



Washington State
School Directors' Association

Legislative Update

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

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54 days and counting ...

It's hard to believe, but in less than two months the Legislature will convene again. The 60-day regular session begins Monday, January 13, 2014. Typically even-year sessions are for supplemental budget adjustments and tweaks to policy. And since the revenue projections remain in the black, many are hoping that the last few years of special session upon special session are a thing of the past.

At the November revenue forecast announcement today, the state's chief economist Steve Lerch projected a net increase in revenues of about \$16 million for the 2013-15 biennium. The Economic and Revenue Forecast Council meeting can be found on [TVW here](#).

While the forecast is positive, House and Senate budget leaders have shared that some of the assumptions made in the 2013-15 operating budget are not holding and their desire will be to put any additional revenues towards the unrestricted fund balance. That may be the hope, but education stakeholders and advocates are likely to seek additional funding for basic education to stay on the McCleary 2018 trajectory.

In addition, the WSSDA Board of Directors voted earlier this month to seek two days of professional development funding in the supplemental budget for state- and local-funded teachers and administrators. Other agencies, including OSPI and the State Board of Education, are also prioritizing the restoration of professional development for the 2014 session. With the new evaluation system under way and Common Core State Standards around the corner, the WSSDA Board stressed the need for state-funded staff training is more critical than ever.

The next month is a great time to reach out to local legislators and talk with them about 2014 legislative priorities, and to share how funding for the 2013-14 school year is being spent. Invite your legislators to visit schools and see your classrooms and professional learning in action.

State Board adopts legislative priorities, draft rules on accountability

At its meeting last week, the State Board of Education adopted four priorities for the 2014 legislative session. In addition to restoration of three Learning Improvement Days (LID), the board directed staff to support:

- Ample provision for K-12 education programs, including identifying a reliable and dependable revenue funding source to support a robust response to the McCleary Court Order and fully implement [ESHB 2261](#) (2009) and [SHB 2776](#) (2010);
- Authorization of a 24-credit career and college ready graduation requirement framework, to take effect for the graduating class of 2019 (this year's 7th graders); and
- Expansion of math and science course equivalencies for vocational programs, including the development of statewide model course modules and frameworks that allow students to fulfill math and science credit requirements at skill centers and other high school programs across the state.

On the 24-credit framework, staff asked for some rebranding of certain course credits to show flexibility and student choice. Under the proposed structure, 17 core credits would be required for all students, regardless of the postsecondary path. These include:

- 4 English
- 3 Math
- 3 Social Studies
- 3 Science (2 labs)
- 2 Health and Fitness
- 1 Career and Technical Education
- 1 Art

As part of the proposed “pathway to postsecondary” requirements, students on a college-bound path would be required to take 2 World Language, 1 additional Art, and 4 electives for a total of 24 credits. Students opting for a non-college-bound path would be able to meld the 4 electives with 3 “personalized pathway” credits, also for a total of 24. Up to two credits could be waived locally for students who have attempted 24 credits but have come up short and want to graduate with their class.

Executive Director Ben Rarick suggested that in addition to these proposed changes, that the default credit framework no longer would be the college-bound credit requirements. While there seemed to be some interest in this – as well as some concerns about unintended consequences – after member discussion it was unclear if the Board formally adopted this as a position. Anne Heavey, Policy Director at Partnership for Learning, argued during public comment that the Board should maintain the default of college credit requirements to ensure students keep their options open.

Since July, and the adoption of the 1,080-hour requirement, SBE staff and several board members have stated that the 24-credit requirement is funded. House Appropriations Committee Chair Ross Hunter, D-Medina, attended last week’s meeting in Vancouver to stress that in his mind, a six-period day was funded through the 1,080 hour funding appropriation. The SBE will seek legislation to formally authorize the 24-credit framework, as described above, in the 2014 session.

In other business, the SBE authorized staff to continue the next phase of rule-making on the accountability framework (from [E2SSB 5329](#), 2013). Following board member discussion and public comment, a few technical changes were authorized to the initial draft of rules. Check the [SBE web site](#) for an updated draft soon. A public hearing will be held in Olympia but a date has not been selected yet.

Following a presentation by the student representatives on the Board, voting members adopted a [resolution](#) encouraging the inclusion of students in the adoption or amendment of any anti-bullying policy or procedures as required by [RCW 28A.300.285](#). This law requires that amendments to current anti-bullying policies or procedures use a process that includes parents or guardians, school employees, volunteers, students, administrators, and community representatives.

Legislation enacted in 2009 authorized the SBE to grant waivers from the 180-day school year to a limited number of small school districts for the purpose of “economy and efficiency.” The Board has granted three of these waivers and two districts – both with student FTE under 150 – have current waivers. By December 31, the SBE is required to submit a recommendation to the Legislature on whether the program should be continued, modified or allowed to expire August 31, 2014 (current law). While the staff recommendation was to allow the program to expire, members voted to recommend the program be extended for an additional period of time.

The Board also adopted a revised strategic plan and a preliminary report on Goals for Statewide Indicators of Education System Health (required by [ESSB 5491](#), 2013), approved the submission of draft charter school rules on authorizer oversight, and adopted final rules on charter school authorizer annual reports.

Meeting materials are available on the [SBE web site](#), and audio proceedings are posted. WSSDA will share links to draft rules when they become available.

QEC considers 2014 report recommendations

The Quality Education Council continued to receive briefings on issues of interest – including the ESEA waiver and proposed revisions to the Teacher/Principal Evaluation System and a study of innovative schools authorized under E2SHB 1546 (2011) – as it prepares to draft recommendations to the Legislature for the 2014 session. OSPI staff also presented information about Common Core State Standards and Next Generation Science Standards as they relate to professional learning opportunities, and provided a comparison of the SBE’s 24-credit framework adopted in November 2010 to a school district survey of current credit requirements.

At the November 18 meeting, QEC members discussed past QEC recommendations and where they should keep the focus for the next year. Co-chair Sen. Andy Hill, R-Redmond, said as the Senate budget chair, funding for new efforts beyond what was in the 2013-15 is unlikely, and his preference is to put any additional revenues to the unrestricted fund balance.

Members will meet again Wednesday, December 4 to finalize their recommendations. Materials from the meeting this month will be available [here](#). The nearly full-day meeting is available on [TVW](#) and [here](#). To review previous reports, please use this [link](#).

2009 health rules for schools under consideration

A budget proviso – that no one seems willing to claim responsibility for – inserted into the 2013-15 operating budget directs the Joint Administrative Rules Review Committee (JAARC) directs the legislative committee to review the rules pertaining to public school facilities, and determine whether:

- The rules are within the intent of the legislature as expressed by the statute that the rule implements;
- The rule has been adopted in accordance with applicable provisions of law; or
- That the agency is using a policy or interpretive statement in place of a rule.

JAARC is to report to the appropriate policy and fiscal committees the results of its review and any recommendations that the committee deems advisable. The proviso can be found in [3ESSB 5034, Sec. 219\(1\)\(b\)](#), in the state Department of Health’s budget section.

Chair Zack Hudgins, D-Tukwila, said during a meeting November 19 that their options were to recommend parts of the rules go into effect, all of them go into effect, none of them go into effect, the delay continues pending a fiscal review, or they decide not to make a recommendation.

Hudgins did not invite public comment, but encouraged JAARC members to review the materials and let him know if JAARC should meet in advance of the 2014 session or after to pick up the health rules topic. He said he was being lobbied on all sides, and expected that other members of JAARC, if they hadn’t met with stakeholders yet, would be hearing from those vocal on both sides of the issue.

According to a handout prepared by non-partisan committee staff, the health rules (Chapter 246-366 WAC) was adopted in 1971 and amended in the early 1990s. The state Board of Health initiated rule revision in 2004, convened a School Rule Development Committee, and released a first draft on March 2006. A second draft of the rules was released in August 2007. A new School Rule Revision Team workgroup was formed, and new proposed rules were filed by the BOH July 2008. Public hearings were held in August and September of 2008, and the Board of Health

deferred a vote on adoption until the Legislature has had the opportunity during the 2009 session to consider providing funding to support rule implementation.

A proviso was added to the 2009-11 operating budget that prohibited the Department of Health and the state Board of Health from implementing the new rules until the rules and a final cost estimate were presented to the Legislature, and the Legislature formally funded implementation of the rules in the omnibus appropriations act or by statute. This same proviso has been included in the 2011-13 and the 2013-15 operating budgets. The difference this year is the addition of the review by JAARC.

BOH staff [briefed](#) their board members recently, and recommended no action at this time. Districts interested in this topic may want to contact [JAARC members](#) to share their opinions on the health rules as they apply to school facilities. [TVW](#) captured the meeting; go to nearly the end for the conversation about the health rules.

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