

**Week 8:
March 4, 2018**

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Final Floor Action This Week!

Over the next four days most action will be on the House and Senate Floors.

Check out their calendars:

[House](#) [Senate](#)

And watch TVW's [Senate](#) and [House](#) Channels for live action.

“Let us never negotiate out of fear. But let us never fear to negotiate.”

~John F. Kennedy

Note: On mobile devices, some hyperlinks to TVW archived recordings may not link to the exact location indicated.

SESSION CONTEXT

Monday 2/26 marked the final fiscal committee cut-off where bills not considered Necessary to Implement the Budget (NTIB) had to be voted out of their second policy committee in order to stay alive. Friday, 3/2 also marked the Opposite House cut-off where bills not considered NTIB had to be voted out of the second chamber and sent back to the House of Origin. At this phase of the process, the House of Origin either agrees (or concurs) with the changes made in the opposite house, or does not. When there is not agreement, bills may either die or go to a “conference” where leadership from both chambers negotiate the bill’s final provisions. There is still a lot to be accomplished in the final four days of the session, but all signs are still signaling an on-time Sine Die this coming Thursday, March 8.

BILL/ISSUE UPDATES

[WSSDA's Bill Watch List](#) provides a comprehensive status check on bills following this Saturday's (3/3) floor action. Below is a quick look at key bills and issues that are still under negotiation and that must be resolved by Sine Die, this Thursday, 3/8:

BUDGET BILLS:

⇒ **Supplemental Operating Budget:** Last week the House and Senate both voted on their respective supplemental budget bills (HB 2299 and SB 6032). Monday, the House took action by [amending ESSB 6032](#) to better line up with the provisions in ESHB 2299. This action shortens the steps needed to move into negotiations and a final vote. Saturday 3/3, ESSB 6032 was brought to the floor of the Senate for concurrence. The Senate did not concur, thus putting into play an official negotiating team.

Since last week’s update, the two budgets have come closer to alignment, with the House now agreeing to accelerate full funding of basic education salaries starting in 2018-19. There are slight differences in where and how the additional funds will be generated: whether through an apportionment shift; through tapping other state resources such as the Budget Stabilization Account; or by accessing the newly created McCleary Penalty Account. Since this is the ultimate “go home” task of the legislature, the fact that that budgets are so closely aligned is a good sign. For K-12, it is important to note that the provisions of SB 6362 are referenced throughout the budget. Therefore it remains critical to stay engaged with the continuing evolution of SB 6362 as it still awaits debate on the House floor.

⇒ **Supplemental Capital Budget:** Tuesday, 2/27, the House adopted [amendments to SB 6095](#) and passed it back over to the Senate for their concurrence. Saturday, 3/3, the Senate did not concur, stating the need for continued negotiation on a few key areas in the overall capital budget. The capital budget writers are now engaged in the process of negotiating differences between the House and Senate budgets. The differences are relatively small. With regard to K-12, the House has \$4 million more for SCAP because they account for some of the cost escalation resulting from the late capital budget. The House also has \$10 million for modernizing the Toledo high school. The Senate includes \$6 million more for the small rural schools grant program and provides about \$5 million for two schools in Seattle and Puyallup.

POLICY ISSUES:

⇒ **Basic Education funding, SB 6362:** This bill was amended Monday, 2/26, by the House Appropriations Committee. The House has yet to debate this bill, but since it is a critical NTIB bill, we anticipate debate any time. [Here is a link to the bill](#) as amended by the Appropriations Committee and [a side-by-side comparison of the Senate and House versions of the bill](#). It is important to note that the House version of the bill is what will be debated moving forward.

The House version of the bill retains a few of the Senate’s provisions and takes additional steps to bring a bit of relief to several of the areas of concern that school districts have been sharing over the past several months in areas that include (see also [this side-by-side comparison](#)):

- Clarity in the hold harmless language
- K-3 class-size compliance delay
- Provisions that include an experience (or staff) mix factor
- Clarity on “resident” student definitions
- Reinstating the \$90k salary cap for CIS employees

Continued on p.2...

Bill/ Issue Updates, Policy Issues, continued...

In addition, the House version of SB 6362 includes modification to levy/LEA policy, a topic that has not been addressed in previous iterations of the bill this session. The new policy would apply to districts that would receive less than half in local levies and LEA (based on **the lesser of** \$2,500 per pupil or \$1.50 per \$1,000 AV) than it would have received under the law on January 1, 2017. These districts (approximately 30-40 statewide) would be allowed the option to levy **the greater of** either \$1.50 per \$1,000 AV or \$2,500 per pupil ([see this spreadsheet](#) prepared by House Appropriations committee staff for details). It is important to note that if a district chooses the “greater of” option, their associated LEA funding from the state would be reduced accordingly starting January 1, 2019.

Finally, one area worth a closer look for school districts is regarding a provision inserted by the Senate and retained in the current House version that places **limitations on partial school days** (early release and late starts). Section 402 (5) (a-c) puts limits on early release/late starts beginning with the phase-in of the state-funded professional learning days which are now delayed until 2019-20. A provision similar to this one was vetoed out of EHB 2242 last July by the Governor. We have heard from many districts that the decision, provision, and structure for partial days should be left up to local districts and would encourage continued outreach on this topic.

ESSB 6362 is currently awaiting debate on the House floor sometime in the coming days (scroll to the bottom of the [bill page](#) for the growing list of proposed amendments). As stated earlier, it is important for districts to review the bill’s provisions and continue to provide input on the remaining top concerns.

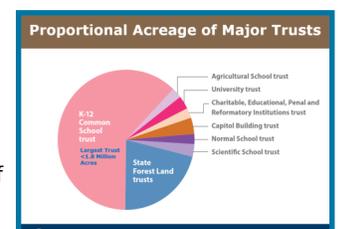
- ⇒ **School Safety:** Tuesday, 2/27, the Senate Ways & Means Committee hosted a public hearing on a bill that was introduced late last week that put another school safety bill into play: [SB 6620](#). TVW’s *Legislative Review* for Tuesday provides a good overview of the original bill and some highlights of the public hearing ([skip to minutes 1 – 5 in the recording](#)). Since the bill couples school safety provisions (parts one and two of the bill) with restrictions on semiautomatic rifles (part three of the bill), the hearing room was packed. The bill was discussed and voted out of the committee on Thursday, 3/1 ([skip to minutes 1 – 7 in the recording for an overview of the amended bill and committee discussion](#) that focused mostly on the bill’s provisions for firearm restrictions). Beyond firearms restrictions, the bill added significant content that includes school emergency response systems; an incident reporting system mobile app; regional school safety supports; school resource officers; and details regarding the annual school safety summit. [Here is a link to the bill as amended by the W&M Committee](#). It is important for legislators to hear from school districts as to the most important pieces of this bill. WSSDA has supported moving forward with improved communication and emergency response systems, regional school safety planning and coordination support, and, though outside of this bill, increased focus on social-emotional and wrap-around supports in schools for every student. SB 6620 is now on the Senate’s floor calendar awaiting discussion, scroll to the bottom of the [bill page](#) to see all of the floor amendments that have been proposed....

For a bit more insight into legislative conversations on this topic, this week’s *Inside Olympia* program featured interviews with two legislators (Senator Fortunato and Representative Jenkins) regarding issues related to training school staff to respond to active shooters and allowing for some staff to be armed. Senator Fortunato is one of several legislators who have sponsored bills this session regarding the myriad of issues associated with school safety. His bill ([SB 6622](#)) specifically addresses training for school staff on how to respond in active shooter situations ([skip to minutes 1 – 22 in the recording](#)). During the interview he discusses broad issues related to arming school staff and his perspective on the most current bill (SB 6620) as it brings together school safety provisions along with proposed restrictions to semiautomatic rifles ([skip to minute 16 in the recording](#)) and ways for schools to respond to active shooters in either an armed, or unarmed manner. In addition, Representative Jenkins is the prime sponsor of the House version of SB 6620 ([HB 3004](#)). In her interview she reflects on broad issues related to teachers carrying firearms in schools and the various components of the bill she has sponsored ([skip to minutes 24 – 29 in the recording](#)). Both legislators discuss key considerations to respond more quickly in the moment and how technology can be better leveraged to support rapid responses.



- ⇒ **Transitioning to the School Employee Benefits Board (SEBB):** [SB 6241](#), which makes technical and some policy changes for the implementation of the School Employees Benefits Board (SEBB) statute, was amended by the House on Friday, 3/2, to require fully insured SEBB carriers to provide health insurance plans through the individual market exchange in counties in which they are bidding on SEBB business. WSSDA has consistently testified in opposition to layering on this added requirement to an already challenging transition to consolidated purchasing of health insurance for school employees. The bill now moves back to the Senate where there is known opposition to the added requirements.

- ⇒ **Improving management of state trust lands:** Monday, 2/26, the House Capital Budget Committee hosted a public hearing on [SB 6140](#) that would address effective and efficient management of the state’s trust lands. For a good overview of the bill, [click here to hear the staff briefing](#) (minutes 0 – 10) or [skip to minutes 1 – 5 in the TVW Legislative Review recording](#). As the largest beneficiary of state trust lands, K-12 education and WSSDA is very supportive of efforts that move forward to study the economic performance of common school trust lands ([skip to minutes 11 – 16 to hear testimony from WSSDA and other trust beneficiaries](#)). For more insight into why we care about this issue, see the Deep Dive on Trust Lands in [WSSDA’s Legislative Update for week 7](#).



Deeper Dive: Update on the Proposed Washington Voting Rights Act

If you are just tuning into this issue now, it is important for you to be aware that the issue of adopting a Washington-specific voting rights act has been a “hot topic” for many years in the Legislature. Since this issue has been a long-standing priority for Democrats in both the House and Senate, and now that Democrats control both chambers, work began well before the session started to refine and draft the two bills: [HB 1800](#) and [SB 6002](#). Early this session both bills began in their respective chambers of origin. SB 6002 was adopted by the Senate the second week of session by a vote of 29 yeas – 19 nays (1 excused). HB 1800 was originally proposed in the 2017 session and adopted by the House last February by a vote of 51 yeas – 46 nays (1 excused). Although the bill did receive a hearing in the Senate’s State Government Committee, it did not progress. This session, the bill was resurrected by the House State Government Committee and passed through the committee. Since SB 6002 had already been adopted by the Senate, it was not necessary for the House to adopt HB 1800. Instead the House State Government Committee began the public hearing and adoption process with SB 6002.

The House Committee heard SB 6002 in late January and passed the bill out of the committee with amendments on 2/15. [This version of the bill](#) is that which the committee adopted and that was debated by the full House this Tuesday, 2/27. TWV’s *Legislative Review* from Tuesday provides a high level overview of the bill and Tuesday’s House floor debate ([skip to minutes 5 – 9 in the recording](#)). In addition, check out WSSDA’s Legislative Updates for [Week 2](#) and [Week 3](#) for a bit of history from this session on the issue this session.

WSSDA and other stakeholders continued to propose and advocate for amendments that would provide greater support to districts, especially small districts as they navigate the provisions of the new law. 32 amendments were proposed. A few were withdrawn or deemed “outside of the scope” of the bill, and most were not adopted. While most of WSSDA’s proposed amendments were in the “not adopted”, the debate that occurred was, and will continue to be, important. Several of the amendments spoke to specific recommendations proposed by WSSDA, below is a snapshot of a few of them:

- [Amendment 1101](#) – was adopted. It requires political subdivisions to publish the outcome, summary, and legal costs of court action on its web site in the interest of greater transparency ([skip to minutes 1:18 – 1:19 in the recording](#)).
- [Amendment 1104](#) – was not adopted. It would have aligned the bill’s requirements for establishing a violation with those within the federal voting rights act ([skip to minutes 52 – 1:00 in the recording](#)).
- [Amendment 1106](#) – was not adopted. It would have removed the “rebuttable presumption” that would have presumed any proposed remedy by the subdivision is not good ([skip to minutes 1:01 – 1:09 in the recording](#)).
- [Amendment 1156](#) – was adopted. Provides that only voters who reside within the subdivision may file an action ([skip to minutes 47 – 48 in the recording](#)).
- [Amendment 1165](#) – was not adopted. It would have exempted political subdivisions under 10,000 people from the act ([skip to minutes 1:24 – 1:28 in the recording](#)).
- [Amendment 1176](#) – was not adopted. It would have removed school districts and other small political subdivision groups (such as fire protection, ports, and public utility districts) from the act due to the difficulty finding candidates, especially in small communities ([skip to minutes 23:13 – 39 in the recording](#)).
- [Amendment 1190](#) – was not adopted. It would have limited the number of district-based positions to three, essentially allowing for a “hybrid” structure, vs. all at large positions ([skip to minutes 41- 46 in the recording](#)).
- [Amendment 1098](#) – was not adopted. It would have eliminated the shortened safe harbor period for a subdivision to remedy a violation before a court action is filed ([skip to minutes 1:10 – 1:18 in the recording](#)).
- [Amendment 1099](#) – was not adopted. It would have provided the provision of attorney fees, costs, and expert witness fees to any prevailing party ([skip to minutes 1:20 – 1:24 in the recording](#)).

To hear the debate at final adoption of ESSB 6002, [check out minutes 1:33 – 2:19 in the recording](#).

So now what? Now that the bill is back in the Senate’s hands, it goes to the full Senate for their agreement, or concurrence ([click here for the most current version of SB 6002](#)). We anticipate it will be brought to the floor for a vote very soon, however given the number and tenor of the proposed amendments in both the House and Senate, legislators are very likely working to resolve what they can in the bill to garner the support they need on this, and other remaining issues in the session.

Expecting a final WVRA to be adopted this session, WSSDA is currently in the process of preparing materials to support school boards in understanding the bill and its implications for local school boards.

Look for more on this coming soon!



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 9: [Weekly Legislative Update webinars](#) for school board Leg. Reps.

March 15—April 30: WSSDA legislative position solicitation process (new and continuing positions) Informational Webinar to be held **March 16**, 12-1pm. [Click here for more information.](#)

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](#)

