

Priority Ranking of WSSDA Legislative Proposals and Positions for the 2010 Legislative Session



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On September 26, 2009, delegates to WSSDA's annual Legislative Assembly approved 44 proposals for consideration by the Washington State Legislature in 2010. These proposals are in addition to the 36 standing legislative positions previously adopted by the Association.

Per Assembly procedure, delegates concluded the meeting with an advisory vote to rank these 80 proposals and positions in order of priority. The results of this advisory vote will be considered by the WSSDA Legislative Committee and the Board of Directors in establishing the Association's 2010 Legislative Package – that is, the “short list” of our highest priorities.

The following proposals and positions are listed in order of priority according to the advisory ranking provided by Assembly delegates. Standing legislative positions are indicated by an index number (e.g., 7.1.4).

1. 7.1.4 Unfunded Mandates (Adopted 2005; Amended 2009)

The 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 to 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.

2. Education Finance Implementation (1)

The 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.

3. Education Finance Implementation (2)

The WSSDA shall initiate and/or support legislation ensuring that school directors are involved on all committees and working groups involved in the implementation of the new Basic Education finance system, as enacted by the 2009 Legislature in ESHB 2261.

4. Employee Dismissal

The WSSDA shall initiate and/or support revising the system for termination of certificated staff to ensure that the property and procedural rights of staff are protected and, at the same time, school districts are not required to pay a terminated employee's salary during pendency of a terminated employee's appeal.

5. 7.2.6 All-Day Kindergarten (Adopted 1990; Amended 2004 and 2006)

The WSSDA shall initiate and/or support legislation for the funding of kindergarten for all districts that choose to offer full-day kindergarten at 1.0 FTE. Legislation will include provisions to change the space allocation formula for unhoused students to reflect full-time kindergarten.

6. Open Public Meetings Act (1)

The 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.

7. 7.1.5 NERC Funding (Adopted 2005)

The 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 Non-Employee Related Costs (NERCs). WSSDA supports enhanced NERC funding. NERC funding should be regularly increased recognizing inflationary costs.

8. Transportation Funding

The WSSDA shall initiate and/or support legislation to adjust the state funding formulas to fully fund actual student transportation costs.

9. 7.5.1 Transportation (Adopted 2001)

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.

10. 7.2.2 Special Education Funding (Adopted 1988; Amended 1990, 1996 and 2005)

The 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.

11. School Calendar Option

The WSSDA shall initiate and/or support legislation that allows school districts to have the option to choose between operating and educating all students on the extended day or the standard 180 day calendar.

12. Technology Funding

The 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.

13. 7.1.2 Levy Equalization/Levy Lid (Adopted 1994; Amended 1999 and 2005)

The WSSDA shall initiate and/or support legislation which would increase the percent of levy impacted by levy equalization (local effort assistance) from 12 percent to 20 percent. The 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.

14. 7.2.9 Funding for Technology (Adopted 1998)

The WSSDA shall initiate and/or support legislation that will assure a revision of funding formulas that will allow implementation of the K-20 technology program for school districts on a consistent and equitable basis.

15. Pension Funding

The WSSDA shall initiate and/or support legislation or budget provisions requiring the state to adequately fund pension programs.

16. Core 24 Graduation Requirements

The WSSDA shall initiate and/or support legislation providing for the full funding of existing unfunded mandates before the adoption or implementation of Core 24.

17. 7.2.5 Early Childhood Education (Adopted 1991)

The WSSDA shall initiate and/or support legislation which would provide funding for all early childhood education and assistance programs.

18. Accountability through Local Governance

The WSSDA shall initiate and/or support legislation that retains local control over restructuring efforts (school/district improvement). Specifically, all mandated corrective action shall be solely authorized and implemented by the local 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.

19. All-Day Kindergarten

The WSSDA shall initiate and/or support legislation that will allow eligible schools to provide all-day kindergarten programs to the extent that space is available or adequately fund the construction of sufficient additional classrooms. All top priority schools should be funded immediately.

20. School Repair and Renovation

The WSSDA shall initiate and/or support legislation to statutorily establish and make permanent the Washington Small Repair Grant Program.

21. State Board of Education Membership

The WSSDA shall initiate and/or support legislation to change the composition of the State Board of Education that the majority be elected by school board directors.

22. OSPI Requirements

The WSSDA shall initiate and/or support legislation mandating OSPI to review all reporting requirements for school districts and eliminate all unnecessary reports.

23. 7.4.1 School Construction

(Adopted 2001; Amended 2008)

The 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 unhoused 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.

24. Student Contact Time

The 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.

25. Seniority RIF

The WSSDA shall initiate and/or support exploration of policy to determine what options may exist that would permit districts to consider other variables, in addition to teacher seniority, when faced with a reduction in teacher force.

26. Public Records Act

The 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.

27. Levy Rollbacks

The WSSDA shall initiate and/or support legislation which would ensure that no school district would lose levy authority if the districts' maintenance level budgets are reduced by the state.

28. 7.1.3 Tax Reform

(Adopted 1989)

The 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. This tax reform may include a tax on income.

29. Unprofessional Conduct

The WSSDA shall initiate and/or support legislation which would mandate certificate revocation for any certificated employee who indecently exposes or condones the indecent exposure of a student as a part of a joke, prank, punishment or initiation rite.

30. 7.1.1 School Year

(Adopted 1988; Amended 1990, 1992 and 2005)

The 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.

31. 7.4.2 Building Improvements

(Adopted 1992)

The 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% 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.

32. Attorney/Client Privileges

The WSSDA shall initiate and/or support legislation that ensures school districts retain access to the attorney/client and attorney work product privileges that protect all citizens.

33. Undocumented Students — Legal Status

The WSSDA shall initiate and/or support the enactment of Development, Relief, and Education of Alien Minors (DREAM) Act and/or the Student Adjustment Act, allowing immigrant students to become lawful U.S. residents.

34. Enrollment Decline

The 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.

35. 7.8.3 Strikes and Labor Disputes

(Adopted 2001)

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

The WSSDA is also opposed to 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.

In order to minimize strikes, penalties should be imposed 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, the 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, the WSSDA will provide services or assistance requested by the local school board.

36. Career and Technical Education Funding

The WSSDA shall initiate and/or support legislative action that will sufficiently fund career and technical education for seventh through twelfth grade, including appropriate staff, equipment and minor facility remodel.

37. 7.2.15 Administrators for Small Schools

(Adopted 1990)

The 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.

38. Counseling Services

The WSSDA shall initiate and/or support legislation that will increase the basic education program funding to include specific funding targeted to counseling services at a ratio of no greater than 400 students per counselor AND to include specific funding targeted to school nurse services at a ratio of no greater than 1,000 students per school nurse — without reducing the BEA ratio of classroom instructors per student.

39. 7.3.1 Passage of School Finance Issues

(Adopted 1977; Amended 2000, and 2001)

The WSSDA believes that passage of all school finance issues should be by a simple majority of the ballots cast on those issues.

40. Higher Education Funding

The WSSDA shall initiate and/or support legislation that would encourage and fund higher education to increase the number of opportunities of college students to graduate in areas of study that are in high demand of K-12.

41. Retirement Incentives

The WSSDA shall initiate and/or support legislation which modifies RCW 28A.400.220 such that retirement incentives are not precluded from use as a tool for business management and long term talent retention purposes. Legislation shall include provisions which prevent abusive use of such a tool (for example, preventing use of this tool to target an individual employee for early retirement). In addition, the WSSDA shall initiate and/or support legislation that would allow the state to offer early retirement incentives for teachers state-wide, provided that participation in the program is voluntary and that teachers are legally protected from pressure to participate.

42. National Standards

The WSSDA shall support federal actions which support state and local efforts to provide students with an education that is appropriately focused on the skills and uses of knowledge needed for success in the global and technological world of the 21st century by funding multiple education entities to develop model standards for voluntary adoption. The WSSDA supports: federal funding of research; financial assistance to states to assist them in developing and implementing standards around the skills and uses of knowledge that students will need in the 21st century; and direct financial assistance to states or groups of states to assist them in developing and implementing content standards. However, the WSSDA shall oppose any effort to make these activities mandatory on states or local school districts or as a condition for the receipt of other federal aid. Further, the WSSDA opposes efforts to involve the federal government directly or indirectly to develop mandatory or model national content standards or to mandate the development of common content standards among groups of states.

43. Levy Review

The WSSDA shall initiate and/or support legislation requiring an annual review of levy authority, in conjunction with the effort to develop and fully implement a new Basic Education finance system, as enacted by the 2009 Legislature in ESHB 2261.

44. Salaries — Experience Recognition

The WSSDA shall initiate and/or support legislation that would recognize employment 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.

45. Health Care Bargaining

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

46. Truancy Becca Funding

The WSSDA shall initiate and/or support legislation that: (1) provides adequate state compensation to school districts for additional secretarial and administrative time to monitor trancies, 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.

47. Assessment Delays

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

48. School Breakfast/Lunch Programs

The WSSDA shall initiate and/or support legislation or budget provisions to eliminate the reduced price lunch co-pay for pre-K and grade 4-12 students, as the state has done for students in grades K-3.

49. Student Newspapers

The WSSDA supports local school districts' offering of journalism classes or clubs and student newspapers to enhance students' knowledge and understanding of journalism and the principles of freedom of the press. However, student newspapers are not independent papers but school-sponsored papers — they are paid for by the school, written and edited in class or an after-school setting, and distributed to school staff and students. Therefore, WSSDA will oppose any legislation that would eliminate the ability of school staff to review, supervise, direct or edit a school-sponsored newspaper.

50. In-house Repairs

The WSSDA shall initiate and/or support legislation which increases the in-house repair limit from \$40,000 to \$75,000.

51. Legal Notices Web Site

The WSSDA shall initiate and/or support legislation requiring the development of a state-maintained Web site for school districts' required legal notices in lieu of, or addition to, newspaper notification.

52. Improved School Facility Space

The WSSDA shall initiate and/or support the creation of a special formula to calculate the adequate facility space needs of small districts, including non-high school districts.

53. Salary Equity

The WSSDA shall initiate and/or support legislation that treats all school districts equally when allocating revenue for salaries for certificated, classified and administrative staff. The uniform salary revenue allocation should be set using the highest revenue allocation currently applicable to districts receiving the highest allocation in each of the three categories.

54. 7.6.1 Diversity Training

(Adopted 1995; Amended 2003)

The 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.

55. Tax Exemptions (2)

The WSSDA shall initiate and/or support legislation to exempt all school district operations and the labor portion of construction expenditures from sales and use taxes.

56. 7.3.2 Consolidation/Erosion of School Districts

(Adopted 1982; Amended 1986 and 1994)

The 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.

57. 7.2.1 Poverty-Impacted Areas

(Adopted 1991)

The WSSDA shall initiate and/or support legislation that would provide additional direct state funding to schools or school districts which are located in areas of extreme poverty.

58. 7.2.3 Education for Gifted

(Adopted 1987; Amended 2005)

The 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.

59. 7.2.14 Administration Funding

(Adopted 1995)

The WSSDA shall initiate and/or support legislation designed to reduce or eliminate the inequities and underfunding in the current state funding formula for administration.

60. 7.2.12 Staffing Ratios

(Adopted 1988; Amended 1990)

The WSSDA shall initiate and/or support legislation which would improve the basic education funding formula regarding staffing ratios. Priority for such improvements should be given to the primary/elementary levels; should include commensurate increases in the formula for administrative and classified staff; but most importantly, should recognize that the formula is for allocation purposes only, and should therefore result in a lower number of pupils per adult rather than specifying classifications of employees.

61. Tax Exemptions (1)

The WSSDA shall initiate and/or support the elimination of sales and/or use taxes for all energy purchases (for example, diesel for boilers, natural gas for boilers, propane for boilers and electricity).

62. Alternative Routes to Teacher Certification

The 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 paraeducators and other classified instructional employees to attain a teaching certificate.

63. 7.8.2 Exclude School Calendar from Mandatory Negotiations

(Adopted 1979; Amended 2001)

The WSSDA believes that the school calendar is a matter of public concern and should not be a mandatory subject of collective bargaining.

64. Community Schools

The 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.

65. 7.9.1 Fiscal Note

(Adopted 1978; Amended 2002)

The 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.

66. Conditional Scholarships

The 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.

67. 7.2.8 Learning Improvement Allocations

(Adopted 1996; Amended 1999)

The WSSDA shall initiate and/or support ongoing implementation of HB 1209 including continued and enhanced funding of learning improvement allocations.

68. 7.8.5 Fiscal Nonrenewal Date

(Adopted 1993)

The WSSDA shall initiate and/or support legislation to change the May 15 deadline for staff nonrenewal notification, due to fiscal reasons (such as enrollment decline or loss of revenue), to June 15 or 30 days after the governor signs the budget, whichever occurs last.

69. 7.7.1 School Employee Salaries

(Adopted 1988; Amended 1990)

The 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.

70. 7.2.4 Special-Needs and At-Risk Students

(Adopted 1990)

The 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. Increased funding would include such programs as:

- Counselors and other counseling services at elementary schools;
- Bilingual programs;
- Drug/alcohol prevention, intervention and aftercare programs; and
- Dropout prevention programs.

71. 7.2.11 Remote and Necessary Schools (Adopted 1991)

The 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.

72. 7.8.7 Teacher Provisional Status (Adopted 2001)

The WSSDA supports a period of three years before a teacher is considered to have a continuing contract in the educational system of Washington State (Continuing Contract Act, RCW 28A.405.210). A continuing-contract teacher who transfers from one school district in the state to another shall be deemed to be a provisional employee for one year.

73. 7.2.7 Full-Time-Equivalent Computation (Adopted 1987)

The 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.

74. 7.8.1 Bargaining Exclusions (Adopted 1989)

The WSSDA shall initiate and/or support legislation which makes nonnegotiable under RCW 41.59 (the Collective Bargaining Law) the final responsibilities of boards of directors found in RCW 28A.150.230 (the Basic Education Act).

75. WASL Accommodations

The WSSDA shall initiate and/or support math and science WASL assessments in the six most common non-English languages shall be available for United English speaking students. Such assessment shall be fully funded by the Legislature, and school district staff shall be adequately trained in both the administration and evaluation of the assessments. Priority for administration and use shall be in the 10th grade WASL, and such assessments shall satisfy the academic assessment requirements for graduation.

76. 7.2.10 Desegregation Funding (Adopted 1990)

The WSSDA shall initiate and/or support legislation which will provide funds to assist local school districts' efforts to desegregate their schools through voluntary strategies to meet the laws and regulations of the State of Washington.

77. 7.2.13 Sick Leave Cash Out (Adopted 1987)

The WSSDA shall initiate and/or support legislation which would fund the sick leave cash-out program to the full extent of financial impact to the school districts of Washington State.

78. 7.4.3 School Construction Funding (Adopted 2005; Amended 2008)

The 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.

79. 7.8.4 Continuing Employment Contracts

(Adopted 1999)

The WSSDA shall initiate and/or support legislation that will revise the continuing employment contract laws so that certificated employees contracts may have a term length of three years. With board approval, a contract can be extended for an additional one year after an annual review of the certificated employee's performance or nonrenewed after three years with probable cause, solely at the discretion of the board.

80. 7.8.6 Principals, Transfer to Subordinate Positions

(Adopted 1994)

The WSSDA shall initiate and/or support legislation which would permit districts to transfer principals to subordinate certificated positions on the same terms as other administrators.