ways & Means](#) also plans to vote on their proposed **supplemental capital budget**.

**Wednesday, 2/21:**

- ⇒ Committee votes are planned on their proposed supplemental operating budgets in both the [House Appropriations](#) and [Senate Ways & Means](#) Committees at 3:30.

**Thursday, 2/22:**

- ⇒ The **House’s proposed supplemental capital budget** ([HB 2395](#)) will receive a public hearing in the [House Capital Budget Committee](#) at 3:30.
- ⇒ The [Senate Early Learning and K-12 Education Committee](#) will host a work session and public hearings on several “career-connected learning” bills at 1:30.
- ⇒ The [House Education Committee](#) will vote on bills heard in committee at 8:00 am.

**Friday, 2/23:**

- ⇒ The [Senate Early Learning & K-12 Education Committee](#) will vote on bills hear in committee at 11:00 am.

**Saturday, 2/24:**

- ⇒ Both the [House Appropriations](#) and [Senate Ways & Means](#) will host public hearings starting in the morning in anticipation of Monday’s fiscal committee cut-off.

## STAY CONNECTED

WSSDA and other education partners in the state are committed to developing and sharing resources to help our members learn about these issues and to communicate about them effectively.

**WSSDA Resources:**

- [WSSDA Legislative Updates & Bill Watch](#)
- [School Board Legislative Representatives](#)—Resources for Leg. Reps to help navigate the legislative process
- WSSDA’s [2018 Legislative Committee](#)



**WA State Legislature**

- [2018 Legislative Contact Roster](#) (updated 1/4/18)
- [Legislative Information Center](#)
- [Bill Information and Tracking](#) - and...comment on bills!

**TW** - TWV’s weekly programming is a great way to stay connected with broad legislative issues: *Inside Olympia*, *The Impact*, daily and weekly [Legislative Review](#), and live and archived recordings of committee hearings and work sessions.

**Education Association Partner Legislative Priorities**

- [Office of Superintendent of Public Instruction \(OSPI\)](#)
- [State Board of Education \(SBE\)](#)
- [Washington Association of School Administrators \(WASA\)](#)
- [Association of Washington School Principals \(AWSP\)](#)
- [Association of Educational Service Districts \(AESD\)](#)
- [Washington State Parent Teacher Association \(WSPTA\)](#)
- [Washington Education Association \(WEA\)](#)

## UPCOMING EVENTS—MARK YOUR CALENDARS!

Every Friday through March 16: [Weekly Legislative Update webinars](#) for school board Leg. Reps.

March 15—April 30: WSSDA legislative position solicitation process (new and continuing positions)

September 21 & 22—WSSDA Legislative Assembly (Spokane)

**Register Today!**

March 31: [Policy Governance Networking Summit](#)

March—May—[WSSDA Spring Regional Meetings](#)

May 23: [WSSDA/WASA/AWSP Equity Conference: From the boardroom to the classroom](#)

