Week Four was another very busy week for education issues. Both of the Education Committees again had full public hearing agendas and both Committees also started taking executive action on bills, advancing them through the legislative process. Because of the length of the agendas (and the depth of the issues) in both Education Committees, testimony on many issues has been rushed and/or limited. This is yet another reason to maintain contact with your local legislators. With limited testimony, legislators will have to take action on bills before they are fully educated about the benefits or concerns of the legislation. Ignorance will not keep bills from being adopted. Without ample time to publicly air our opinions, the only way to convey our message is to call, write, e-mail or make personal visits to legislators. Remember, contacting your elected officials does not have to be a lengthy, painful experience. A concise four or five sentence e-mail may be all that is needed to make an impactful statement.

There are two other simple mechanisms to quickly comment on bills. As we noted in last week’s TWIO, the Legislature is piloting a new online commenting system. Simply click the green “comment on this bill” link on any bill’s webpage. Bills can be accessed on the Legislature’s home page, www.leg.wa.gov. Just click on “Bill Information” and type in the four-digit bill number. For even easier access, you can use WASA’s Bill Watch at the end of this and every issue of TWIO. Each bill is linked directly to the Legislature’s site. You can also call the Legislature’s toll-free hotline (1.800.562.6000) and leave a brief message for your legislators about any issue or bill.

Regardless of which method you use to contact your legislators, the key is to contact them and maintain contact with them throughout the session (and beyond). Together, we can have an impact.

The Senate Early Learning & K–12 Education Committee started the week on Monday with another hearing on bills meant to further reform the education system and ensure that schools are held accountable for student performance. The first bill, SB 5330 includes a host of provisions that would make a range of significant changes to the program of basic education adopted by the Legislature in ESHB 2261 (2009) and SHB 2776 (2010). The bill would:

- Require all school districts to administer the Washington Kindergarten Inventory of Developing Skills (WaKIDS) to all kindergarten students, beginning with the 2014–15 school year;
This Week in Olympia: Week 4, February 4–8, 2013

continued

• Limit state-funded full-day kindergarten to: students participating in the state’s Early Childhood Education and Assistance Program (ECEAP) whose performance on the spring administration of WaKIDS indicated that they need additional support; and students identified as needing support using another kindergarten readiness tool;

• Implement a new salary allocation model for Certificated Instructional Staff that is structured to the stages of the career continuum for educators. It would recognize movement from a residency certificate to a professional certificate and potentially to a National Board for Professional Teaching Standards certificate with an increase in the allocation for salaries;

• Eliminate supplemental contracts for time, responsibilities, incentives and innovations (TRII). One-year, locally funded salary enhancements would be allowed for unique non-basic education functions, although the enhancements would be limited to ten percent of the state provided salaries.

• Change the class size reduction provisions in prototypical school funding model from K–3 to K–2. The deadline for full implementation of the new class size reductions would remain 2018;

• Include funding values for the Parent Involvement Coordinator in the prototypical school funding model (one full-time equivalent PIC for each school level). School districts would be specifically directed to use these state funds exclusively to employ Parent Involvement Coordinators. In other words, this new funding would NOT be for allocation purposes only;

• Require school districts to use teacher mentors;

• Extend the use of Learning Assistant Program funds to those students who have behavioral issues; and

• Provide school districts with the highest levels of truancy priority with Building Bridges Grants.

SB 5330 was one of the bills that, as mentioned above, had limited testimony. In fact, only Senator Jim Hargrove (D-Hoquiam), the bill’s sponsor, and State Superintendent Randy Dorn were able to provide testimony on this bill. Sen. Hargrove, of course, supported the bill. What is troubling about the hearing on this far-reaching bill is Hargrove’s position. He serves as the Ranking Minority Member on the Senate Ways & Means Committee (he was originally tapped by his party to be the Chair until the Majority Coalition Caucus took control of the Senate). As evidenced by this bill, Hargrove is no fan of HB 2261/HB 2776 and the new program of basic education those bills envision. Even though he is the minority caucus, as a leader on the Ways & Means Committee, Hargrove has been meeting regularly with the Chair, Senator Andy Hill (R-Redmond), to discuss the 2013–15 Operating Budget. From the bills being advanced in the Senate and the rather troubling tone of the debate on those bills, it is not hard to see where the new ruling majority wants to take education, especially as it comes to the budget. We are already fighting an uphill battle in the Senate; it certainly does not help to have a key leader in the minority caucus following the same path.

The Committee also heard SB 5246, making changes to the Teacher/Principal Evaluation Process. Last year, the Legislature adopted a bill making revisions to TPEP. One of the changes made centered on the use of “student growth” as evaluation criteria. Although they wanted to go farther, Senate Republicans agreed to compromise language requiring student growth to be “a substantial factor” in evaluations. SB 5246 backtracks from that negotiated compromise and would require student growth data to be “weighted such that it consists of 50 percent” of the summative performance of certificated classroom teachers and principals for at least three of the evaluation criteria. A second change to the current law would prohibit seniority from being weighted more than ten percent after other factors are considered when

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making personnel decisions. Several school administrators, principals, and teachers were on hand to oppose the bill, arguing that school districts are working hard at implementing the current law and constant changes by the Legislature will further impede their ability to successfully implement the new system. A subtle (and occasionally a not-so-subtle) message from those testifying was the need to fund the professional development that will be necessary for the evaluation system to be fully implemented.

In addition to public testimony, the Senate Education Committee also took executive action on two bills. SB 5104 (placing epinephrine autoinjectors in schools) was adopted and moved onto the Senate Rules Committee.

The second bill, SB 5197 (requiring additional safety features in school buildings), was as amended and adopted. As amended, SB 5197 would: require school districts to implement a panic alarm system in school buildings by December 1, 2014; and require OSPI to create a model policy regarding panic alarm systems by June 1, 2014. School boards would be required to “strongly consider” installing a perimeter security control mechanism or system on all school campuses. On a fast track, this bill was heard in the Senate Ways & Means Committee on Wednesday and adopted on Thursday. As amended again (second substitute), the bill is somewhat less prescriptive. One key change is that remodeling projects of less than forty percent of an existing building are excluded from the bill’s provisions. Additionally, in developing its model policy, OSPI must collaborate with the School Safety Advisory Committee. The bill now moves onto the Senate Rules Committee.

Also on Monday, the Senate Ways & Means Committee held a public hearing on SB 5445. The bill, essentially an early-action Capital Budget bill, would appropriate $544 million for the 2013–15 Capital Construction Budget. The bill would authorize $475 million in General Obligation Bonds for the School Construction Assistance Program and $10 million for a school security grant program (funding the required silent alarm system in SB 5197, described above). The bill was quickly moved out of Committee on Thursday. A few technical amendments were adopted before passage. Two additional important amendments were also adopted. The first requires OSPI to form a workgroup to recommend how the School Construction Assistance Program can better support state policy objectives to reform and improve public education. (Remember, this is the new State Senate. Have you seen a theme, yet?) The second requires OSPI to essentially fast-track the review and approval process for school construction assistance to address the school construction emergency resulting from the recent fire that destroyed the Crestline School in the Evergreen School District.

On Tuesday, the House Judiciary Committee held a public hearing on HB 1477, addressing truancy. A returning bill from last session, HB 1477 would modify current Becca truancy petition requirements that apply to schools and school districts by making those reporting duties discretionary rather than mandatory. The bill sailed through the House last year, only to be set aside without even a hearing in the Senate. Early predictions are the same will happen this year.

“Accountability” was the discussion in Tuesday’s House Education Committee. The hearing started with a presentation by Dr. James Harvey, Executive Director of the National Superintendents Roundtable. His presentation on “A Broader, Bolder Approach to Education” as provided to the Senate Education Committee earlier in the session. Harvey’s message regarding poverty and other out-of-school factors impacting education outcomes, and the return on investment of certain preschool programs resonated with legislators in the House… but not so much in the Senate.

Following Harvey’s presentation, the Committee held a public hearing on five bills:

- **HB 1177** would modify the education accountability system. Rather than making the system more punitive (see the Senate), this bill would alter the focus from punishment of low-performing schools to providing assistance to struggling schools.
treat Title I and non-Title I schools equally; permit the use of state as well as federal funds to be used for school improvement; and no longer force struggling schools to use one of the extreme federal intervention models. Schools in need of assistance would be required to implement a series of “turnaround principles”, such as providing strong leadership, increasing learning time and using data to inform instruction. The principles required are the type of principles already being employed by successful schools and do not force drastic punitive measures on struggling schools. OSPI would also be directed to design a system of support, assistance, and intervention.

- **HB 1560** would implement a series of recommendations from the Quality Education Council, as adopted in its 2011 and 2013 Reports to the Legislature. Among other things, this positive bill would: require OSPI to adopt a definition of professional learning and make recommendations on funding; allow the use of Learning Assistance Program funds for science; permit extended learning funds to be used in 9–12 grades, rather than be limited to grades 11–12; and allow qualified graduates of the Recruiting Washington Teachers Program to participate in an alternative route teacher preparation scholarship program. The QEC has issued four reports since its inception; however, few of its recommendations have been adopted by the Legislature.

- **HB 1452** would restrict Third grade students from being promoted to the fourth grade if they are not successful on the state Third grade English assessment. This is a companion bill to **SB 5237** heard last week in the Senate Education Committee. The Chair of the House Education Committee, Representative Sharon Santos (D-Seattle), does not intend on moving this bill and clearly gave it a courtesy hearing as she limited public testimony to about 15 minutes.

- **HB 1476** would require schools and school districts to be labeled using an A through F grading system. This bill is similar, but not identical to **SB 5328** heard last week in the Senate. SB 5328 would implement a recognition program for A-designated schools; HB 1476 does not include these provisions. Like HB 1452 above, this bill was given only a courtesy hearing and will likely not move.

- **HB 1345**, a returning issue, would require school districts that provide access to campuses and student information to post-secondary educational or occupational representatives to provide equal access to recruiting representatives of the Job Corps, Peace Corps, and AmeriCorps. The Senate companion bill, **SB 5114**, was heard on Friday in the Senate Education Committee.

On Wednesday, the Senate Early Learning & K–12 Education Committee held took public testimony on three bills and adopted three previously heard bills. **SB 5094**, which was bumped from a previous hearing, would require school districts, when notified a registered sex offender plans to attend a school, to provide notice to certain staff. The notifications would differ depending on the designated risk level of the offender. In addition to multiple classes of staff, school districts would be required to notify parents when a Level II or III registered sex offender plans to attend a school. School districts would be required to annually collect residential and e-mail addresses of parents and school district personnel. Concerns were raised about the safety of the student sex offenders that enroll at a school; however, greater concerns were raised about the potentially multiple notices that may be required and the disruption (and cost) this may cause to schools. It was suggested that OSPI’s current model policy regarding sex offenders was sufficient.

The second bill, **SB 5117**, was also bumped from a previous hearing. As recommended by the QEC, the Parent Involvement Coordinator position as a part of the prototypical school funding model would be renamed Family Involvement Coordinator. More importantly, funding values for the position (currently at 0.0) would be established at each school level (elementary schools = 1.0 FTE; middle level = 1.0 FTE; and high school = 0.8 FTE). Funding for these
positions would remain “for allocation purposes only” (that is, school districts would not be required to use this funding specifically for these positions).

The last bill on the public hearing list, SB 5588, caused an outcry by educators. The bill would define a “school day” as having a minimum of six instructional hours. The bill would specifically prohibit late starts, early release of students or partial days if the action resulted in less than six instructional hours. Several superintendents and other administrators, principals and teachers from across the state came to strongly oppose the bill. Unfortunately, time ran short in the hearing and those few individuals who were allowed to testify were limited to about two minutes. Although the testimony was limited, it was powerful. This bill and the hearing provided additional evidence that many legislators just simply do not understand how schools operate—and they also do not understand the actions schools take are often a direct result of forced choices caused by actions of the Legislature. A common theme from those educators testifying was that release time was necessary for professional development for our teachers. It was reiterated several times that the Legislature continues to stack new requirements on educators (TPEP and Common Core, just to name two), yet no additional funding is provided for professional development. In fact, the few LID days the Legislature used to provide are no longer funded. The request was to fund at least ten professional development days that have been promised by the Legislature for years. Another common theme was the issue of safety. Even if the concept of SB 5588 was valid, it makes no exception for extenuating circumstances, like inclement weather. During the winter months, many school districts implement a late start in order to ensure school buses can travel safely. Because late starts would be precluded by the bill, schools would either be forced to forgo safety—or close schools for a full day, forcing school breaks to be shortened or the school calendar to be lengthened.

The Committee also adopted three bills previously heard:

- **SB 5244** makes changes to long-term suspensions and expulsions. As amended and adopted, the bill would prohibit indefinite suspensions and no suspension/expulsion may last for more than one calendar year. Emergency expulsions would be required to be converted to another form of corrective action within ten days. School districts must also conduct re-entry meetings with students to discuss a plan to reengage the student in a school program. WSSDA must also develop a model policy by March 1, 2014. The bill was referred to the Senate Ways & Means Committee.

- **SB 5328**, as introduced, would have created a school-grading program and required all schools to be labeled with an A–F designation. As adopted by the Committee, the school-grading program would be implemented as a pilot program in five school districts in 2013–14 and implemented statewide in 2014–15. OSPI would be required to contract for an evaluation of the program, with recommendations, which would be due by December 1, 2014. The recommendations would be required to be implemented when the program begins statewide. Finally, the recognition program in the original bill was removed. The bill was referred to the Senate Rules Committee.

- **SB 5237** would have, with specific exemptions, prohibited Third grade students failing to meet standard on the Third grade English assessment from being promoted to the Fourth grade. As adopted by the Committee, targeted, research-based professional development in reading instruction for K–3 teachers would be authorized, subject to funds being appropriated. OSPI would have to work with ESDs and higher education institutions to deliver the professional development. Each school district would be required to include in report cards of every student in grades K–4 information regarding how the student is progressing in reading skills and whether the student is on grade level. If the student is not on or above grade level, teachers would be required to explain to the parent/guardian what interventions will be used to help the student improve. Each school would be required to report to OSPI the number of students in grades K–3 that are reading below grade level and the interventions being provided. Finally, starting
in 2015–16, a student who scores below basic on the English assessment would be automatically enrolled in an intensive summer school program provided by the school district. If at the end of the summer school program, the student does not meet the state standard on the English assessment, the school district would be required to provide specific remediation, as detailed in the bill. The following year, if the now-Fourth grade student does not meet the state standard on the English assessment the student may not be promoted to the Fifth grade. Again, specific remediation would be required to be provided by the school district. The amended bill was referred to the Senate Ways & Means Committee.

On Thursday, the House Education Committee held a public hearing on six bills:

- **HB 1173** would make several changes to the current Financial Education Public-Private Partnership, including the requirement that OSPI financial education curriculum be available to school districts. School districts, in turn, would be required to provide courses to students using this curriculum.

- **HB 1369**, requested by OSPI, would authorize schools administering the Washington Kindergarten Inventory of Developing Skills to use up to five days at the beginning of the 180-day school year, to meet with parents and families as required in the parent involvement component of the inventory.

- **HB 1293** would require school districts to notify parents/guardians of K–12 students with information regarding standardized assessments. OSPI would be required to regularly provide school districts with information necessary for the district to notify parents about standardized assessments.

- **HB 1336** would require school counselors, school social workers, and school nurses to complete a training program in youth suicide screening and referral as a condition of certification; require each school district to adopt a plan for recognition, initial screening, and response to emotional or behavioral distress in students; establish a temporary Task Force to identify best practices for school districts to develop partnerships with community agencies to support troubled youth.

- **HB 1472** would improve and expand access to computer science education by: requiring school districts to approve AP Computer Science as equivalent to high school mathematics; creating a grant program to support computer science professionals serving as co-instructors for high school computer science courses, if funds are appropriated.

- **HB 1397** would require public schools that offer sexual health education to include information about the legal elements of sex offenses where a minor is a victim, the consequences upon conviction, and other information regarding sex offense.

The Senate Early Learning & K-12 Education Committee closed out the week on Friday with more public comments and executive action. The Committee heard **SB 5477**, which would require two high school diplomas. Under the bill, the State Board of Education would be required to create a standard diploma (which would be the same as the current diploma) and an applied diploma. In order to earn an applied diploma a student would not be required to take or pass the statewide high school assessments, but must meet the following requirements:

- Instead of meeting the credit requirements for English and mathematics, the student may choose to earn four credits of technology and four credits of arts. The arts credits may include industrial arts, agricultural arts, or fine arts courses, or apprenticeships;

- Demonstrate minimum competency in English and mathematics by meeting the state standard on the eighth grade statewide assessments in reading, writing, and mathematics; and
• Pass at least two high school courses in English or mathematics.

The Committee also adopted SB 5243, supporting the academic acceleration of high school students. The bill would require school districts to adopt an academic acceleration policy for high school students which would automatically enroll any student who meets the state standard on the high school student assessments in the next most rigorous level of advanced courses offered by the high school, with the objective that students will eventually be automatically enrolled in courses that offer the opportunity to earn dual credit for high school and college. OSPI would be required to allocate to school districts an incentive award for each student who earned dual high school and college credit.

On Friday afternoon, the House Education Committee held a public hearing on two bills of interest: HB 1475 and HB 1450. HB 1475 would authorize school districts to waive certain education laws and rules after holding a public hearing, adopting a resolution that specifies the proposed laws or rules to be waived, and transmitting a copy of the resolution to the State Board of Education, OSPI, and the Washington State Auditor’s Office. The bills intent language states: “Washington State has a strong tradition of local control in the public school system, and the Legislature should trust the judgment of and provide authority to locally elected officials wherever feasible.” This is a wonderful philosophy that we fully agree with. Unfortunately, this bill, like similar bills introduced in previous years, does not repeal a host of unnecessary laws or rules. It simply would provide a process for school boards to waive some of those state dictates. We continue to argue that if a law or rule can be waived, it should be repealed—for all districts. Individual districts should not have to pick and choose which rules that wish to follow and which they would rather not. This is one of the major frustrations with charter schools; they are automatically exempt from the vast majority of laws and rules that traditional schools must follow. We continue ask for the increased flexibility the Legislature promised in 1993 when Washington’s Education Reform Act was adopted. This bill is a nice concept, but at the same time it is still a slap in the face to local school districts.

The second bill, HB 1450, requested by Superintendent Dorn, would make various changes to our current assessment system: Student performance would be measured in English Language Arts (ELA), rather than in reading and writing;

• After the 2012–12 school year, the End of Course test in Geometry would be repealed;
• Beginning with the graduating class of 2015, students may meet the high school graduation standard using an ELA exit exam or a College and Career Readiness (CCR) assessment in ELA; and
• Beginning with the class of 2015, students may use results from the Algebra I EOC or a CCR assessment in mathematics for graduation purposes.

AEA

By Mitch Denning

On Monday in Senate Ways & Means, we testified in support of SB 5445, Sen. Honeyford’s K–12 Capital Budget, which funds 100 percent of the School Construction Assistance Program needs for the 2013–15 biennium. We appreciate Sen. Honeyford’s interest in getting this bill passed this month, so that the schools can get their money sooner, and, eventually, jobs can be created as quickly as possible. The bill calls for $462 million in bonds, and a total of $534 million, including other state and federal funds. It also funds silent alarms in each school in the amount of $10 million.

On Wednesday, Nancy Moffatt, WASBO executive director; Cal Brodie, chief financial officer, ESD 113; Jennifer Priddy, assistant superintendent, Olympia SD; and I met with 28 senators and representatives who serve on the Fiscal and Education Committees of each House, representing all four caucuses. Our intent was to share our priority in funding the basic
education requirements of HB 2776 (2010), which includes pupil transportation, MSOC, all day kindergarten, and K–3 class size reduction.

Each caucus has its priorities, so sharing our position provided a lot of discussion, especially on unintended consequences of certain legislative decisions that are under consideration. One possible consequence would be the additional local costs for salaries if the Legislature changes the phase-in schedule in HB 2776 to move all day kindergarten and K–3 class size reduction ahead of MSOC and transportation, when currently the salaries are not fully-funded by state monies.

**Pensions and Health Benefits**

By John Kvamme

During this past week hearings were held on a couple of pension bills in Senate Ways & Means that indirectly impact our members. SB 5383, which was given a hearing on Monday, would provide an exception to the prohibition of a retiree doing postretirement employment before age 65 when retiring under the most recent early retirement provision. The exception in this bill is for a county auditor election employee to work up to 60 days of postretirement employment without reduction of pension. If this bill moves through the legislative process it could open the door for a number of pension bills we support.

SB 5392, a bill dealing with excess compensation, was given a hearing in the same committee later in the week. We do not believe any of our members would be impacted by this bill.

Five pension bills that we helped to get introduced for this biennium now have House and Senate bill numbers and are included in this week’s “Retirement and Health Benefits Bill Watch”. All five bills have possible problems in securing a committee hearing because of cost or connection to the gain sharing law suit that is now in the State Supreme Court. The bills are: SB 5651/HB 1667–Postretirement Employment; SB 5650/HB 1668–Plan 2 Access to PEBB; SB 5652/HB 1666–Plan 3 Vesting; SB 5512/HB 1610–Two Month Problem; and HB 1665–Rule of 85.

We continue to not expect legislators to introduce a bill this session that modifies ESSB 5940, K–12 Health Benefits, which passed last legislative session.

Additional information on introduced pension bills and anticipated pension bills can be found in this session’s first “Retirement and Health Benefit Bill Watch” found on our association’s website.
Committee Meeting Schedule

Legislative Committees Meetings are scheduled to be held at the following times but are subject to change.

Up-to-date meeting schedules and agendas are available on the State Legislature website.

Mondays
1:30–3:25 p.m.
Senate Early Learning & K–12 Education
Senate Hearing Room 4
3:30–5:30 p.m.
House Appropriations
House Hearing Room A
Senate Ways & Means
Senate Hearing Room 4

Tuesdays
1:30–3:25 p.m.
House Education
House Hearing Room A
3:30–5:30 p.m.
House Appropriations
House Hearing Room A
Senate Ways & Means
Senate Hearing Room 4

Wednesdays
1:30–3:25 a.m.
Senate Early Learning & K–12 Education
Senate Hearing Room 4
3:30–5:30 p.m.
House Appropriations Subcommittee on Education
House Hearing Room A
Senate Ways & Means
Senate Hearing Room 4

Thursdays
8–9:55 a.m.
House Education
House Hearing Room A
3:30–5:30 p.m.
House Appropriations
House Hearing Room A
Senate Ways & Means
Senate Hearing Room 4

Fridays
8:00–9:25 a.m.
Senate Early Learning & K–12 Education
Senate Hearing Room 4
1:30–3:25 p.m.
House Education
House Hearing Room A

Useful Links

Washington State Government
http://www.access.wa.gov

State Legislature
http://www.leg.wa.gov

Senate
http://www.leg.wa.gov/Senate

House of Representatives
http://www.leg.wa.gov/House

Legislative Committees

Legislative Schedules
http://www.leg.wa.gov/legislature/pages/calendar.aspx

Office of the Governor
http://www.governor.wa.gov

OSPI
http://www.k12.wa.us

TVW
http://www.tvw.org

Session Cutoff Calendar

January 14, 2013
First Day of Session.

February 22, 2013
Last day to read in committee reports in house of origin, except House fiscal, Senate Ways & Means, and Transportation committees.

March 1, 2013
Last day to read in committee reports from House fiscal, Senate Ways & Means, and Transportation committees in house of origin.

March 13, 2013
Last day to consider bills in house of origin (5 p.m.).

April 3, 2013
Last day to read in committee reports from opposite house, except House fiscal, Senate Ways & Means, and Transportation committees.

April 9, 2013
Last day to read in opposite house committee reports from House fiscal, Senate Ways & Means, and Transportation committees.

April 17, 2013*
Last day to consider opposite house bills (5 p.m.) (except initiatives and alternatives to initiatives, budgets and matters necessary to implement budgets, differences between the houses, and matters incident to the interim and closing of the session).

April 28, 2013
Last day allowed for regular session under state constitution.

*After the 94th day, only initiatives, alternatives to initiatives, budgets and matters necessary to implement budgets, messages pertaining to amendments, differences between the houses, and matters incident to the interim and closing of the session may be considered.
Bill Watch

*TWIO* tracks critical education bills each week as they are introduced. Detailed bill information can be accessed by clicking on the bill number. The following is a list of the bills of highest interest to school administrators. A more comprehensive bill watch list is located on the WASA website.

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<td>HB 1037</td>
<td>Establishing a cost-recovery mechanism for public records sought for commercial purposes.</td>
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