



# TWIO

*This Week In Olympia*

January 11, 2021

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## Opening Day Special Edition

### Engaging in the 2021 Session

This afternoon, January 11, 2021, the Legislature convened its first year of the 67th Biennial Session. With the on-going COVID-19 pandemic, this session will prove to be unique—and likely difficult. In an effort “to preserve public health,” both the [House](#) and [Senate](#) have adopted plans to operate a mostly “remote” session. All legislator meetings and Committee hearings, along with most Floor debate and Floor votes will be conducted remotely. Legislative rules, however, do not provide for such a process. So, the first order of business today was for both houses to adopt a set of updated [Joint Rules](#).

In order to conduct business, each house requires a quorum to be present. Originally, there was a plan to conduct a one-day Floor session at Saint Martin’s University (about ten miles from the Capitol in Lacey) to allow the necessary number of legislators to reach a quorum, but conducted in a large enough facility to provide for appropriate social distancing. Following the activities in Washington, D.C. this past Wednesday (protests, riots, and breaching the Capitol), along with on-going threats about protests in Olympia, Legislative Leadership agreed to meet in the Legislative Building to ensure a higher level of security. (Fearing unrest, Governor Inslee activated the National Guard to provide additional support to the Washington State Patrol, which is charged with legislative security.) Having reached the required quorum today, legislators adopted their amended Joint Rules, as well as independent Rules in each Chamber. The major change made to the Rules is to specify that members “participating remotely shall be considered present for purposes of a quorum and voting.”

In conducting a remote session, most buildings on the Capitol campus (including the Legislative Building) will be closed to the public. Only legislators and a limited number of authorized employees will be allowed on campus and in the facilities. One exception is for journalists. A limited number of members of the Olympia Press Corps will be allowed to watch Floor sessions—from the gallery. This means that constituents and lobbyists will be precluded from participating in the process in-person.

Even before the pandemic hit, WASA was determined to increase involvement of our members in advocacy—specifically, our non-superintendent members. Superintendents generally are in the lead for most, if not all, of your district’s advocacy efforts—and they should continue to be the lead in terms of direction, voice, and priorities. We strongly encourage non-superintendents, however, to join with their superintendents to enhance your district’s voice—and WASA’s impact—by getting more involved in telling your district’s “story.”



## About TWIO

*This Week in Olympia (TWIO)* is published by WASA in support of our members and members of our partners in WASBO, WSPA, and AEA.

TWIO is emailed each Friday during the Legislative Session and archived on WASA’s website at <https://wasa-oly.org/WASA/TWIO>



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**WASA Legislative Report Podcast**



*The Podcast will be available on a regular basis on the [WASA website](#), or [subscribe to the Report](#) via multiple podcast apps.*

**Join us at the 2021 WASA/  
 WSSDA/WASBO Legislative  
 Conference, February 21.  
 Register now at  
[www.wasa-oly.org/Leg21](http://www.wasa-oly.org/Leg21)**

The remote nature of this particular session will provide even more—and easier—opportunities for engagement. This is especially true for administrators representing school districts which are far from Olympia. Rather than taking a full day for travel (sometimes in bad winter weather) to meet with your legislators or provide testimony on a bill, you can participate from your office desk or kitchen table.

Understanding the need to allow constituents to participate in the process during a remote session, both the House and Senate have established a new system to allow for remote participation in legislative Committee hearings. First, as they have been for several years, all hearings (and Floor sessions) will be streamed on [TVW](#). Most of the activities will be live and all legislative activities will be archived to watch later.

Additionally, all Committee hearings will allow remote testimony, written testimony, along with an option to simply note for the record your position (support or oppose) on legislation. In order to participate in a particular hearing, you must first register for the meeting. The process to register is similar in both the House and Senate, however, there are two separate registrations. If you wish to participate in a House hearing use the [House Committee Sign-in](#). If you wish to participate in a Senate hearing, use the [Senate Committee Sign-in](#). The process is fully explained on these pages, but in short, you simply click on the Committee, the hearing, and the bill on which you would like to provide comments. At this point, you have the option to provide live testimony, submit written comments, or state your position for the record.

There are also some guidelines that you should be aware of. To provide live testimony, you must register at least one hour before the hearing begins. You will then be e-mailed a Zoom link with instructions how to connect to the meeting. It is important to remember that your testimony time will likely be very limited—and registering does not guarantee that you will be allowed to testify. There are also time limits for written testimony; the window for written testimony will close 24 hours after the start time of the hearing.

In addition to the direct links above, you can also visit the Legislature’s [“Participating in Committee Hearings”](#) page. This page includes links to the registration sites noted above, as well as a link describing how to provide comments on any bill directly to your legislators. If you do not know who your legislators are, there is also a “district finder” which includes contact information for your legislators. If you use this district finder, you will have to determine if you should use your home address or the address of your school district.

To keep track of when bills of interest will be heard, you can follow the Legislature’s [Committee schedule](#). You can check schedules by each day, or a week, or longer. (Note, however, the Committee weekly hearing schedules become available the previous Thursday. In other words, if you look too far ahead, you will likely receive a notice saying, “No Meetings Found.”) These *TWIO* newsletters will also provide scheduling information for many of the key bills that need to be addressed by administrators.

The Committee schedule page also includes agendas and Committee documents (including bill language, bill reports, amendments, and staff or agency presentations). These documents, however, are usually not available to the public until the hearing has started.

Given the state’s budget challenges and the potential that K–12 “savings” (see below) and unprotected K–12 funding (such as Local Effort Assistance) could become a target for reductions, it is incumbent on all school administrators to be fully engaged with your local legislators. They need to hear “your story” and understand your schools’ needs. To help you in your advocacy efforts, WASA will continue to provide resources and assistance, including our [2021 Legislative Platform](#), the [School Funding Coalition priorities](#), and accompanying [talking points](#). Also, we encourage you to stay up-to-

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date on legislative action by following these [TWIO newsletters](#). *TWIO* is produced and e-mailed to WASA members and our partners in WASBO, WSPA, and AEA each Friday throughout the session, along with occasional Special Editions. Another simple way to stay up-to-date is to subscribe to our short and easy-to-digest [legislative podcast](#). Each podcast, usually produced weekly, provides a four or five minute, high-level update of legislative activities of interest to administrators. It is an easy tool to listen to at your desk between meetings or in your car.

## 2021 Session Focus

During this “long” session, limited to 105 days, the major job facing legislators will be to adopt a 2021–23 Operating Budget. Additionally, they will adopt a new two-year Capital Construction Budget and a new two-year Transportation Budget. In November, the [Economic & Revenue Forecast Council](#) adopted an updated state revenue forecast that projected a \$3.3 billion budget shortfall. Half of that anticipated shortfall (approximately \$1.7 billion) is expected in the remaining six months of the 2019–21 biennium, which ends June 30, 2021. The remaining shortfall (approximately \$1.65 billion) is expected in the following 2021–23 biennium, which begins, July 1, 2021.

Each year, the Legislature adopts a Supplemental Operating Budget to provide necessary adjustments to the current budget. In recent years, the Supplemental Operating Budget has been embedded in and adopted as a part of the new two-year budget. Given the significant expected shortfall between now and the end of June, however, Governor Inslee produced both a two-year, 2021–23 Operating Budget (introduced as [HB 1094/SB 5092](#)) and a separate 2021 Supplemental Operating Budget (introduced as [HB 1093/SB 5091](#)). It is anticipated the Supplemental Operating Budget, which provides for significant budget reductions, will be fast-tracked, being heard, and acted upon quickly. The theory is, “the sooner reductions are made, the more you save.” This is one of the reasons why Republicans pressed for a Special Session most of last year following the declaration of the pandemic and realizing its potential impact on the economy.

The governor’s [2021 Supplemental Operating Budget](#), if it were to be adopted, would reduce the current 2019–21 Operating Budget by \$915.1 million (from the \$53.7 billion to \$52.8 billion). Inslee’s proposal includes \$1.25 billion in Maintenance Level reductions, along with selected Policy Level additions of \$338.5 million. These reductions allow for some additional flexibility in the 2021–23 Operating Budget.

Unfortunately, a significant level of Inslee’s proposed reductions come from K–12 education. K–12’s Maintenance Level budget is reduced by \$737.8 million, mostly due to school district enrollment declines and “under-utilized” pupil transportation. If that were not bad enough, K–12 takes another \$400,000 hit in Inslee’s Policy Level request. Of greater concern is the governor’s bold, public discussion about his K–12 request. Included in the governor’s [“Proposed 2021–23 Budget & Policy Highlights”](#) is one paragraph—buried in a 65-page document—that notes the governor’s solution to the current budget shortfall. He relies on budget reserves, new/higher tax increases, and budget saving and makes this statement:

“For example, projected education funding needs (for the current budget and the first year of the next budget) have fallen by an estimated \$831 million, largely due to lower school enrollments and pupil transportation costs amid the pandemic. **The governor proposes reinvesting some of that savings to meet critical needs, while using the rest to help balance the budget.**”  
 [emphasis added]

Stepping away from the budget discussion for a moment, one of those advocacy opportunities is coming at the end of this week. Addressing enrollment stabilization and securing pupil transportation is a high priority for WASA and most of the education community. We have worked closely with key legislators and legislation is on the table

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to provide for enrollment funding stability and pupil transportation funding protections. Legislation on enrollment will be introduced soon (the House is taking the lead), but pupil transportation legislation was prefiled before session and has already been scheduled for a public hearing. [SB 5128](#), sponsored by Senators Lisa Wellman and Claire Wilson, will be heard in the **Senate Early Learning & K–12 Education Committee on Friday, January 15 at 8:00 a.m.**

While we have received some positive feedback from many key legislators about this transportation bill (and the enrollment bill), we have our work cut out for us. We expect many legislators will follow the governor’s philosophy and will question why they should provide “full” funding for enrollment and/or pupil transportation, when kids are not in school and school buses are not being used. It is incumbent on school administrators to explain what reductions in these two areas will mean to school district budgets—and potential negative impacts on students. If you are looking for an invitation to join your colleagues and engage in this Legislative Session, your first great opportunity arrives on Friday in the [Senate Early Learning and K–12 Education Committee](#).

A word of caution about engaging in the enrollment and/or transportation issue, is in order. While we are asking for additional resources for K–12 (although technically, we are simply asking to protect K–12 funds that have already been allocated to us), legislators are seeing additional funding that school districts have at their disposal. First, is school district Ending Fund Balances. Ending Fund Balances (EFB) have grown significantly across the state—and legislators may be frustrated that you are claiming poverty at the same time you have more money in the bank than ever before. It would be prudent to have a specific explanation or rationale why your EFB is so high—and why you may need those resources in the future. For example: during remote learning there has been less need to hire substitutes; there has been less professional development and less travel for professional development, conferences, or other meetings; hiring decisions may have been delayed in the midst of uncertainty; and with the change in the apportionment schedule, a higher fund balance was prudent to protect against cash flow issues. These examples may fit your scenario—or you may have additional reasons. The point is, you must be able to explain WHY your fund balance may appear to be out of whack to someone who does not understand how district budgets work (i.e., most legislators), and WHY those funds may be needed in the future.

A second issue is federal ESSER funds districts were provided last year. Again, many legislators will be concerned that you are crying that your cupboards are bare—while you have millions of dollars in federal funds that remain unclaimed. As with the EFB issue, it is important to have an answer as to why you have not claimed your money (if your district hasn’t—as of December, about forty percent of ESSER funds were unclaimed). At the minimum, you should be able to acknowledge where you have budgeted those funds, with plans to expend. Not actually claiming the money, yet, might be OK, but not having a budget or plan in place would be a concern.

The third issue is linked with the second—another round of federal funds, ESSER II. The Department of Education has strongly advised districts to expend ESSER I funds before you begin claiming/using ESSER II funds. They must be tracked and reported separately. Additionally, it will be difficult for legislators to understand why you are asking for ESSER II federal funds, when you have not claimed funds from the first round. There are additional allowable uses for ESSER II funds, specifically, addressing learning loss; preparing schools for reopening and testing; and repairing, and upgrading projects to improve air quality. It would be prudent to develop a re-opening plan (if you haven’t yet), so you can be prepared to claim this second round of federal funds and use them to get students back in school.

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So, the ultimate note of caution is that the situation must be handled delicately. Running to Olympia, saying your district is hurting financially and you desperately need financial assistance won't fly if you cannot explain why you have a sky-high EFB, you have not claimed ESSER I funds, and/or you have no re-opening plan, and are therefore not really in a position to claim ESSER II funds. We are already in an uphill battle. It certainly won't help if we start shooting ourselves in the foot.

Returning to the budget, Governor Inslee's [2021–23 Operating Budget](#) proposal would expend almost \$58 billion (\$57.8 billion), a fairly significant increase in the budget in the midst of a pandemic, which forced a \$3.3 billion shortfall. His budget would provide approximately \$3.3 billion in Maintenance Level additions and another \$1.7 billion in discretionary policy spending. K–12 would receive about \$530 million of this proposed \$1.7 billion increase. (This would be an approximately thirty percent of the increase, but comes following a proposed significant reduction in the supplemental budget.) As noted above, Inslee's budget relies on: draining the Budget Stabilization Account, also known as the "Rainy Day" fund (\$1.8 billion); implementing new or higher taxes (\$1.2 billion); and capturing budget "savings."

For additional information on the Governor's budget proposal, as well as Superintendent Chris Reykdal's budget request, please see the last two Special Edition issues of *TWIO*: [Governor's budget, Dec. 18](#); [OSPI budget, Nov. 24](#).



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# Legislative Resources

## 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

1:30–3:30 p.m.  
Senate Early Learning & K–12  
Senate Hearing Room 1

3:30–5:15 p.m.  
House Appropriations  
House Hearing Room A

4–6 p.m.  
Senate Ways & Means  
Senate Hearing Room 4

### Tuesdays

8–10 a.m.  
House Education  
House Hearing Room A

1:30–3:30 p.m.  
House Appropriations  
House Hearing Room A

3:30–5:15 p.m.  
House Appropriations  
House Hearing Room A

4–6 p.m.  
Senate Ways & Means  
Senate Hearing Room 4

### Wednesdays

10:30 a.m.–12:30 p.m.  
Senate Early Learning & K–12  
Senate Hearing Room 1

### Thursdays

1:30–3:30 p.m.  
House Appropriations  
House Hearing Room A

3:30–5:15 p.m.  
House Appropriations  
House Hearing Room A

4–6 p.m.  
Senate Ways & Means  
Senate Hearing Room 4

### Fridays

8–10 a.m.  
Senate Early Learning & K–12  
Senate Hearing Room 1

10–11 a.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  
<http://www.leg.wa.gov/legislature/pages/committeelisting.aspx>

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 Cut-off Calendar

### January 11, 2021

First Day of Session.

### February 15, 2021

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

### February 22, 2021

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

### March 9, 2021

Last day to consider bills in house of origin (5 p.m.).

### March 26, 2021

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

### April 2, 2021

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

### April 11, 2021\*

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 25, 2021

Last day allowed for regular session under state constitution.

\*After the 91st 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](#).

Bill #	Title	Status	Sponsor
<a href="#">HB 1006</a>	Immunization, declining	H HC/Wellness	Klippert
<a href="#">HB 1010</a>	Motor vehicle sales tax	H Appropriations	MacEwen
<a href="#">HB 1016</a>	Juneteenth	H State Govt & Tribal Rel	Morgan
<a href="#">HB 1024</a>	Sunshine committee/juveniles	H State Govt & Tribal Rel	Springer
<a href="#">HB 1028</a>	Residency teacher cert.	H Education	Bergquist
<a href="#">HB 1032</a>	TRS & SERS early retirement	H Appropriations	Harris
<a href="#">HB 1039</a>	Bicycle & pedestrian travel	H Transportation	McCaslin
<a href="#">HB 1040</a>	Retired school employee health	H Appropriations	Dolan
<a href="#">HB 1056</a>	Public meetings/emergencies	H Local Govt	Pollet
<a href="#">HB 1065</a>	Epidemic, pandemic vaccines	H HC/Wellness	Eslick
<a href="#">HB 1066</a>	Ed. service district boards	H Education	Stonier
<a href="#">HB 1067</a>	State dinosaur	H State Govt & Tribal Rel	Morgan
<a href="#">HB 1073</a>	Paid leave coverage	H Labor & Workplace	Berry
<a href="#">HB 1077</a>	Federal Way school district	H Appropriations	Johnson
<a href="#">HB 1079</a>	Charter schools time frame	H Education	Dolan
<a href="#">HB 1080</a> (SB 5083)	Capital Budget 2021–23	H Cap Budget	Tharinger
<a href="#">HB 1081</a> (SB 5084)	State gen. obligation bonds	H Cap Budget	Tharinger
<a href="#">HB 1085</a>	Students w/seizure disorders	H Education	Kloba
<a href="#">HB 1087</a>	Family/med leave continuity	H Labor & Workplace	Berry
<a href="#">HB 1093</a> (SB 5091)	Operating Budget, 2nd supp.	H Appropriations	Ormsby
<a href="#">HB 1094</a> (SB 5092)	Operating Budget 2021–23	H Appropriations	Ormsby
<a href="#">HB 1113</a>	School attendance	H Education	Ortiz-Self
<a href="#">HB 1121</a>	Graduation reqs/emergency	H Education	Santos
<a href="#">HB 1131</a>	Private schools/waiver	H Education	Rude
<a href="#">SB 5017</a>	School district procurement	S EL/K–12	Wellman
<a href="#">SB 5021</a>	Retirement benefits/furlough	S Ways & Means	Hunt
<a href="#">SB 5030</a>	School counseling programs	S EL/K–12	Mullet
<a href="#">SB 5037</a>	School opening metrics	S EL/K–12	Braun

<b>Bill #</b>	<b>Title</b>	<b>Status</b>	<b>Sponsor</b>
<a href="#">SB 5043</a>	School employee housing	S EL/K–12	Salomon
<a href="#">SB 5044</a>	Schools/equity training	S EL/K–12	Das
<a href="#">SB 5070</a>	Menstrual products/schools	S EL/K–12	Rivers
<a href="#">SB 5080</a>	Youth ed. programming funds	S Ways & Means	Carlyle
<a href="#">SB 5083</a> (HB 1080)	Capital Budget 2021–23	S Ways & Means	Frocket
<a href="#">SB 5084</a> (HB 1081)	State gen. obligation bonds	S Ways & Means	Frocket
<a href="#">SB 5091</a> (HB 1093)	Operating Budget, 2nd supp.	S Ways & Means	Rolfes
<a href="#">SB 5092</a> (HB 1094)	Operating Budget 2021–23	S Ways & Means	Rolfes
<a href="#">SB 5096</a>	Capital gains tax	S Ways & Means	Robinson
<a href="#">SB 5097</a>	Paid leave coverage	S Labor, Comm & Tribal	Robinson
<a href="#">SB 5105</a>	Office of equity task force	S State Govt & EI	Hasegawa
<a href="#">SB 5111</a>	Public employee independence	S State Govt & EI	Ericksen
<a href="#">SB 5115</a>	Health emergency/labor	S Labor, Comm & Tribal	Keiser
<a href="#">SB 5128</a>	Student transportation funds	S EL/K–12	Wellman
<a href="#">SB 5129</a>	Vapor & tobacco/minors	S Labor, Comm & Tribal	Saldaña
<a href="#">SB 5130</a>	Personnel files & discipline	S Labor, Comm & Tribal	Kuderer
<a href="#">SCR 8400</a>	Special legislative session	S State Govt & EI	Ericksen