

# 2024 LEGISLATIVE REPORT

A PUBLICATION OF THE WASHINGTON ASSOCIATION OF SCHOOL ADMINISTRATORS

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## 2024 Session Overview

**Dan Steele, Assistant Executive Director, Government Relations, WASA**

The 2023 Session, the first year of the 68th Biennial Legislature addressed a broad list of priorities, including: homelessness and housing; climate change; behavioral health; public safety; reproductive care; and gun control. Each of these issues had active legislation, with many of those bills being adopted. There was also a heavy focus on labor and employee-related issues.

As each of the priorities above were being acted upon, K–12 education was conspicuously absent from the conversation. Legislators consistently insisted that K–12 “got theirs” in previous sessions, with funding more than doubling in the past decade. I need to pause for a moment. This “doubling of funding” message is a common refrain; however, this blanket statement rejects the fact that expenses in K–12 have increased as much—or more—than funding has increased. It also ignores the fact that our Supreme Court in 2012 ordered the State to meet its constitutional obligation to amply fund basic education (in the landmark *McCleary v. Washington* education funding lawsuit). After five years of grappling with the issue, the Legislature in 2017 adopted the so-call *McCleary* “solution,” and quickly followed it up in 2018 with revisions in the *McCleary* “fix.” The Legislature made a good show of it, but it is exceedingly clear that many areas of basic education are still not fully funded and the revisions of the education funding system intended to eliminate, or at least reduce, the inequities between districts in many ways made things worse, actually exacerbating the previous inequities.

But set aside all those concerns for a minute and go back to that message: K–12 funding has doubled in the last decade. First, that statement IS accurate; it IS true that K–12 funding has increased more than double in the last ten years—a 105 percent increase to be exact. This statement is made without any context, however. There are the arguments above to refute that a doubling of funding has solved our problems, but there is a more direct and powerful retort. While K–12 funding has increased 105 percent since 2013, the overall General Fund Budget has increased by almost 114 percent. This translates into K–12’s share of the Operating Budget continuing to be reduced. In 2019, immediately following the funding to address *McCleary*, K–12 education occupied over half (52.0 percent) of the Budget’s spending. Since 2019, that percentage has been going down. Following the adoption of the 2023–25 Operating Budget in 2023, the K–12 share of the overall Budget stood at 43.7 percent.

Eventually, K–12 education was put on the table in 2023. When the dust settled after the 2023–25 Operating Budget was adopted, K–12 received an increase of \$2.9 billion, while the total Budget increased by \$5.6 billion. Unfortunately, that large influx of cash did not turn out to be as wonderful as legislators sold it. I will not go into all the details here about why the \$2.9 billion appropriation was not all it was cracked up to be (for additional details and background, see the Operating Budget section of this Report). Simply said, though, that funding still left huge gaps in basic education funding and did little to address other financial needs. As an example, remember the 2023 Legislature provided a \$371 million increase for special education. This was a significant investment, and it was much appreciated, yet the gap between school

district expenditures and state funding was \$803 million. We can be thankful and legislators can be pleased with themselves; however, there was an opportunity to erase a frustrating (and unconstitutional) deficit. Legislators refused to even talk about fully addressing the problem. Why? Because of what we discussed above—they had other priorities.

This is all history, but the point to reminding you about last session is the déjà vu we all felt as we entered the 2024 Session. Once again, legislators laid out a laundry list of their top priorities—and K–12 education was nowhere to be seen. WASA and our colleagues in the rest of the education community spent most of the 60 days of this short session trying to elevate K–12 education, reminding legislators of our needs—and of legislators’ obligations.

During a supplemental session, one must temper expectations because the session is shorter and more importantly, there is less funding to deal with tweaks and updates of a budget than when a new two-year budget is being written. That said, in November, just about six weeks before the session was to convene, the Economic & Revenue Forecast Council (ERFC) released its last quarterly revenue forecast of the year. Available revenues were \$1.1 billion beyond what was forecast when the 2023–25 Operating Budget was adopted in April 2023. And this just takes into account revenues above the forecast and does not address money already “in the bank”: the available Ending Fund Balance and the significant level of reserves.

Even with the available revenue (both the budgeted revenue and the unexpected increase), we heard from legislative budget-writers before session even started that we should not expect much additional funding in the 2024 Supplemental Operating Budget. Before the game had even begun, it was explained to us that the so-called “budget box” for K–12 education would be very limited. The behind-the-scenes scuttlebutt indicated new appropriations could be less than \$300 million (not even enough to close the special education funding gap, let alone our other needs and requests).

So, in 2024, not only did we have to fight just to get K–12 education in the conversation, we had to contend with an effort to put a lid on whatever funding we might be able to achieve.

Understanding this situation was simply unacceptable, WASA and the education community ramped up our activities—and, honestly, moved a bit more aggressively than we have in the past. As an example, in addition to the \$1.1 billion expected revenue above the forecast, we anticipated a further increase in available revenue when the February revenue forecast was released. Sure enough, on February 14, the ERFC’s update indicated there was another \$121.8 million available in the current biennium and revenues were up \$215.4 million in 2025–27. Seeing the increase in revenue, as expected, we promptly [sent a message](#) to all legislators, urging them to—AT A MINIMUM—provide the additional revenue projected in the February forecast to the state’s constitutional paramount duty. We noted this additional funding would serve to stabilize school district budgets and address the fiscal crisis facing our school districts.

As you can probably guess, our message was not well-received; however, we caught legislators’ attention and K–12 at least became a part of the conversation. In the end, the final 2024 Supplemental Operating Budget provided an increase of \$526 million. If you back out the required Maintenance Level funding, however, the total increase drops down to \$258 million—which fits nicely into budget-writers’ projected \$300 million box. (By the way, the \$258 million figure takes into account a shift in Pupil Transportation Maintenance Level funding that is inappropriately calculated in the Policy Level—see the Operating Budget section for more information. If this shift is not made, the Policy Level increase is \$335 million.)

The \$526 million appropriation continues the decline of K–12’s share of the Operating Budget. Adding the Supplemental Operating Budget’s funding into the underlying two-year Operating Budget results in K–12 education’s share of the overall Budget dropping to 43.4 percent.

For the second year in a row, we traveled a rough road to the Capitol. Once again, we had to claw and fight for everything we received this session. School administrators should be applauded for their advocacy efforts. When we sent out a “Call to Action,” whether it was sending a letter or e-mail; making contact in-person, via Zoom, or on the phone; or providing public testimony, administrators stepped up. Your continued engagement and hard work paid off. Certainly, we did not get everything we asked for; however, your efforts helped to push some issues over the top—and your efforts helped to bury multiple problematic bills.

In the end, we DID achieve a few (at least partial) wins—even though more work clearly needs to be done. And we are ready to immediately mobilize for 2025, as discussed later in this Overview.

## K–12 Priorities

How did K–12 education—and WASA—priorities fare? As discussed above, we had an uphill climb and successfully achieving our goals was difficult. We lost some, we compromised on a few, and we got some wins. As discussed in the next section of this Report (2024 Supplemental Operating Budget) you will see that even in areas where we won, the “victory” was minor and will require more work in the future. With minor victories, however, we can build off of the momentum. Now (and in 2025) is not the time to say either: 1) we got as much as we are ever going to get; let’s move on to the next issue; or 2) a minor victory is really a loss, so I quit.

It is human nature to want what you need (or simply desire) RIGHT NOW. In the Legislative game, even the most simple, noncontroversial issues often take three or four years to be adopted. We are in the game for the long-haul and every incremental win is another step to our ultimate goals. If you let the game (or the Legislature, or legislators, or the process) wear you down, the “other guy” wins. Sometimes this process can be a battle of attrition—and if you give up, the other side wins.

**Special Education.** Last session the Legislature provided \$371 million to enhance funding of special education. This was a significant investment; however, as discussed above, this closed less than half of the gap between school district expenditures and state funding. In 2024, there was a lot of activity around special education; however, there was virtually no conversation about increasing the tiered multipliers to close the funding gap. Instead, most of the focus was on increasing the enrollment funding cap. Note that the focus was on INCREASING the cap, not REMOVING the cap. Last session, the Legislature increased the cap from 13.7 percent to 15.0 percent. This session the effort was to increase the cap to 17.25 percent. After proposals of 15.6 percent and the original 17.25 percent, legislators compromised at 16.0 percent (HB 2180). This will help some districts, although we continue to argue that ANY cap, whatever the arbitrary percentage is adopted, is an admission the Legislature will never fully fund special education.

On the funding question, again there was no conversation, partially because of the activity last year. First, budget-writers said they could not fund the full \$803 million gap because there were other priorities. Second, legislators made the case that they do not understand where special education funding is going or how it is being spent, so a performance audit is needed. In arguing against full funding for special education and for the audit, one key legislator publicly said, “When we get that [audit] report we will have the justification to move forward to do a better job of funding special education.”

## Editor's Note:

My thanks to Joel Aune, Andy Wolf, Michael Nelson, Kim Fry, Mary Templeton (Legislation & Finance Committee Chair), Mike Villareal (WASA President), Bob Maxwell (WASA President-elect), Fred Yancey (Pensions/Health Benefits Consultant), Mitch Denning (AEA), Melissa Gombosky (AESD), the ESD Superintendents, Brianne King (WASBO Executive Director), Darrell Heisler (WSPA Executive Director) and members of WASA's Legislation & Finance Committee (see page 93) for participating in the weekly conference calls, and to WASA, WASBO, and WSPA members for participating in our advocacy efforts by reading *TWIO*, listening to the Legislative Podcast, contacting legislators, Zooming into or coming to Olympia to testify, and engaging with your communities in support of Washington's students and public schools. Together, we can make a difference!

Last, but not least, thanks go to my WASA staff colleagues for their support—in particular Heather Chard, for her behind-the-scenes excellence, and ongoing assistance.

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The special education funding bill from 2023 (HB 1436) required the State Auditor and the Joint Legislative Audit & Review Committee (JLARC) to conduct a special education performance audit; funding was also included in the Budget for the reviews. When the bill and the Budget reached the governor, however, he vetoed the requirement and the funding. Well, JLARC (comprised of legislators) can perform audits without specific legislative direction and included this review in their 2023–25 biennial work plan. They are currently in the process of conducting a performance audit of “[Special Education Funding, Accounting, and Service Delivery](#).” The final report is due January 2025.

Additionally, not satisfied with one bite at the apple, the cap bill, HB 2180, requires the State Auditor to conduct a review (as described in the Operating Budget and Bills Passed sections later in this Report). But why conduct two reviews when you can do three? The 2024 Supplemental Operating Budget requires OSPI to compile a report on the utilization of school districts' special education funding. The review is due December 1, 2024.

When all three of these reviews come back supporting our position, we will see if the Legislature can find some other excuse to avoid their legal (and moral) obligation to fully fund special education.

**Pupil Transportation.** 2024 was the third year we pressed the Legislature to overhaul the current pupil transportation system, making it more transparent, predictable, and adequately funded. Commitments continue to be made to us that this issue will be addressed—and solved.

In 2022, two bills—one House, one Senate—were introduced to revise the formula, but a political dispute caused both bills to die. In 2023, new bills were introduced—one House, one Senate—and, again, a political dispute between the houses caused both bills to fail. Third time is the charm? Think again. In 2024, a Senate bill (SB 5873) was advancing, but it died in the House after being heard in the House Appropriations Committee. The House bill from 2023 (HB 1248) laid dormant for much of the session, but then rose from the ashes. Unfortunately, the bill was immediately gutted leaving only language requiring school districts with pupil transportation contracts to ensure that contracted employees receive health and retirement benefits similar to classified staff. We fought this issue for several years, as a stand-alone issue, but legislators changed their strategy and embedded the requirement in larger pupil transportation bills.

Our request died—again—and we were left with a pupil transportation contractor bill that we opposed. It ultimately passed the full Legislature.

**Regionalization/Experience Factor.** After “rebasin” these programs last session (without making any changes in the methodology or implementation of the flawed plans), legislators were not really interested in discussing these issues.

Nevertheless, there was some action on both issues. Requested by Superintendent Reykdal, SB 5956/HB 2215 would have increased school district levy lids by linking them to regionalization. We were concerned that the bills used a flawed mechanism to adjust levy lids. We were also concerned that the bills would only positively impact twelve districts—and do nothing for other districts. There was conversation about the need to include something for Local Effort Assistance; however, no specific amendment was introduced or any other action taken. SB 5956 passed the Senate Early Learning & K–12 Education Committee but died after a hearing in the Ways & Means Committee. HB 2215 was heard in the House Appropriations Committee, but died without further action.

It is interesting to note that HB 2215, in addition to adjusting levy lids, also required OSPI to provide recommendations to “remedy school funding challenges, including

levies, levy equalization, and regionalization” by December 1, 2025. The bill was not adopted; however, the bill was requested by Superintendent Reykdal. He does not need legislation to provide recommendations on these issues, but we have not heard of any action he is taking to develop any recommendations.

On the experience factor, there was some positive action. Last year, when the experience factor was “rebased,” many previously eligible districts became ineligible and were set to lose their four percent bump. The 2023–25 Operating Budget, however, provided funding to allow those districts to have their experience factor phase down slowly, rather than immediately lose the full four percent; these districts retained a two percent experience factor in the 2023–24 school year. Then they were set to lose the remaining two percent in the 2024–25 school year. This session, the 2024 Supplemental Operating Budget provides funding to again support those districts and allow for a one percent Experience Factor, before eliminating the factor.

**Staffing Allocations.** Our position in 2024 was to support the completion of Phase I of the Staffing Enrichment Workgroup (2019) recommendations: improve staffing allocations for school principals; provide professional development; and add continuous improvement coaches to the Prototypical School Funding Model.

There was no action taken to address this full priority; however, a bill was introduced (HB 2212) to support the increase in staffing ratios for principals, as well as assistant principals, and other certificated building-level administrators. The bill was never heard or otherwise acted upon.

Other bills were introduced to support enhanced staffing ratios for librarians (HB 2223) and specifically for paraeducators to address isolation and restraint (SB 5966). HB 2223 was never acted upon. SB 5966 was heard in the Senate Early Learning & K–12 Education Committee but died without further action.

In 2024, there was one bill that was adopted to enhance staff ratios for paraeducators, office support, noninstructional aides. SB 5882 was introduced partially as an option to support additional paraeducators, rather than implement a paraeducator wage mandate, as proposed by SB 6082. The bill, and related funding, only provides for an increase of 0.076; however, it is understood it will take time to fully update the Prototypical School Funding Model to the Staffing Enrichment Workgroup (and Initiative 1351) recommendations and every little bit helps.

**Capital Facilities.** There was a lot of positive action on school construction in regards to policy, as well as the budget. Unfortunately, only a few of those positive bills were able to make it to the finish line, but the conversation was encouraging. The hope is we can keep the momentum going on some of those key issues, especially with some of our champions leaving the Legislature.

Simple majority for bonds (SJR 8207), as well as 55 percent approval for bonds (HJR 4207), were both heard in their respective houses. It remains clear neither option—the “pure” simple majority nor the compromise 55 percent—has the necessary two-thirds support in either the House (66 votes) or the Senate (33 votes). It is positive we have key legislators that want to keep the issue alive, regardless of hope of passage, just so we can continue to educate legislators and maybe change some opinions.

Full details of a very positive Capital Budget are discussed later in this Report; however, one extremely positive note directly related to our Platform is the action on the Construction Cost Allowance (CCA). We have strongly supported updates to the state’s antiquated school construction formulas for years—with no movement (excepting minor Maintenance Level adjustments). This year, the CCA or “cost per square foot” is increased from the \$271.61 per square foot to \$375.00 per square foot. Unfortunately, market rates for construction are upwards of \$600-700 per square



foot, so we have a long way to go to match reality. Positively, a \$100+ increase is a significant movement and will certainly be a benefit.

**MSOC.** The conversation about needing increased funding for operating costs, especially due to spikes in insurance rates and utilities costs, started before the 2024 Session convened and was been a point of emphasis throughout the session. For much of the session, there was no real response, but when legislators flipped the switch action was quickly taken. HB 2494 was introduced on a Monday, heard that morning in the House Appropriations Committee, and was adopted by Committee in the afternoon. A week later, the full House adopted the bill. As is moved to the Senate, it became a point of discussion in budget talks.

When we started pushing for action on MSOC, we were asking for a major increase. Unfortunately, HB 2494 only provides a \$21 per student increase; however, it is positive we got anything at all. Early in the session, legislators wanted nothing to do with the issue.

If you are looking for any example about how your advocacy can impact, this is a perfect case. Again, legislators were ignoring the issue—until we put on a full court press. Superintendents and other administrators, along with our partner school directors, principals, and others “stormed the castle,” so to speak and woke up the Legislature.

Admittedly, we are a bit disappointed by a \$21 increase—when we were looking at a \$300-400 per student increase. We will build on this momentum, however.

## Next Steps

I mentioned several times above that we had some success and while much of it was minor, we will build on the momentum we gained this session. And we are going to strike while the iron is hot. Historically, WASA has adopted its Legislative Platform in October. Several years ago, we accelerated our process, adopting a Platform in June, so we (and our members) are in a better position to influence legislators’ priorities before they make those decisions. Additionally, we are in a position to influence Regional Platforms and also the other education associations. We think this process worked.

This year, the 2024 Session ended on March 7 and four days later your Legislation & Finance Committee met to debrief the session—then almost immediately turned the page to focus on 2025. The Committee discussed the 2025 Legislative Platform and a few weeks later adopted a recommendation for the Board’s action. At the end of March, the Board formally adopted [WASA’s Legislative Platform for 2025](#). Shortly after, we rolled the Platform out to our members.

We have received questions about why we changed course this year. There are several reasons, including these main points:

- **K–12 Education is not being prioritized by the Legislature.** As discussed above, we have had to fight to elevate education and get legislators to listen to us. Early adoption of our Platform gives our members a long runway to engage with legislators.
- **The Education Community has been accused of being “out of alignment.”** I have been working with school administrators for almost 14 years and over 13 years previously with school directors at WSSDA and I honestly can say that the education community has been more aligned in the last two years than I have ever seen before. But there is no harm in trying to further align our advocacy, our priorities, and our messaging.

- **Legislative leaders continue to move their prioritization process forward, especially with 2024 being an election year.** Twenty years ago, the four political caucuses traditionally met after the November election to elect officers and take time to discuss priorities. This is no longer the case. If you happen to read your legislator’s session review newsletters—which are just now going out—you will see many of them are already talking about what they will be focusing on in 2025.
- **Superintendent Reykdal (OSPI) has discussed early development of his annual Decision Package.** By adopting our Platform early, we have an opportunity to influence his decision-making, so he can follow our lead.

So, what is in the WASA 2025 Platform? Hopefully, you have seen the Platform by now, but let me provide some context. The Legislation & Finance Committee and our Board of Directors sought to narrow our focus and advocate on issues that can bring us together—and by us, I mean specifically school administrators, but also our education association colleagues. 1,300 members speaking with one voice is powerful, but what if we added thousands of principals, school directors, and others, including parents in the PTA? The Platform provides an intentional, easy to understand and defend, narrow focus.

The three issues on [WASA’s 2025 Legislative Platform](#) are:

- **Special Education**
- **Pupil Transportation**
- **Materials, Supplies, and Operating Costs (MSOC)**

We know there are many other issues to address; however, we have a rationale for narrowing our Platform to these three issues:

- First, if we have any success on these issues in 2025, there will be a positive impact in ALL 295 school districts. There is no division between big and small, east and west, urban and rural, rich and poor. This serves to unify/align our members; and
- Second, each of these three issues is a basic education program, which are constitutionally required to be fully funded. We have clear, documented evidence, however, that these issues continue to be woefully underfunded.

In this effort we are partnering with AESD and we have begun the process to invite our colleagues to join with us.

Finally, we want to make it as easy as possible to engage, so we are developing a Tool Kit that will include key messages, talking points, fiscal data, and other resources. This will help us to maintain “message discipline” and speak with one voice.

Just a word about “message discipline.” Please do not misunderstand—we are not going to punish you if you do not speak with one voice. The idea is to maintain consistency in our messaging, causing us to be more impactful and effective.

In order for our strategy to work, we need to remain aligned—within WASA and with our partners. We also need our members to engage. Repetition of our message—and repetition from multiple messengers, not just superintendent, is critical.

## A Final Note

Advocacy is a year-round effort and the end of the Legislative Session should not mean the end of school administrators’ advocacy activities. We adopted the 2025 Legislative Platform to provide us with a long runway. Use these coming months to lay the groundwork for our efforts in the next session.

Contact your legislators now (and often) and continue to build good relationships with them. Establish trust and credibility so they will come to you for information and advice. During the interim, legislators have more time for “real” conversations. Take time to meet them for coffee or offer to meet them in their district office—or dial them up on Zoom, if necessary. Invite them to a meeting of your Board. Give legislators a tour of your schools. And remember the note about repetition; continue to remind them of our goals for the coming session.

When you are meeting with them, remember, a simple “thank you” will go a long way to building a positive relationship with your legislators. As frustrating as this past session was, there were some positives; review this Report and find budget items or policy issues that provide support. You do not have to like everything your legislators have done, but show appreciation for what they DID do—and for their public service. Saying thank you, however, does not steal your opportunity to be honest with them and explain your needs or your concerns—use this opportunity to plant the seeds about WASA’s Platform and the need for them to address the ample funding of basic education.

It is incumbent upon YOU to help legislators to understand the complexities of public education and your needs. As you begin to implement your districts’ budgets, explain to legislators what obstacles you continue to face. Many of them do not understand your frustrations.

Also, 2024 is an election year; all 98 House seats and about half the Senate seats will be up for election this fall. Think about our education priorities and be prepared to voice your opinion and concerns during the election season. You deserve to know if legislative incumbents and challengers alike will support or oppose our priorities.

As we move to a new biennium, it is important to remain active to ensure the momentum we have built continues and move to achieve success of WASA’s Platform. You must remain vigilant—and continue, if not to ramp up, your advocacy activities. We hope that you will join with WASA—and our education association colleagues—as we raise our collective voices in unison to fight for our public schools. YOU are WASA—and we can’t do it without you!



## 2024 Supplemental Operating Budget: ESSB 5950

In 2023, the Legislature adopted a new, two-year budget that appropriated \$69.8 billion. This was an increase of \$5.6 billion above the previous biennial budget. Coming into the 2024 Session—a Supplemental year—we knew we had to temper our expectations. And legislators told us well-before the gavel came down to start the session that we should not expect much. Why? First, of the total \$5.6 billion increase in the two-year budget, K–12 education was appropriated \$2.9 billion. Without any other information, this would appear to be a significant victory for the education community. The more you dig down into the numbers, however, the more the cheers die down.

What legislators are reluctant to tell you is that the \$2.9 billion education funding increase is comprised of almost \$2.6 billion in Maintenance Level funding. “Maintenance Level” is the cost of continuing current services but adjusting (up or down) for changes in enrollment, caseloads, and inflation. Maintenance Level funding is not a choice; it is REQUIRED spending. The remaining almost \$350 million in new state spending is Policy Level. Policy Level is discretionary; these are the choices legislators make to increase current programs or start new ones. So, legislators want us to be pleased they chose to add \$350 million to K–12, out of a \$5.6 billion increase? Well, to put it simply, “yes.”

If you want to find the positive, the \$2.9 billion increase helped to slow education’s downward slide in the share of the state budget. Following required *McCleary* funding in 2019, K–12 education occupied 52 percent of the overall Operating Budget—that is, over half. Unfortunately, that was the peak. Since then, education’s share of the Budget moved to 51.1 percent in 2020, 47.8 percent in 2021, and 43.3 percent in 2022. With that \$2.9 billion influx, the 2023 percentage increased! Well, to 43.7 percent; not exactly an audacious increase. So, what about 2024? We will talk about that in a minute, but I’ll give you a preview: education dropped again.

Education’s decreasing share of the overall Budget is a reflection of legislators’ priorities. The state Budget continues to grow; however, K–12 education is not growing as much as other priorities—other priorities that are not the state’s constitutional paramount duty. As the 2024 Session was getting ready to kick off, one of the key questions reporters had for legislators was about priorities for the session. Consistently, majority party members, in particular leaders, would discuss housing, reproductive rights, climate change, and the opioid crisis, along with a handful of other issues. Seldom, however, would you hear a discussion of K–12 education. It simply was not a priority in 2024—and, besides, K–12 “got ours” in 2023, so what more do we want?

Just prior to session, Governor Inslee rolled out his 2024 Supplemental Operating Budget request. It was really just a preview of what we would be facing all session. The governor’s budget proposal was a \$1.96 billion package. His request for

K–12 was \$809 million; however, remember the Maintenance vs Policy Level? The governor’s K–12 request was comprised of \$667 million in Maintenance funding and only \$141 million in Policy spending. And over half of his Policy Level ask (\$72.7 million) was for compensation (specifically, a paraeducator wage mandate).

Members of the education community had a major uphill climb from the start, and it lasted, almost literally, until the final hours of the session. In the end, the final Supplemental Budget was adopted with a \$2.14 billion increase. K–12 education received \$526 million—\$190 million in Maintenance and \$335 in Policy—although in truth, it was closer to half Maintenance and half Policy, given a mischaracterization of a boost in Pupil Transportation funding (see the details below).

Although the funding was small (meager might be a better description), it was more than originally expected as we clawed and fought our way through session. The three keys were: Special Education; Prototypical Staffing; and Materials, Supplies & Operating Costs (MSOC). None of the three “wins” were very large, but we will use our success as a launching pad for 2025 and ride the momentum.

- For Special Education, legislators refused to even discuss an increase in the tiered multipliers or anything that would help reduce the growing gap between school district expenditures and state funding. Ultimately, the special education enrollment cap was increased for the second year in a row (to 16.0 percent).
- For Prototypical Staffing, legislators provided a minor (a VERY minor) bump in staffing ratios as a part of the Prototypical School Funding Model for paraeducators, office support, and noninstructional aides. Staffing ratios were only increased by 0.076 and fell well-short of Staffing Enrichment Workgroup recommendations. Perhaps more positive is that (partial) success in this issue helped us detract from the untenable paraeducator wage mandate that was on the table (from Governor Inslee and Superintendent Reykdal).
- MSOC was not even on the table when session began; however, there was so much talk—and consternation—about the rising costs of running our schools, in particular massive increases in insurance, and the education community jumped in the conversation with both feet. With the assistance of school administrators and other educators responding to our Call to Action, legislators finally decided they better answer. We were looking for potentially a \$300-400 per student increase to “catch up” for underfunding over the last several years; however, what ended up being adopted was—like special education and staffing ratios—a minor bump of \$21 per student.

Truthfully, legislators are proud of themselves for positively responding to our asks and as session ended, they were boasting about the “historic” gains made. (“Hyperbolic” gains is more accurate.) The increased funding for K–12 education was less than funding in other areas of government, dropping K–12 education’s share of the Operating Budget to 43.4 percent.

Not that you should do it, but if you criticize a legislator for underfunding K–12 education, one of the responses you will likely receive is that we should not complain because K–12 education funding has more than doubled in the last ten years. That statement is very true, but as always, context is everything. Since 2013, K–12 education funding has increased by 105.2 percent—more than double. What legislators ignore, however, is that the overall Operating Budget has increased by 113.9 percent in the last ten years. That is why K–12 education’s share of the Budget is dwindling. As noted above, it is all about priorities—and K–12 is currently not a priority of the Legislature.

That is part of our job in 2025. We have our work cut out for us—and we hope you will join us.

Following below are complete details of the K–12 education section of the budget (and additional provisions that impact K–12) as adopted by the Legislature. For additional budget information, please use the following links:

- 2024 Supplemental Operating Budget: [ESSB 5950](#)
- Legislative Evaluation & Accountability Program ([LEAP](#)) Committee:
  - [Budget Overview](#)
  - Budget Agency Detail: [Senate/House](#)
  - [LEAP Documents](#):
    - [LEAP Document 3](#) (Regionalization/ Experience Factor)
- [Washington State Fiscal Information](#):
  - [Interactive Budget Reports](#)
- OSPI Budget Updates: [School Apportionment](#):
  - Budget Driver Summary: [John Jenft Rate Sheet](#)
  - [Multi-Year Budget Comparison Tool](#) (formerly “Pivot Tables”)
- [Economic & Revenue Forecast Council](#):
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  - [Four-year Outlook](#)

## BUDGET DETAILS: K–12 ENHANCEMENTS

### Pupil Transportation—\$77.3 million

- \$76.9 million is provided to OSPI to account for a “transportation correction” in the allocation of transportation funding to school districts; and
- \$425,000 is appropriated to allow contracted bus drivers and related staff to opt into health and retirement benefits as required in ESHB 1248.

NOTE: It is important to discuss the \$76.9 million appropriation for the “transportation correction.” The pupil transportation formula is complicated (one of the reasons we have been fighting for a new, more transparent, and predictable formula); however, in very simple terms, the OSPI request for transportation allocations is an estimate of the expected cost of operating student transportation service, based on prior year information. The Legislature funds this estimate in the Operating Budget; however, OSPI is required to provide an update on expenditures based on district data from spring, fall, and winter (in this case, spring 2023, fall 2023, and winter 2024). This year, it was determined that the estimated cost (and, therefore, funding) was almost \$77 million less than needed. As required, in mid-February, OSPI provided the updated data to the Legislature, and they responded with an additional appropriation to “fully fund” pupil transportation (at least fully funded, based on a flawed formula).

The problem is that the “transportation correction” is clearly made to ensure funding for pupil transportation is made whole for the 2023–24 school year. This increase is NOT a discretionary “Policy Level” choice; it is mandatory. Required funding changes, as this correction is, are really “Maintenance Level” funding. If you read through any of the 2024 Supplemental Operating Budget materials (summary, agency detail, etc.), however, you will see that the \$76.9 million “transportation correction” incorrectly falls in the Policy Level category.

The point is, increases in funding for K–12 education in this budget is meager, to say the least; however, most legislators will include the REQUIRED transportation increase in their discussions about how much they funded K–12 this year. The minimal discretionary increase of approximately \$330 million is closer to an even more paltry \$250 million.

### Prototypical School Staffing—\$71.8 million

Funding is provided to implement 2SSB 5882, which modifies the Prototypical School Funding Model by increasing staff allocations for paraeducators (previously, “teaching assistance”), office supports and noninstructional aides. As required by 2SSB 5882, staffing ratios will be increased by 0.076 in each category beginning in the current 2023–24 school year. The first month’s payment after the bill is enacted is required to include the additional amounts from the beginning of the 2023–24 school year through that month. Currently,

it is assumed allocations will be provided in July or August apportionment payments.

### Community Eligibility Provision—\$45.0 million

Additional funding is provided for reimbursements to school districts for schools and groups of schools required to participate in the federal Community Eligibility Provision for meals not reimbursed at the federal free meal rate.

### MSOC Adjustment—\$43.6 million

Funding is increased for Materials, Supplies, and Operating Costs (MSOC), as required under ESHB 2494. Per student funding for all general education students is increased by \$21 in the current 2023–24 school year; per student allocations increase from a total of \$1,483.44 in the underlying 2023–25 Operating Budget to \$1,504.44. The bill specifically increases three components in the 2023–24 school year: Utilities and Insurance (from \$416.26 to \$430.26 per student); Instructional Professional Development for Certificated and Classified Staff (from \$25.44 to \$28.94 per student); and Security and Central Office Administration (from \$142.87 to \$146.37 per student). Per student allocations in the 2024–25 school year increase from a total of \$1,514.59 to \$1,533.02.

NOTE: Under current law, MSOC per student allocations must be “adjusted annually for inflation.” “Inflation,” however, is not specifically defined in law or the Budget, nor is it clarified in ESHB 2494. Additionally, ESHB 2494 only increases per student allocations in the 2023–24 school year (by \$21 per student), and those allocations are increased by inflation for the 2024–25 school year. The underlying 2023–25 Operating Budget provided for a 2.1 percent “inflationary” increase from the 2023–24 school year to the 2024–25 school year. Separate from increases provided for in ESHB 2494, the 2024 Supplemental Operating Budget adjusts the “inflationary” rate applied to per student allocations in the 2024–25 school year from 2.1 percent to 1.9 percent. For the three components noted above, per student rates in 2024–25 is higher in the Supplemental Operating Budget than provided for in the underlying Budget; however, the remaining components, including per student allocations for students in grades 9–12, are lower in the new Budget than were adopted in the underlying Budget due to the reduced inflationary rate.

This backdoor reduction of the inflation rate makes it even more imperative that we press the Legislature for a substantial (and more realistic) increase in MSOC allocations in 2025.

### Special Education Enrollment Cap—\$19.6 million

In 2023, the Legislature increased the special education enrollment cap from 13.7 percent to 15.0 percent. The 2024 Supplemental Operating Budget provides funding to increase the enrollment cap to 16.0 percent, beginning in the 2024–25 school year, as required by SHB 2180.

Also, in a separate section of the Budget, the Office of the State Auditor is provided \$800,000 for a special education performance audit. As required by SHB 2180, the Auditor must

review the prevalence of disabilities and whether the provisions and funding for evaluating students and providing services reflects the prevalence of disabilities, including whether any populations are disparately underevaluated or underserved. The Auditor must consult with OSPI in conducting the review. The Auditor must report findings and recommendations to the governor and the Legislature by November 30, 2025.

#### **Charter Enrichment—\$7.8 million**

The final Budget provides a \$1,500 per student “enrichment” payment to Charter Schools.

NOTE: This funding comes from the Washington Opportunity Pathways Account, not the state’s General Fund.

#### **Inclusionary Practices—\$5.0 million**

In the 2019–21 and 2021–23 Operating Budgets, OSPI was provided \$10.0 million per biennium (\$5.0 million each year) to support the Inclusionary Practices Project (IPP). IPP provides professional development to promote the inclusion of special education students within the general education classroom. WASA was one of the grant recipients in the initial phase of IPP and has continued working with OSPI as the Project continues. Funding has supported public school classroom teachers by providing mentors who are experts in best practices for inclusive education, differentiated instruction, and individualized instruction.

The 2023–25 Operating Budget only provided \$5.0 million in continued support of the Project and there were questions about whether work could continue. Ultimately, the 2024 Supplemental Operating Budget provides an additional \$5.0 million to continue the work in the second year of the biennium.

Proviso language continues to require funding for mentors to be prioritized to the public schools with the highest percentage of students with Individualized Education Programs (IEPs) aged three through 21 who spend the least amount of time in general education classrooms.

#### **High School and Beyond Plan—\$4.6 million**

Additional funding is provided for E2SSB 5243 (2023) which requires OSPI to facilitate the transition to a universal online platform for the High School and Beyond Plan (HSBP), and develop a preliminary list of existing vendors who can provide or build a platform.

#### **Special Education Recruitment—\$3.5 million**

Funding is provided to OSPI to contract with an approved educator preparation program run by a statewide labor organization representing educators to fund cohorts of special education teacher residents who will complete a year-long program that combines professional training and coursework with in-the-classroom co-teaching experience alongside a mentor teacher. Candidates in the program must be paraeducators working in the sponsoring districts. Through completing this program, participants will attain a teaching certification with an endorsement in special education.

#### **Ninth Grade Success—\$3.0 million**

Funding is provided for grants to school districts for Ninth Grade Success. Part of the appropriation is provided for OSPI to contract with an evaluator to conduct a yearly evaluation of the program’s success.

#### **IT Academy—\$3.0 million**

Funding is provided for the statewide Information Technology program. This public-private partnership will provide educational software, as well as information technology certification and software training opportunities for students and staff in public schools.

#### **College Enrollment—\$3.0 million**

Funding is provided to OSPI (from the Workforce Education Investment Account) to contract with a community-based organization to prepare students to enroll in and enter college through one-on-one advising, workshops and help sessions, guest speakers and panel presentations, community building activities, campus visits, workplace field trips, and college/career resources and to fund the oversight of the grantee or grantees.

#### **College Success Foundation—\$3.0 million**

Funding is provided for the Rally for College initiative, which serves high school students by providing extra support to students that face barriers to postsecondary education.

#### **Experience Factor—\$1.8 million**

During the 2023 Session, many school districts were scheduled to lose their four percent Experience Factor due to last year’s “rebase.” The 2023–25 Operating Budget provided funding to allow those districts to have their Experience Factor phase down slowly, rather than immediately lose the full four percent. These districts retained a two percent Experience Factor in the 2023–24 school year and were set to lose the remaining two percent in the 2024–25 school year. The 2024 Supplemental Operating Budget provides funding to again support those districts and allow for a one percent Experience Factor, rather than eliminating the factor. For an updated list of Experience Factors, see [LEAP Document 3, March 3, 2024 at 11:16 hours](#).

#### **School District Compliance Review—\$1.5 million**

Funding is provided for OSPI to conduct a one-time compliance review of every school district in Washington between July 2024 and July 2025 related to compliance with state nondiscrimination laws, Chapters 28A.640 RCW and 28A.642 RCW, and federal nondiscrimination laws.

OSPI is required to utilize the compliance monitoring process established in Chapter 392-190 WAC and may utilize the regional ESDs to assist in the reviews as appropriate under RCW 28A.310.010(2). Reviews may be conducted as desk reviews with selected on-site reviews where OSPI deems additional follow-up may be necessary to the desk review. OSPI must provide a report to the Legislature by December 1, 2025, summarizing the results of these compliance reviews



and must include a summary of types of noncompliance found, any corrective actions taken by OSPI or the school district, and school district responses to issues of noncompliance that were found during the compliance review process.

#### **Non-Public Schools Assistance—\$1.4 million**

Federal funding (via the Coronavirus State Fiscal Recovery Fund) is provided for reimbursement to eligible non-public schools that requested but were not reimbursed for emergency assistance to non-public schools, as required by the U.S. Department of Education.

#### **Access to Skills Centers—\$1.4 million**

Funding is provided for grants to small school districts, with less than 2,750 students, to enable access to regional Skills Centers for Career and Technical Education.

#### **Behavioral Health Regional Services—\$1.2 million**

Additional funding is provided to ESDs to continue behavioral health regional services grants in Fiscal Year 2025, supporting school districts with the least access to behavioral health services. New proviso language added in the 2024 Supplemental Operating Budget requires OSPI to conduct an evaluation of the investments in behavioral health supports. By December 31, 2024, OSPI must report to the Office of Financial Management and the Legislature, the number of students served by specific behavioral health supports, how the students were selected for specific behavioral health supports, and how the students may have received behavioral health supports, and make recommendations for improving behavioral health supports for students.

The funding will also support the expansion of the existing Student Assistance Professionals (SAP) Program through the ESDs. The SAP Program places intervention specialists in local schools to serve students at risk of, or who have initiated, substance abuse.

#### **Tribal Schools Opioid Pilot—\$900,000**

Funding is provided for OSPI to administer a pilot program for State-Tribal Education Compact Schools and before-and-after-school programs offered by tribes to adopt opioid and fentanyl abuse prevention materials and resources during the 2024–25 school year. \$900,000 of the Opioid Abatement Settlement Account is provided for the volunteering State-Tribal Education Compact Schools to implement the pilot program.

By August 1, 2024, OSPI is required to:

- A. Consult with parties of interest and expertise to develop, review, and select opioid and fentanyl abuse prevention materials and resources to be used in the pilot program during the 2024–25 school year. The materials and resources must include culturally appropriate application across the pilot program; and
- B. Submit a plan to the Legislature detailing the implementation of the opioid and fentanyl abuse prevention materials and resources in the volunteering State-Tribal Education Compact Schools during the

2024–25 school year.

By June 30, 2025, OSPI must submit a final report to the Legislature that includes:

- The initial results, experiences, or both, in the volunteering state-tribal education compact schools; and
- Recommendations and considerations for employing the materials and resources, with or without changes to improve their effectiveness or implementation, statewide.

#### **Workforce Vacancy Tool Study—\$720,000**

Funding is provided to OSPI to conduct a feasibility study into the costs and timeline for developing a database and tool to identify real-time and future educator workforce shortages.

#### **Emergency Substitute Pipeline—\$621,000**

Funding is provided to OSPI to contract with a statewide labor association that represents educators to provide a suite of supports and professional development opportunities for 15,000 emergency substitute teachers working in schools. Supports include relational conversations, online and in-person professional development, SubCommunities, career coaching, and the SubPosium.

#### **Special Education Safety Net—\$581,000**

Funding is provided to implement SB 5852, which requires safety net awards to only be adjusted for errors in applications or Individualized Education Programs that materially affect the demonstration of need.

#### **Statewide IEP Feasibility Study—\$500,000**

Funding is provided to conduct a feasibility study for an online, statewide Individualized Education Program (IEP) system. A contract with a third party may be used to conduct all or any portion of the study. The results of the feasibility study must be reported to the Legislature by June 30, 2025.

#### **Therapeutic Educational Program—\$500,000**

Funding is provided for ESD 112 to implement a therapeutic educational program for students in Clark, Cowlitz, and Skamania counties.

#### **I-2081 Technical Assistance—\$500,000**

Funding is provided for OSPI to develop guidance and provide technical assistance to school districts on the implementation of Initiative 2081, regarding Parents' Rights.

To ensure that public schools and school districts are in compliance with state and federal laws related to student privacy, antidiscrimination, and harassment, intimidation, and bullying, OSPI is required to provide technical assistance and monitor local school district implementation, as needed. By July 1, 2024, OSPI must develop a tool and identify a process for community members to send and for OSPI to receive and track questions and concerns related to implementation. The process must be publicly available on the OSPI website.



Additionally, OSPI must submit monthly reports to the Legislature which include a status update on implementation including challenges, frequently asked questions, and a summary of technical assistance.

#### **Core Plus Programs—\$500,000**

Funding is provided to OSPI to implement ESHB 2236. The bill directs OSPI, in collaboration with the State Board for Community and Technical Colleges, the Department of Health, the Health Workforce Council, and others, to develop an Allied Health Professions Career and Technical Education Core Plus Program.

#### **Inclusive Learning Standards—\$430,000**

Funding is provided to implement ESB 5462, which updates learning standards to include the histories, contributions, and perspectives of LGBTQ people and recreates an open educational resource database for developing inclusive criteria.

#### **Continuing Education—\$426,000**

Funding is provided to implement 2ESHB 1377 which, among other provisions, requires the Professional Educator Standards Board, in consultation with OSPI, to submit a report to the Legislature on how to implement an auditing system of continuing education providers, in particular regarding equity-based school practices.

#### **Empowering Youth—\$425,000**

Funding is provided to OSPI for a grant to an established network for a pilot project to provide opportunities for youth to participate in high demand Science, Technology, Engineering, and Math (STEM) careers in the northwest and southeast regions.

#### **Special Education/non-public—\$411,000**

Additional funding is provided for implementation of E2SSB 5315 (2023) which expands OSPI's duties regarding non-public agencies that contract with school districts to provide special education programs for students with disabilities.

#### **Tribes/K–12 Instruction—\$400,000**

Funding is provided to OSPI to administer grants to support the incorporation of tribal curriculum into social studies curricula. The tribal curriculum must include materials about the history, culture, and government of the nearest federally recognized Indian tribe or tribes, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia, for the purpose of giving students the opportunity to learn about the unique heritage and experience of their closest federally recognized tribal neighbors. Grant funding may be used for costs associated with curriculum design and implementation and costs related to collaboration with federally recognized Indian tribes, including reimbursements to tribes for collaboration-related costs.

\$200,000 of the appropriation must be used to provide grants to school districts; and \$200,000 of the appropriation must be used for grants to federally recognized Indian tribes, including federally recognized Indian tribes whose traditional lands and

territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia.

#### **ESD 112 Teacher Residency Program—\$400,000**

Funding is provided for ESD 112 to offer a teacher residency program. The funding will provide for tuition and faculty costs for new certified teachers during the 2024–25 school year.

#### **Apprenticeship Preparation Programs—\$400,000**

Funding is provided for the Federal Way School District to contract with an organization to offer state-recognized apprenticeship preparation program opportunities for all high school students in south King County in the summer. The organization must have prior experience working with school districts and must provide quality training, employment navigation, and supportive services that lead to family wage careers. The program must support at least two cohorts of students each summer, and the organization must provide stipends to students participating in state-recognized apprenticeship preparation programs during the summer months.

#### **Healthcare Industry Credential Fees—\$375,000**

Funding is provided for OSPI to subsidize the cost of healthcare-based industry-recognized credentials required for employment for students enrolled in healthcare courses in Skills Centers and comprehensive high school programs.

#### **Parent Coaching Program—\$350,000**

Funding was provided in the underlying 2023–25 Operating Budget for OSPI to contract with a nonprofit organization to develop and provide a Latino youth-on-youth gang violence prevention program for students. Additional funding is provided in the 2024 Supplemental Operating Budget for OSPI to contract with a nonprofit organization to offer a parent coaching program that provides educational and communication tools for parents that have children ages 10 through 18 who are involved in youth violence.

#### **Substance Use Prevention Education—\$334,000**

Funding is provided to implement E2SHB 1956. \$334,000 is provided to OSPI to develop, periodically update, and make available age-appropriate substance use prevention and awareness materials for school and classroom use.

An additional \$2.6 million is provided to the Department of Health to implement E2SHB 1956. This funding is to be used to develop a drug overdose prevention campaign for youth and adults.

#### **Food Insecurity Support—\$300,000**

Funding is provided for OSPI to contract with an organization that provides bags of food for students in Thurston County schools who are impacted by food insecurity and do not have adequate access to food in the evenings, on weekends, during holiday breaks, and during the summer months. The contracted organization must be an all-volunteer, donation-funded program that was created in 2006.

**FieldSTEM Program Increase—\$250,000**

Additional funding is provided for OSPI to contract with a qualified 501(c)(3) nonprofit community-based organization physically located in Washington State that has at least 18 years of experience collaborating with OSPI and school districts statewide to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors. OSPI may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington School Improvement Framework.

**Life Skills Training—\$250,000**

Funding is provided for grants to school districts for life skills training to children and youth in K–12.

NOTE: This funding was previously provided through grants from the Health Care Authority.

**Principal/Superintendent Internships—\$223,000**

Additional funding is provided for the Leadership Internship Program for superintendents, principals, and program administrators.

**Tribal School Support—\$210,000**

Funding is provided to support State-Tribal Education Compact Schools that have less than 800 enrolled students, are located in urban or suburban areas, and budgeted for less than \$20,000 per pupil in general fund expenditures in the 2022–23 school year. OSPI is required to allocate additional funds to these eligible schools. To determine the additional allocation, OSPI must multiply the school's budgeted enrollment in the 2022–23 school year by the lesser of 1) \$1,550 or 2) \$20,000 minus the school district's or school's budgeted general fund expenditures per pupil in the 2022–23 school year.

NOTE: Both the initial House and Senate Budget proposals included funding for Small School Support; however, the House proposal did not include State-Tribal Education Compact Schools. In a reversal, the final Budget only provides support for State-Tribal Education Compact Schools and does not provide assistance to other small schools or small districts.

**Behavioral Health Specialists—\$200,000**

Funding is provided for the Nooksack Tribe to fund behavioral health specialists to work with tribal and non-tribal children in the Mount Baker School District.

**VETO: Alternative Vehicles—\$200,000**

Funding is provided to implement ESSB 6031, which would have provided school districts with flexibility to use their transportation allocation for vans or other passenger vehicles, rather than being forced to buy a big, yellow school bus.

This bill was gutted in the House and was in dispute until the waning hours of the session. The bill ended up dying, as it lacked agreement. While the Budget provided funding to implement the bill, the bill failed to pass, causing the funding

to lapse. Prior to signing the Supplemental Operating Budget, Governor Inslee vetoed this section.

**OSPI Customer Support Staff—\$199,000**

Funding is provided for OSPI to hire one additional FTE focused on fiscal analysis.

**Teacher Preparation Programs—\$188,000**

The Professional Educator Standards Board (PESB) is provided funding to convene two work groups to review implementation of new and existing standards in teacher preparation programs and to perform preparation program gap analyses.

By October 1, 2024, PESB must convene a group of educators, including principals and teachers, to identify what preparation programs must be providing candidates to prepare them for the modern classroom. Prior to the convening of the group, PESB, in collaboration with OSPI and the State Board of Education, is required to develop a list of major changes to the educational system in statute and rule during the last ten years that might require pedagogical changes in preparation programs. The group of educators must review the list in order to identify what programs must be providing candidates.

The group of educators must include a wide variety of representatives from different subject matter areas including, but not limited to, any shortage areas, different grade levels, rural and urban school districts, large and small school districts, schools participating in the mastery-based learning collaborative, schools implementing inclusionary practices to support students with disabilities, and educators of color.

By June 1, 2025, PESB is required to compile a summary of the findings from the group of educators. Legislators may review the summary upon request.

By December 1, 2024, PESB is also required to develop a process to facilitate an ongoing and collaborative process to help educator preparation programs in Washington State respond to the continuously changing needs of the modern classroom; provide a feedback loop between school staff and programs; and promote continuity, consistency, and coherence across the educator preparation system regarding implementing new and existing standards. This process must at a minimum meet the following requirements:

- Convening of a group representing the educator preparation programs to review the list developed, as described above, and, when completed, the required summary;
- Requiring each preparation program to perform a gap analysis of their programs. PESB must determine the components of the gap analysis;
- Submission of a plan of improvement and action plan, as needed, to address the areas identified in the gap analysis;
- A plan for compliance monitoring including recommendations related to potential consequences

for programs not making sufficient progress; and

- A timeline that requires educator preparation programs to complete the process at least once every three years and aligns the process with other review processes.

In creating the process, PESB must begin with a process for teacher preparation programs offered at institutions of higher education and develop a phase-in plan for how to eventually include alternative route teacher certification programs and principal preparation programs.

#### **Dual & Tribal Language Education—\$185,000**

Funding is provided to implement 3SHB 1228, which: creates grant programs for establishing or expanding dual language and tribal language education programs; and requires literacy supports in service of American Indian and Alaska Native students. Increased funding of \$35,000 is provided in Fiscal Year 2024 to the Professional Educator Standards Board and the Paraeducator Board to collaborate with OSPI to align bilingual education and English language learner endorsement standards and to determine language assessment requirements for multilingual teachers and paraeducators, as required by 3SHB 1228. Additionally, a previously provided \$71,000 is shifted to be used in Fiscal Year 2025.

#### **Seasonal Farmworkers Children Study—\$183,000**

Funding is provided for OSPI, in collaboration with the Department of Agriculture and the Department of Labor & Industries, to study the factors that impact education outcomes for children of seasonal farmworkers in comparison to migrant students in the following areas: school and program access, school readiness, attendance, grade promotion and retention, performance on state assessments, academic growth, graduation rates, discipline rates, and teacher qualifications and years of experience.

Additionally, the study must investigate student access to postsecondary education and career opportunities in formerly rural or agricultural communities.

#### **Tribal Liaison—\$180,000**

Funding is provided for the State Board of Education and the Professional Educator Standards Board to hire 1 FTE to serve as a tribal liaison for the two boards. (Each agency receives a \$90,000 appropriation.)

#### **Muslim and Arab Education—\$180,000**

Funding is provided for the Puget Sound ESD to contract with a Washington-based Muslim and Arab community organization serving communities throughout the state, with experience in building educational campaigns and supporting Muslim and Arab students in our state and that has been incorporated in Washington for over 10 years, in partnership with an expert curriculum and professional development nonprofit organization with at least 10 years of experience, to support Washington teachers in implementing and incorporating lessons on Islamophobia in accordance with RCW 28A.150.210. If a Washington-based organization cannot be found, OSPI

may seek proposals from organizations incorporated outside of Washington. Of the amounts provided, \$5,000 of the appropriation in Fiscal Year 2025 is provided for the Puget Sound ESD to administer the contract.

#### **K–12 Sexual Assault Education—\$150,000**

Funding is provided for the Department of Commerce to contract with a nonprofit organization to continue sexual assault prevention programming to middle and high school students in Tacoma and expand services to the Franklin Pierce School District. The contractor must be a state-accredited community sexual assault program serving Pierce County that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

#### **VETO: K–12 Sexual Assault Education—\$150,000**

Funding is provided for OSPI to contract with a nonprofit organization to continue sexual assault prevention programming to middle and high school students in Tacoma and expand services to the Franklin Pierce School District. The contractor must be a state-accredited community sexual assault program serving Pierce County that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

Prior to signing the Supplemental Operating Budget, Governor Inslee vetoed this section. In his veto message, he stated he fully supported this policy; however, it was inadvertently added to the Budget twice. He vetoed this duplicate appropriation (providing funding to OSPI), but it will not impact the appropriation for the same purpose—provided to the Department of Commerce— noted directly above the OSPI appropriation.

#### **Water Safety Pilot Program—\$150,000**

Funding is provided for OSPI to contract with a nonprofit organization to administer a pilot program to develop and implement a water safety curriculum in public schools.

The pilot program will support the provision of water safety curriculum at 50 public schools during the 2024–25 school year, with a priority for schools with a high percentage of underserved students. In developing the water safety curriculum, the nonprofit organization must:

1. Procure a landscape analysis of water safety education in Washington State;
2. Determine where water safety education exists presently;
3. Assess the level of drowning prevention awareness in each school district; and
4. Hire an educator to lead the curriculum development process and recruit teachers to participate in the pilot program.

The contracted organization must submit a report on the results of the pilot program to the governor and the Legislature by June 30, 2025. The report must include:



1. A summary of the data collected during the curriculum development;
2. The curriculum piloted at the school districts;
3. The efficacy of the curriculum, based on surveys and feedback collected from the pilot program classes and teachers;
4. Teacher, district, and community member interest in the pilot program;
5. Results and outcomes from the pilot program, including the number of students and schools served; and
6. Recommendations for expanding the pilot program.

The nonprofit organization must be a 501(c)(3) organization located in Seattle that is dedicated to saving lives through water safety education, legislation, and increasing equitable access to swimming lessons and tools.

#### **Mental Health Instruction—\$150,000**

Funding is provided to OSPI to hire a Mental Health Instruction Implementation Coordinator to facilitate the addition of mental health education curriculum in schools. The Coordinator will:

- Work with ESDs to build awareness of learning benefits and resource availability;
- Provide training and support to school staff in the implementation of mental health education and integration into existing health curriculum;
- Facilitate OSPI website updates to reflect available mental health instruction resources and supporting data; and
- Facilitate the addition of mental health literacy components to state learning standards and updating social emotional learning standards to reflect differentiation between the two programs and the grade-appropriate nature of each program.

#### **AED Grant—\$150,000**

Funding is provided for grants to schools to install at least one automatic external defibrillator (AED). OSPI is required to establish a grant program to assist schools to offset the costs of purchasing an automatic external defibrillator or to maintain or replace an AED.

#### **Public Schools Grant Assistance—\$150,000**

Funding is provided to OSPI to hire 1 FTE to support school districts applying for grants funded by the state of Washington and grants from other public or private sources for which the school district may be eligible. OSPI must prioritize supporting school districts with smaller student enrollments, tax bases, and operating budgets, and other factors that may preclude or otherwise limit the ability of a school district to apply for grants for which it may be eligible.

#### **FRPM Alternative Metric Study—\$150,000**

Funding is provided to OSPI to examine how Free and

Reduced-Price Meals (FRPM) data is used as a funding driver for other programs, such as the Learning Assistance Program, and provide recommendations for an alternative poverty metric or metrics to the Legislature by January 1, 2025.

OSPI may collaborate with other state agencies that maintain income and poverty data to develop alternative metrics, including but not limited to the Department of Social and Health Services, the Washington Student Achievement Council, and the Health Care Authority. In creating recommendations, OSPI must work with educational stakeholders including organizations representing principals, school board directors, certificated teachers, and classified staff. OSPI may contract with a third party to conduct all or any portion of the work.

#### **Opioid Prevention Standards—\$125,000**

Funding is provided to OSPI to work with ESDs, the Health Care Authority, and the Department of Health to review and update materials for information sessions provided to students in grades 8–12. These sessions are designed to prevent the use of opioids, including fentanyl, specifically outlining the risks of death related to uneven dosages and pills that look like prescription drugs.

#### **African Community—\$100,000**

Additional funding is provided to OSPI to contract with an organization located in SeaTac, Washington to provide wraparound social services and expand and maintain existing education and family engagement programs that serve students and families in the Federal Way School District and the Highline School District. The organization must focus on housing and social services, education, and economic development for African immigrant and refugee communities.

#### **Youth Development Capacity Building—\$100,000**

Funding is provided for the OSPI to develop and implement capacity building supports for community-based youth development programs offering programs that serve youth between the ages of 11 and 19.

#### **Seattle Public School Enrollment—\$100,000**

Funding is provided for Seattle Public Schools to conduct an enrollment analysis to help learn why families have left the district and how they can be attracted back. The school district is required to provide a report to the Office of Financial Management and the Legislature by June 30, 2025, that addresses the reasons for families leaving the district and specific steps necessary for them to return to the district.

#### **Student Advisory Groups—\$75,000**

Funding is provided for OSPI to contract with a statewide nonprofit organization representing school principals to expand a student program for all ages with proven programs, custom curriculum, and experiential opportunities that promote school-wide social and emotional growth.

#### **Educator Ethics & Complaints—\$67,000**

Funding is provided to implement E4SHB 1239, which addresses complaints regarding conduct within or involving

public elementary and secondary schools. \$46,000 is provided to the Professional Educator Standards Board and the Paraeducator Board to report to the Legislature on a code of educator ethics. OSPI is provided with \$21,000 to post on their website and assist school districts, public schools, and ESDs to post on their websites a prominent link to the complaint resolution and referral access point maintained by the Office of the Education Ombuds.

An additional \$559,000 is provided to the Governor's Office of the Education Ombuds (outside of the Education budget) to create a simple and uniform access point for the receipt of complaints involving the elementary and secondary education system.

#### **VETO: Financial Education—\$55,000**

Funding is provided to implement SHB 1915 which, among other provisions, directs school districts, charter schools, and state-tribal education compact schools to provide high school students with access to one-half credit of financial education instruction by the 2027–28 school year.

This bill was in dispute until the waning hours of the session and an agreed upon compromise was never found; the bill died lacking agreement. While the Budget provided funding to implement the bill, the bill failed to pass, causing the funding to lapse. Prior to signing the Supplemental Operating Budget, Governor Inslee vetoed this section.

#### **Evergreen High School ASB—\$40,000**

Funding is provided for a grant to Evergreen High School in White Center to support its Associated Student Body (ASB).

NOTE: It is our understanding this funding is intended to support Evergreen High School's implementation of 3SHB 1660, adopted in 2020. Among other things, the bill requires school districts to waive or reduce fees associated with student acquisition of ASB cards and participation in extracurricular activities in certain circumstances. For example, students who are eligible to participate in the federal Free and Reduced-Price Meal program must receive a fee waiver. The intent of the bill was to eliminate, or at least reduce, the opportunity gap for ASB card acquisition and the opportunity gap for extracurricular activity participation. While the goal is laudable, the bill has proved to be costly for many school districts.

#### **Civics Education Books—\$35,000**

Funding is provided for OSPI to contract with a nonprofit organization to print civics education books, as well as physical teachers' guides, in Spanish for elementary students and teachers.

#### **Americans of Chinese Descent—\$30,000**

Additional funding is provided for OSPI to develop and distribute age-appropriate promotional and educational materials to school districts to utilize during Americans of Chinese Descent History Month (January). One of the goals is to help students understand Chinese culture and history and to avoid bias and discrimination.

#### **School Safety/Temp Employees—\$28,000**

Funding is provided to implement SB 5647, which requires safe school plans to include how substitute teachers and other temporary employees receive necessary information, including school safety policies and procedures.

#### **Special Education Funding Review—\$25,000**

Funding is provided for OSPI to compile a report on the utilization of school districts' special education funding.

By November 1, 2024, each school district is required to report to OSPI on the district's utilization of funds provided by the Legislature in the 2023–25 Biennial Operating Budget, in ESHB 1436 (2023—special education funding), and SHB 2180 (2024—special education cap). The report must include the following:

- To what extent the district has increased special services, programs, and supports to students with disabilities for the 2023–24 and 2024–25 school years;
- How the district has modified staffing ratios during the 2023–24 and 2024–25 school years in special programs to provide more intensive staff support to students enrolled in special education programs;
- How the district has used the resources provided in the 2023–25 Biennial Operating Budget and the 2024 Supplemental Operating Budget to increase employee compensation for both certificated and classified staff during the 2023–24 and 2024–25 school years to improve staff retention and recruitment of new staff;
- To what extent the district has increased staff development programs and curriculum that is both timely and relevant to the needs of students with disabilities during the 2023–24 and 2024–25 school years; and
- To what extent the district has used the resources provided in the 2023–25 Biennial Operating Budget and the 2024 Supplemental Operating Budget to purchase staff safety equipment during the 2023–24 and 2024–25 school years in order to reduce work-related injuries.

OSPI is required to compile the reports and provide a report to the Legislature by December 1, 2024, summarizing statewide trends and providing each district's individual responses.

NOTE: In addition to this OSPI report, the Joint Legislative Audit & Review Committee (JLARC) is in the process of conducting a performance audit of "[Special Education Funding, Accounting, and Service Delivery](#)." This study was required in last session's ESHB 1436 (special education funding). The governor vetoed the requirement; however, JLARC (comprised of legislators) can perform audits without specific legislative direction and included this review in their 2023–25 biennial work plan. The final report is due January 2025.



**Education Data Sharing—\$3,000**

Funding is provided to implement SSB 6053, which requires the Washington Student Achievement Council (WSAC) to enter into data-sharing agreements with the OSPI to facilitate the transfer of high school student directory information for informing high school students of postsecondary financial aid and educational opportunities available in the state.

**Paraeducator Training Underspend—(\$5.2 million)**

One-time savings are achieved by reducing the appropriation for paraeducator training to align with the program's underspend in Fiscal Year 2024.

**BUDGET DETAILS: K–12 COMPENSATION****Inflationary Factor**

In the underlying 2023–25 Biennial Operating Budget, the inflationary factors—the Implicit Price Deflator or IPD—as adopted were: 3.7 percent for the 2023–24 school year and 3.9 percent for the 2024–25 school year. The 2024–25 IPD of 3.9 percent, however, was simply a projection and acted as a “placeholder” for budgetary purposes. Legislation adopted last year (ESB 5650) now specifically defines the inflationary factor, beginning in the 2024–25 school: the inflationary factor is calculated as the Implicit Price Deflator for the prior calendar year. In late January, the US Bureau of Labor Statistics pegged the 2023 IPD as 3.7 percent and in early February, Washington’s Economic & Revenue Forecast Council (ERFC) confirmed the IPD for the 2024–25 school year as 3.7 percent. The Legislature, as required by law, as amended last year, adopted the 2024 Supplemental Operating Budget with a 3.7 percent IPD for the 2024–25 school year.

For planning purposes, the CURRENT ERFC projection of IPD in the out-years are as follows:

- 2024: 1.9 percent
- 2025: 2.1 percent
- 2026: 2.2 percent
- 2027: 2.1 percent
- 2028: 2.1 percent
- 2029: 2.1 percent

Again, these numbers are simply projections and they come with a caveat: there are already some indications the projected 2024 IPD (which will determine the 2025–26 salary adjustments) may be too low. While the expectation is that inflation will continue to drop, inflation in February, March, and April instead increased. The Federal Reserve was planning on reducing borrowing rates; however, with inflation again increasing—rather than decreasing as expected—the Fed paused on taking action. As the Fed holds to high interest rates, there are other risks to forecasts, including geopolitical factors. The ongoing war in Ukraine and the continuing conflict in Israel, are having unpredictable impacts on the economy.

We will know the IPD that will be used in the 2025–27 Operating Budget early in the 2025 Session; however, attempting to predict that number today is a bit of a crapshoot.

**Statewide Minimum Salary Allocations**

It is important to remember that the new Inflationary Factor (3.7 percent) is used to adjust funding for the statewide minimum salary allocations, which are provided to school districts to be distributed via your locally bargained salary schedules—not directly “passed through” to educators. Given the adjustment from a projected IPD to an actual IPD, those allocations are also adjusted in the Budget. For the 2023–24 school year, statewide minimum salary allocations for Certificated Instructional Staff, Certificated Administrative Staff, and Classified Staff were: \$75,419, \$111,950, and \$54,103, respectively. The minimum salary allocations in the 2024 Supplemental Operating Budget will increase for the 2024–25 school year by 3.7 percent, not the projected 3.9 percent. Salary allocations provided for CIS, CAS, and CLS are: \$78,209, \$116,092, and \$56,105 respectively.

**National Board Bonus**

The Legislature continues to provide bonuses to teachers that achieve certification from the National Board for Professional Teaching Standards. The 2023–25 Operating Budget provided inflationary increases of 2.1 percent for bonuses; however, (similar to MSOC allocations) the 2024 Supplemental Operating Budget reduces the inflationary rate to 1.9 percent.

First-year bonuses increase from \$3,723 in the 2023–24 school year to \$3,794 in the 2024–25 school year. Similarly, National Board bonuses for subsequent years also increase, from the previously funded \$6,206 in the 2023–24 school year and to \$6,324 in the 2024–25 school year.

**Substitute Teachers**

Once again, the Legislature made no changes to address substitute costs—neither substitute funded days or substitute rates were adjusted. For the 2024–25 school year, funding for substitute costs for classroom teachers continue to be based on four funded substitute days per classroom teacher unit generated, at a daily substitute rate of \$151.86—the same as for the 2023–24 school year.

**SEBB Rate Adjustment**

The 2024 Supplemental Operating Budget funds a School Employees’ Benefits Board (SEBB) rate adjustment. For the 2024–25 school year, the per employee per month rate is increased from \$1,100 to \$1,178. For each full-time employee, the retiree remittance is \$80.32 per month beginning September 1, 2024 (increased from \$68.41 per month in 2023). The retiree remittance for part-time employees is the same.

**Retirement Contributions**

The 2024 Supplemental Operating Budget funds an increase of 0.08 percent for employer contributions to the Public Employees’ Retirement System, the Public Safety Employees’ Retirement System, and the School Employees’ Retirement System. Additionally, the Budget funds an increase of

0.16 percent for employer contributions to the Teachers' Retirement System, for the provisions of SHB 1985—which provides a one-time 3 percent increase to the retirement benefits of retirees in the Public Employees' Retirement System and the Teachers' Retirement System Plan 1, up to \$110 per month.

## ADDITIONAL DETAILS

### School Health Rules

In 2008, the Department of Health and the State Board of Health unveiled a proposal for new environmental and health safety rules for schools after working on the issue for at least five years. School districts had been represented on the various workgroups and, for the most part, were in general agreement with the rules. However, when it became apparent that cost estimates ranging in the millions of dollars were going to become the responsibility of schools and school districts, legislators were asked to intervene. They did so by including the following language in the 2009–11 Operating Budget:

“The Department of Health and the State Board of Health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the Legislature, and the Legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute.”

Since 2009, this proviso language has been included in the Operating Budget. This same language is in the underlying 2023–25 Operating Budget; however, new language was added in the 2024 Supplemental Operating Budget requires a process to “review and update the rules for school environmental health and safety.”

Specifically, \$750,000 is provided to the Department of Health (DOH) to review and update the rules for school environmental health and safety. The State Board of Health and DOH are required to conduct the review in collaboration with a multi-disciplinary Technical Advisory Committee. The proposed new rules must establish the minimum statewide health and safety standards for schools. The State Board of Health must consider the size of school districts, regional cost differences, the age of the schools, the feasibility of implementing the proposed rules by section or subject area, and any other variables that may affect the implementation of the rules.

In developing proposed rules, the State Board of Health is required to:

- Convene and consult with a Technical Advisory Committee consisting of, at minimum, representatives from:
  - The Office of the Superintendent of Public Instruction;
  - Small and large school districts;
  - The Washington Association of School Administrators;

- The Washington State School Directors' Association;
- The Washington Association of Maintenance and Operations Administrators; and
- The Washington Association of School Business Officials;

- After the development of the draft rules, meet at least one time with the Technical Advisory Committee and provide the opportunity for the Technical Advisory Committee to comment on the draft rules;
- Collaborate with OSPI and develop a fiscal analysis regarding proposed rules that considers the size of school districts, regional cost differences, the age of the schools, range of costs for implementing the proposed rules by section or subject area, and any other variables that may affect costs as identified by the Technical Advisory Committee; and
- Assist DOH in completing environmental justice assessments on any proposed rules.

OSPI, DOH, the State Board of Health, the Technical Advisory Committee, and local health jurisdictions are required to work collaboratively to develop and provide a report to the governor and the Legislature by June 30, 2025, detailing prioritized sections or subject areas of the proposed rules that will provide the greatest health and safety benefits for students, the order in which they should be implemented, and any additional recommendations for implementation.

NOTE: Requiring a comprehensive review of new school environmental health and safety rules is a much better scenario than simply deleting the long-standing prohibition on implementation of new rules. Positively, OSPI must conduct a fiscal analysis and the Technical Advisory Committee is comprised of K–12 education representatives. There is still a concern, however, about the final outcome. The proviso language above telegraphs the expected end result: “The proposed new rules **must establish the minimum statewide health and safety standards for schools**” [emphasis added]. Whether DOH, the State Board of Health, or, ultimately, the Legislature will ensure school districts are not burdened with a massive unfunded mandate is to be determined. Keeping a close eye on this will be important.

### School Bus Trespass

The Department of Corrections is provided \$2,000 to implement ESSB 5891, which designates trespassing on a school bus as gross misdemeanor criminal offense. The bill requires school districts and educational institutions to post signage warning of the consequences of school bus trespass, although this requirement is subject to funding. While it is not clear from proviso language in the budget, the funding presumably will address this requirement.

### PEBB/SEBB Consolidation

The Health Care Authority (HCA) is provided \$100,000

to conduct a study on consolidating the Public Employees' Benefits Board (PEBB) and the School Employees' Benefits Board (SEBB) programs. By December 1, 2024, HCA must report to the Legislature the necessary statutory and program changes required to achieve consolidation of:

- The Public Employees' Benefits Board and the School Employees' Benefits Board into a single governing board;
- The current risks pools;
- The existing eligibility provisions of the PEBB and SEBB programs; and
- Benefit offerings into more aligned plans.

In considering statutory and program changes, HCA must consider:

- Ways to engage with impacted participants to understand their priorities related to consolidation;
- Options that maintain benefit eligibility for current participants;
- Options for ensuring equity among participants in a consolidated program; and
- Data and findings from previous reports related to consolidating PEBB and SEBB plans.

### SEBB Coverage

New proviso language in the Health Care Authority (HCA)—School Employees' Benefits Board (SEBB) section of the Budget requires HCA to submit a report to the Legislature describing options, and a recommendation, for possible future coverage in the Uniform Medical Plan for glucagon-like peptide 1 agonists for the treatment of obesity and weight loss, as approved by the Food and Drug Administration. The report is due by December 1, 2024.

### Naloxone and Fentanyl

The Department of Health (DOH) is provided \$745,000 of the Opioid Abatement Settlement Account for the purchase of naloxone and fentanyl test strips, for distribution to high schools and public institutions of higher education.

\$345,000 of the total appropriation is provided for DOH for the purchase and distribution of naloxone administered by nasal inhalation for barrier-free and cost-free distribution to high school students. DOH must utilize and expand, as necessary, its existing bulk purchasing and distribution arrangements with ESDs, which must distribute further to high schools.

DOH is required to enter into agreements with ESDs and school districts to prioritize distribution to high school juniors and seniors. The naloxone must be made available to students via health offices or vending or other machines, to promote confidence that a student may bring naloxone home, to provide anonymity for access, and to prevent any tracking of which students obtain naloxone. Information on how naloxone is administered and how to recognize an opioid overdose must be

made available to all students. DOH may prioritize distribution to school districts and schools with a higher prevalence of opioid use and overdoses, based on data, including the Healthy Youth Survey.

\$400,000 of the total appropriation provided for DOH for the purchase of naloxone administered by nasal inhalation and fentanyl test strips for barrier-free and cost-free distribution to students at public institutions of higher education, with the goal of distributing naloxone kits to five percent of enrolled students.

### Special Education Lawsuits

OSPI is provided with \$465,000 for Office of Attorney General legal services related to special education related legislation.

### Isolation and Restraint

In the underlying 2023–25 Operating Budget, OSPI was required to create a technical assistance manual to support the elimination of isolation and reduction of restraint and room clears based on the results of the demonstration projects (which were established in the Budget) and provide a report to the Legislature. Originally, a report to the Legislature was required by September 1, 2024. Under the 2024 Supplemental Operating Budget, OSPI must submit an initial report to the Educational Opportunity Gap Oversight and Accountability Committee and the Legislature by September 30, 2024, followed by a final report by June 30, 2025.

The required included elements of the report remain the same, with one change:

- A status update on demonstration projects that occurred during the 2023–24 school year, the technical assistance manual, and professional development offered statewide;
- Key implementation challenges and findings; and
- Recommendations for statewide policy changes or funding. In addition to this original requirement is a new requirement to include recommendations on the amount of professional development needed across the state.

### Paraeducators

Funding was provided in the underlying 2023–25 Operating Budget for the Professional Educator Standards Board to provide grants to school districts to provide two days per school year in the Paraeducator Certificate Program to all paraeducators. The 2024 Supplemental Operating Budget includes new proviso language about this funding. The language states that school districts receiving grants “**must prioritize funding toward compensation** for paraeducators who complete the required hours of instruction per year” [emphasis added].

### Transition to Kindergarten

The 2024 Supplemental Operating Budget provides \$4.6 million in Maintenance Level funding to address higher costs of Transition to Kindergarten than originally anticipated.



Additionally, the Budget specifies \$300,000 (\$150,000 for Fiscal Year 2024 and \$150,000 for Fiscal Year 2025) of the total appropriation for staff and administrative costs necessary to provide interdepartmental coordination and engagement with stakeholders as required by 2SHB 1550 (2023), which established a new Transition to Kindergarten program.

The Department of Children, Youth, and Families is also provided \$1.3 million to consult with OSPI to support connections between Transition to Kindergarten programs and local early learning providers, as required 2SHB 1550.

### **Holocaust/Genocide Curriculum**

HB 2037 and SB 5851, would have directed OSPI to publish resources to support Holocaust and genocide education; neither bill was adopted. The 2024 Supplemental Operating Budget, however, provides \$100,000 to Western Washington University for the Ray Wolpov Institute for the Study of the Holocaust, Genocide, and Crimes Against Humanity to collaborate with OSPI on curriculum development and teacher training.

### **Digital Behavioral Health Services**

The Health Care Authority (Community Behavioral Health Program) is provided \$561,000 (and \$184,000, federal funds) to contract for a pilot program offering digital behavioral health services to school-aged youth. HCA must issue a request for interest or a request for proposals and evaluate all qualified responses before selecting a contractor. HCA must track data related to use and outcomes of the pilot project and submit a report to the Office of Financial Management and the Legislature that includes a summary of the services provided, outcomes, and recommendations related to continuation or expansion of the pilot program. The data elements and outcomes that must be tracked and reported include, but are not limited to:

- The number of youth provided access to the digital service through the pilot program;
- The number of pilot participants using the digital service;
- The total and average number of hours pilot participants used the digital service;
- Regional and demographic data on those provided access to and those using the pilot program services;
- The number of participants and hours of direct counseling services provided through the pilot program;
- The number of participant referrals to crisis services occurring through the pilot program; and
- User satisfaction with the pilot program services.

### **Mental Health Consultation**

The Department of Children, Youth, and Families is provided an additional \$1.8 million for infant and early childhood mental health consultation. \$150,000 of this appropriation is set aside for infant and early childhood mental health consultation

services to support rural schools and child care programs in rural communities.

### **Behavioral Health Resources**

\$200,000 is provided to the Health Care Authority (Community Behavioral Health Program) for a one-time grant to the city of Maple Valley to support a project for a Community Resource Coordinator position for the city of Maple Valley, Tahoma School District, and the greater Maple Valley area. This amount must be used to develop programs, projects, and training that specifically address behavioral health awareness and education and facilitate access to school-based and community behavioral health resources.

### **Student Aid Outreach**

The State Board for Community and Technical Colleges is provided \$425,000 (Workforce Education Investment Account) to expand the Student Aid Outreach and Completion Initiative Pilot Program to participating Community and Technical Colleges located within Capital Region ESD 113.

### **Workforce Support**

The Employment Security Department is provided \$350,000 to support North Central ESD 171 to expand industry and education partnerships in order to support emerging workforce needs through career awareness, exploration, and preparation activities for youth in Grant County.

### **SMART Center**

The University of Washington is provided \$370,000 for the School Mental Health Assessment Research and Training (SMART) Center to research and report on collection and use of data in public schools within the Multi-Tiered System of Supports and Integrated Student Supports framework.

The SMART Center must submit a preliminary report to the Legislature by December 1, 2024. At a minimum, the preliminary report must:

- Analyze alignment of current Washington statute and guidance with national best practices on universal social-emotional, behavioral, and mental health (SEBMH) screening;
- Identify facilitators and barriers to selection and effective use of research-based, culturally relevant universal SEBMH screening tools in Washington schools;
- Analyze schools' current application of existing Washington statute relevant to SEBMH screening requirements;
- Recommend statutory changes to increase systematic SEBMH screening of students in schools; and
- Include an implementation plan for demonstration sites to determine the feasibility, acceptability, and effectiveness of a best practices guide or resource on universal student SEBMH screening

The SMART Center must submit a final report to the Legislature by June 30, 2025. In addition to information from the preliminary report, the final report must include a guide or other resources for implementing best practices for screening of student SEBMH in schools, including the following best practices:

- Training and professional development;
- Engaging with families, students, and other partners;
- Informing Tier 1 universal strategies and practices;
- Assuring adequate availability of services;
- Complying with privacy and confidentiality laws;
- Assuring cultural responsiveness in SEBMH screening practices; and
- Partnering with community-based organizations

### **Snohomish Early Learning Coalition**

The Department of Children, Youth, and Families is provided \$200,000 to contract with the Snohomish County Early Learning Coalition to develop a leadership team to identify and report on ways to strengthen the early learning community in Snohomish County. The Leadership Team may include, but is not limited to, members from the following groups:

- Business communities and industry representatives;
- Child care directors and owners;
- School district superintendents;
- The Children's Commission;
- Early learning nonprofit executive directors;
- Tribes located in Snohomish County;
- Councilmembers from cities located in Snohomish County;
- Law enforcement;
- The Communities of Color Coalition; and
- Immigrant communities

The Early Learning Coalition must submit an initial report to the governor and the Legislature by June 30, 2025. The report must identify the following information:

- Highest priority early learning needs and common challenges in the Snohomish County early learning sector;
- Best strategies to address the identified challenges;
- A list of potential partners to help implement the strategies identified in the report;
- A funding plan to implement the strategies; and
- The goal of any strategies implemented.

### **Supporting Youth**

The Department of Commerce is provided with \$625,000

for Snohomish County human services to provide technical assistance and contract with a nonprofit organization to support youth, parents, and families with school-based collaboration, and social activities for youth.

### **Math Education**

\$45,000 is provided to the Department of Commerce for a grant to a Seattle-based nonprofit organization that teaches math using hands-on learning experiences and collaborates with community partners to create equity-based, culturally relevant math education opportunities.

### **College in the High School**

Funding is increased to support the expansion of the College in the High School program, as adopted in 2SSB 5048 (2023), at the following institutions of higher education:

- University of Washington—\$630,000
- Eastern Washington University—\$535,000
- Central Washington University—\$1.2 million
- Community & Technical Colleges—\$1.1 million

Additionally, the Washington Student Achievement Council is provided \$100,000 to implement ESHB 2441, which allows one private not-for-profit institution to offer College in the High School courses for free to public high school students.

### **VETO: Elections Study**

The Office of Financial Management is provided \$150,000 to conduct a study related to the hiring and retention of county-level elections staff, including staff members of a County Auditor's office. The study must include analysis of:

- The potential effects of the following on the hiring and retention of county-level elections staff:
  - Implementing ranked-choice voting;
  - Shifting local government elections to even-numbered years;
  - Negative interactions with voters and other members of the public, such as experiencing harassment and abuse or receiving threats;
- The demographic information of county-level elections staff;
- Job market conditions in Washington for elections staff recruitment and retention; and
- Elections staffing models in other states, including in states that use ranked-choice voting and states where at least one election has shifted from an odd-numbered year to an even-numbered year.

The study must also include recommendations for recruiting, hiring, and retaining county-level elections staff in Washington. A final report must be submitted to the governor and the Legislature by December 31, 2024.



Prior to signing the Supplemental Operating Budget, Governor Inslee vetoed this section. In his veto message, he argued that: the proposed study was inadequately funded; would be administratively burdensome for the Secretary of State's Office and local elections offices (especially during a presidential election year); and sufficient time was not provided to complete such a comprehensive study.

NOTE: Staffing of elections offices is not directly related to K–12 education (although ensuring we have adequately trained and professional staff to conduct school levy and bond elections would be positive). Of more interest and concern, however, is the discussion of ranked-choice voting and the shifting of local government elections to even-numbered years. Both of these issues continue to gain momentum, without a full understanding of the potential negative ramifications of these changes. This study, perhaps, would have provided the information legislators—and we—need to determine whether these adjustments are valid or not.

### Election Database

In 2023, the University of Washington was provided \$154,000 to maintain a data repository to assist the state and all political subdivisions with evaluating whether and to what extent existing laws and practices with respect to voting and elections are consistent with public policy, implementing best practices in voting and elections, and to investigate potential infringements upon the right to vote. The 2024 Supplemental Operating Budget, provides an additional \$173,000 and charges the University of Washington with establishing a Washington Elections Database.

The Director of the database, who has the responsibility of operating the database, must be employed by the University of Washington and must have training and experience in demography, statistical analysis, and electoral systems. The Director may appoint necessary staff to implement and maintain the database.

The database must maintain in electronic format at least the following data and records, where available, for at least the previous 12-year period:

- Estimates of the total population, voting age population, and citizen voting age population by race, ethnicity, and language-minority groups, broken down to the election district and precinct level on a year-by-year basis for every political subdivision in the state, based on data from the United States census bureau, American community survey, or data of comparable quality collected by a public office;
- Election results at the precinct level for every statewide election and every election in every political subdivision;
- Regularly updated voter registration lists, voter history files, voting center locations, ballot drop box locations, and student engagement hub locations for every election in every political subdivision;

- Contemporaneous maps, descriptions of boundaries, and shapefiles for election districts and precincts;
- The following records for every election in every political subdivision:
  - o Records of all voters issued a ballot and all voters who returned a ballot; and
  - o Records of all ballots with missing and mismatched signatures, including the date on which the voter was contacted or the notice was mailed, as well as the date on which the voter submitted updated information;
- Apportionment plans for every election in every political subdivision; and
- Any other data that the Director deems advisable.

Upon the certification of election results and the completion of the voter history file after each general election, the Secretary of State is required to transmit copies of the following to the Director of the database:

- Election results at the precinct level, including information about rejected and cured ballots;
- Voter history files;
- Shapefiles for election districts; and
- Lists of voting centers, ballot drop boxes, and student engagement hubs.

The Director and staff shall update election data in the database as soon as it is available from the Office of the Secretary of State, following certification of each election.

Except for any data, information, or estimates that identify individual voters, the data, information, and estimates maintained by the database shall be posted online and made available to the public at no cost.

On or before January 1, 2025, the database shall publish on its website and transmit to the state for dissemination to County Auditors and the Secretary of State a list of political subdivisions to provide assistance to members of language-minority groups and each language in which those political subdivisions are required to provide assistance. Each County Auditor shall transmit the list described to all political subdivisions within their jurisdiction.

The database will complete regular analysis of ballot rejections and cures, identifying population subgroups with higher than average ballot rejection rates. An annual report of ballot rejections will be posted online and made available to the public at no cost. Database staff may work with the Secretary of State and County Auditors to examine new practices and solutions for reducing ballot rejections and increasing ballot cure rates. Staff at the database may provide nonpartisan technical assistance to political subdivisions, scholars, and the general public seeking to use the resources of the database.

NOTE: While much of the required elements of the database are “in the weeds” details, having election data, down to the school district level, readily available will be very beneficial.

### **Childhood Sexual Abuse**

The Office of Attorney General is provided \$100,000 to implement SHB 1618, which eliminates the statute of limitations for claims for recovery of damages for injury suffered as a result of childhood sexual abuse when the act of childhood sexual abuse occurs on or after June 6, 2024.

### **Refugee and Immigrant Supports**

The Department of Social and Health Services (Economic Services Program) is provided \$50.0 million to support the Office of Refugee and Immigrant Assistance to expand support services for individuals newly arriving to the United States and Washington who do not qualify for federal refugee resettlement program services. Support services include, but are not limited to, housing assistance, food, transportation, childhood education services, education and employment supports, connection to legal services, and social services navigation. Specifically:

- \$1.0 million of the overall appropriation is provided for school districts who have seen a significant increase in McKinney-Vento students seeking asylum with the opportunity to receive grants that provide students in their district with additional education opportunities and family supports.
- \$1.5 million of the overall appropriation is provided for members of the Sub-Saharan African Community.
- \$810,000 of the overall appropriation provided for staffing at the Office of Refugee and Immigrant Assistance to cover the administrative expenses of implementing these requirements.

### **Waste Material Management**

The Office of Attorney General is provided \$100,000 to implement E2SHB 2301, which—among other things—increases the current \$5,000 limit on the amount of Waste Not Washington Awards to \$10,000 per award, beginning January 1, 2026. The Department of Ecology—Office of Waste Reduction administers the award program for local governments, including public and private schools.

### **Electronic Benefit Transfers**

The Department of Social and Health Services (Economic Services Program) is provided \$24.4 million (\$12.2 is federal funding) for the implementation of the summer electronic benefit transfer program for the summer break months following the 2023-2024 and 2024-2025 school years. The program implementation must align with the federal summer electronic benefit program requirements defined in law (Consolidated Appropriations Act, 2023, 136 Stat. 4459).

### **4-H Curriculum**

The Department of Commerce is provided \$120,000 for grants to two nonprofit entities to establish 4-H curriculum-based

initiatives for students and foster educational opportunities tied to the Land Grant University Knowledge Base. One grant recipient must be a nonprofit entity operating in multiple locations in Skagit County and have at least 25 years of experience serving youth in the region, and one grant recipient must be a nonprofit entity operating in multiple locations in Snohomish County with at least 75 years of experience serving youth in the region.

### **After-exit Running Start**

The underlying Biennial Operating Budget provided \$3.0 million for After-exit Running Start grants for:

- School districts that identify Running Start students that have exceeded maximum enrollment under Running Start formulas; and
- High school graduates who have or fewer college credits to earn before meeting associate degree requirements for instruction not funded under OSPI’s General Apportionment section of the Budget. High school graduates who meet these requirements are eligible to receive funds from these grants for fees to the Community and Technical College to earn up to 15 college credits during the summer academic term following their high school graduation.

New proviso language was added to the 2024 Supplemental Operating Budget. In addition to the provisions above, school districts may apply an enhanced factor of 130 percent to the Running Start rate for students included in July and August enrollment counts in school year 2023–24. \$347,000 of the total appropriation Fiscal Year 2025 is provided for OSPI to enhance the Running Start rate. OSPI must apply the enhanced summer Running Start rate for students eligible to take summer Running Start courses and grant school districts seven percent thereof to offset program related costs.

### **Paid Sick Leave**

The Department of Labor & Industries is provided \$581,000 to implement ESSB 5793, which expands the use of Paid Sick Leave. The Office of Attorney General is also provided \$30,000 for ESSB 5793 to address potential legal action.

### **Gang Prevention**

\$230,000 is provided to the Department of Commerce for a grant to a nonprofit organization to expand an existing gang prevention program that provides mentoring, education, and drug awareness services for elevated-risk youth in middle and elementary schools in Yakima County. The goal of the program is to reduce youth gang involvement, increase school enrollment and reduce truancy, and reduce the accessibility and usage of drugs by elevated-risk youth. The grant recipient must be a nonprofit organization based in Yakima that provides outreach, education, and prevention services to improve community safety in the Yakima Valley, including a drug-free coalition and a youth mentoring program.

**Growth Management Act**

The Department of Commerce (Local Government) is provided with \$250,000 to convene a task force to make recommendations on integrating water, sewer, school, and port districts into the Growth Management Act planning process. The task force must build upon the findings, concepts, and recommendations in recent reports, including the “Collaborative Roadmap Phase III” report prepared for the Department of Commerce in 2023 and the “Roadmap to Washington’s Future” issued by the William D. Ruckelshaus Center in 2019. The task force must involve diverse perspectives including but not limited to representatives of state agencies, cities, counties, special districts, tribal governments, builders, and planning and environmental organizations that have experience with local or special purpose district planning processes. The Department of Commerce must provide a preliminary report on the task force’s activities and progress by June 30, 2025. Proviso language states it is the intent of the Legislature to continue funding the study in the 2025–27 biennium, with a final report with recommendations due December 1, 2025.

**Arts Education Programming**

- \$250,000 is provided to the Department of Commerce (Office of Community Services and Housing) for a grant to a nonprofit organization to expand theater arts education programming and for activities to support equitable access to the arts for students. The grant recipient must be a nonprofit organization located in the city of Federal Way that operates a semiprofessional theater and provides theater arts education programming.
- \$250,000 is provided to the Department of Commerce (Office of Economic Development) for a grant to a nonprofit organization for a small business incubator program focused on the arts and culture sectors that provides technical assistance and business training to creative entrepreneurs, with a focus on BIPOC-owned and women-owned businesses. The grant recipient must be a nonprofit arts organization based in the city of Tacoma that hosts live performances and provides youth and adult arts education programming.
- \$150,000 is provided to the Department of Commerce (Office of Economic Development) for a grant to a nonprofit organization to administer a workforce development program serving youth and young adults from underserved communities to learn technical, creative, and business skills related to concert and event promotion. The grant recipient must be a nonprofit organization headquartered in the city of Seattle that provides youth arts and education programming and produces a music festival based in Seattle that takes place over Labor Day weekend.

# 2024 Supplemental Capital Budget: ESSB 5949

In most years, the Capital Budget tends to be a bi-partisan exercise. In 2024, this was the case once again, as leaders from both political parties were included in the writing and public release of both the Senate and House proposals. In fact, in large part, the two houses were more in alignment than normal as well. Certainly, there were some disagreements—which we will discuss below—but there was never any concern about the Budget stalling (which happened a few years ago) or being co-opted by one of the houses or one of the parties.

The cooperation among the four caucuses on capital construction positively impacted school construction, as well. For the last two sessions, the conversation about K–12 construction has been elevated. Of course, part of the increased attention on school facilities is a direct result of the [Wahkiakum School District facilities lawsuit](#). Many legislators, frankly, were nervous about the huge ramifications if the state lost the lawsuit. It would not have been as impactful as the *McCleary* education funding lawsuit; however, it could force a complete rethinking about the state’s Capital Budget.

Unfortunately, last fall the Washington Supreme Court sided with the state in the lawsuit. The conversation about school construction, however, did not cease. It continued, perhaps with even a bit more urgency. It could be that the Wahkiakum lawsuit highlighted the severe needs many of our school districts have in regards to construction and legislators that were either ignorant or ignoring the issue realized something needed to be done before schools reached a crisis point. Or perhaps legislators, who were closely monitoring the court case, were nervous about the NEXT lawsuit. Understand, even though the [Supreme Court unanimously ruled](#) for the state in the lawsuit, Justice Charles Johnson wrote a concurring opinion (he agreed with the Court’s ruling and signed the majority opinion; however, he had additional comments) where he laid out some additional observations. Justice Johnson essentially argued that the school district asked the wrong question.

The case hinged on whether school construction was a part of basic education, under Article IX, Section 1 of the constitution, requiring the state alone to amply fund. Article IX, Section 1 is the part of the constitution that was litigated in the *McCleary* case. In the *Wahkiakum* case, the Court ruled that school construction is NOT a component of basic education which the state must amply fund. Justice Johnson questioned whether Article IX, Section 3 (which was not litigated in the suit) provided any obligations regarding capital costs. This part of the constitution is where the Common School Construction Fund is found. Johnson noted the Fund was intended to provide immediate and long-term funds for local school construction by easing the tax burden of local property owners. He wrote, “The Common School Construction Fund was intended to provide money for new facilities to districts that required the State’s

assistance. Today, that assistance is out of reach for some of the districts that need it most.”

Further, he laid out the situation that so many of our districts understand too well: that is, in order to access the state’s assistance (via the School Construction Assistance Program) a district must first raise local revenues, usually by passing a bond issue, with a high-bar, 60 percent supermajority vote. Interestingly, Justice Johnson specifically referenced the Small District Modernization Grant Program, saying that it could offer support to districts that cannot raise local revenues; however, the funding is so insignificant it does not offer the necessary support for districts that have to fully replace facilities or undergo extensive modernization.

So, Wahkiakum lost the facilities funding case—but Justice Johnson essentially telegraphed a potentially winning solution. And legislators know this—which is one of the reasons they have been energized about school construction. Similar to what happened in 2009 and 2010 as the *McCleary* lawsuit was advancing through the courts, some legislators want to jump in front of a potential second facilities case and solve the problem before the court directs them what to do.

Several actions this session seem to be a direct response to the *Wahkiakum* case (in no particular order):

1. In the 2021–23 Capital Budget, the Legislature provided \$42.1 million for the Small District Modernization Grant Program. In 2022, another \$7.6 million was provided for a total biennial appropriation of \$49.7 million. In the 2023-25 Capital Budget, \$100.0 million was appropriated for the program. In this session, the Legislature more than doubled the funding to \$114.8 million—for a biennial total of \$214.8 million.
2. In 2023, HB 1044 and SB 5126 were centerpiece issues in the school facilities discussion. HB 1044 would provide capital financial assistance to small school districts with demonstrated funding challenges; and SB 5126 would specifically address the Small District Modernization Grant Program, by requiring the Common School Construction Fund to finance the prioritized project list in the grant program. Unfortunately, due to a political dispute, both bills died.

In 2024, both HB 1044 and SB 5126 were back on the table. Both bills continued to have momentum; however, again, the bills ran into a political dispute between the houses and both bills died. HB 1044 was embedded in the Capital Budget and in a somewhat unusual move, instead of stating if the bill was not



adopted its funding would lapse, the Budget stipulated that if HB 1044 failed to be adopted, its funding would be directed to the Small District Modernization grant program—which added another \$2.0 million to the program.

3. The final 2024 Capital Budget includes funding and a requirement for OSPI to develop a plan to overhaul, and in reality, replace the School Construction Assistance Program. Much of the focus of the potential new program is on districts with financial constraints and cannot access the current program. For further details, see the description of the School Construction Assistance Program Revision (SCAPR) Planning below.

There were other attempted positive moves on the school construction front this session. Unfortunately, a handful of issues that would have been beneficial for school facilities saw some action, but did not reach the finish line. Like HB 1044 and SB 5126 discussed above, we anticipate similar, new legislation will be introduced in 2025. Included in that package of positive, but lost bills are:

- HB 1017, which would have assisted school districts with aged facilities and a history of capital bond failure by creating a capital grant program for planning, modernization, and new construction projects in school districts. This could have been a companion to the Small District Modernization grant program, as this bill focused on districts with 1,001 or more students;
- SB 5344, which would have established a modernization loan program for school districts with significant building system deficiencies; and
- SB 5789, which would have provided a state reimbursement to school districts for the cost of the sales and use tax chargeable to a school construction project. Exempting school construction from the sales and use tax is a perennial issue, but never moves very far due to a federal rule: if construction of public facilities is tax-exempt, the rule dictates that all federal facilities in the state must receive the same tax exemption. This becomes cost prohibitive—and especially impactful to cities and counties—given the number of federal facilities in the state, including several military bases. SB 5789, cleverly, would not exempt school construction projects from sales and use taxes; instead, those paid taxes would be fully reimbursed.

Of course, we could add to this list the constitutional amendments regarding school district bond passage. SJR 8207 (and its necessary implementing bill, SB 5823) would authorize the simple majority approval of school bond issues. The amendment was heard in and adopted by the Senate Early

Learning & K–12 Education Committee; however, it stalled in the Senate Ways & Means Committee.

While a hearing on the constitutional amendment continues to highlight the issue, it was never expected to move very far. Even with the significant majority Democrats have in the Senate, they would still need Republican votes to reach the necessary 33 votes for passage. Republicans, in their near-uniform opposition, have slightly shifted their message. Typically, the argument is that they must protect their voters from tax increases; however, this year, the stated opposition was due to the overall impact on the state's construction budget. The argument was the simple majority would make it easier to pass bonds and, as a result, most of them would pass, gobbling up a large portion of available funds in the state's Capital Budget. Interestingly, this is a strikingly similar message that Democrats use in opposition to providing necessary funding for special education. They argue, if the Legislature fully funded special education, there would not be enough revenue for health care, or housing, or other priorities. In this case, Republicans argue, if simple majority was in place, funding would increase so dramatically for school construction that there would not be enough money for higher education, or other state construction.

The House also took action on bond passage; however, the House Education Committee heard HJR 4207 (and its necessary implementing bill, HB 1843). This constitutional amendment was the compromise proposal that would permit the passage of local school district bond issues with a 55 percent approval of voters. As with the Senate, Democrats have a large majority in the House, but would need Republican votes to reach the 66-vote threshold to adopt a constitutional amendment. Like the pure simple majority resolution, most Republicans are not willing to support the compromise. Representative Paul Harris (R-Vancouver) sponsored this resolution and does support the compromise, but in testifying on behalf of the bill, he noted that it was his belief that he was the only Republican that would vote for the resolution. After being heard, the resolution never advanced to executive action.

Rep. Harris and his Democratic co-sponsor, Representative Monica Stonier (D-Vancouver), actually do support the pure simple majority plus one approval; however, they have been frustrated with a lack of action and believe a compromise might advance the issue. What we have seen over the last few years is that moving to 55 percent approval garners two or perhaps three additional votes—not nearly enough to move the needle. Further, because approval by two-thirds of the House and Senate would simply move the issue to the General Election ballot for the voters to decide, compromising on the issue is a delicate matter.

There are a lot of pros and cons to either option; however, one of the most compelling arguments against the compromise version is that there is no core, understandable, or persuasive



argument for a 55 percent bond approval. An easy argument for 50 percent plus one is that the minority should not have more power than the majority. Perhaps the best argument for 55 percent is that it will make it easier to pass bonds. That is positive for school districts, but does not seem to be an overwhelmingly positive message to send to voters, especially if they are already tax-averse.

The Legislature adopted a larger than normal Capital Budget for a supplemental session. While school facilities, on first review, seemed to be disrespected with an appropriation of \$41 million in a budget that increased overall funding by \$1.3 billion, there were some significant, positive investments in K–12 education—as explained below.

## FINAL 2024 CAPITAL BUDGET

The final 2024 Supplemental Capital Budget, ESSB 5949, provides \$1.3 billion above the historic \$9.0 billion two-year construction budget that was adopted last year. Of the \$1.3 billion increase, only \$130.6 million of the funding comes from debt limit bonds. The remaining \$1.2 billion comes from a series of funding sources:

- \$688.4 million from Climate Commitment Act accounts;
- \$307.5 million from the Common School Construction Account;
- \$123.6 million from federal funds;
- \$24.4 million from Model Toxics Control Act accounts;
- \$11.3 million in alternative financing authorizations;
- \$10 million from the Stadium World Cup Capital Account;
- \$8.5 million from the Washington Housing Trust Fund Account; and
- \$32.7 million from other state accounts

While budget-writers spent most of the available revenue, the budget was written and adopted with a large cautionary note, due to two citizen Initiatives that will be on the ballot in November. If either—or both—of the Initiatives pass, it will blow a hole in the new Capital Budget. Initiative 2117 (carbon tax credit trading), if adopted, would repeal the Climate Commitment Act (CCA) and associated accounts. As noted above, over half of the 2024 Supplemental Capital Budget is funded with CCA or CCA-related funds. Similarly, Initiative 2109 (capital gains tax), if adopted, would repeal the tax on capital gains. Most of the Common School Construction Account is comprised of capital gains revenue and passage of I-2109 would severely hinder the Capital Budget, specifically school construction funding.

In a defensive posture, the majority of the 2024 Supplemental Capital Budget appropriations from CCA and CCA-related

accounts are assumed to be effective January 1, 2025, and would lapse if the accounts were repealed in November. Similarly, the Capital Budget does not appropriate the projected Common School Construction Account revenues from the tax on capital gains beyond November 2024.

The final \$1.3 billion increase is a fairly large Capital Budget for a supplemental year; however, K–12 education only receives a \$40.8 million increase. Given the disappointing Operating Budget for education, a \$40.8 million increase in a \$1.3 billion Capital Budget appears to be a second sucker punch to the gut; however, context is important. The reason the K–12 increase is so small is mostly due to the almost \$300 million reduction in School Construction Assistance Program (SCAP) grants. As discussed below, it is important to understand the SCAP reduction is not a “cut.” It is simply an adjustment resulting from less districts requesting funding for eligible projects than expected—which is due to unanticipated bond failures. That said, it IS disappointing the \$294.5 million funding reduction is not set aside for school facilities. Instead, the funding reverts to the overall Capital Budget to be spent elsewhere.

## K–12 EDUCATION DETAILS

- In the underlying 2023–25 Capital Budget, \$588.2 million was provided for the **School Construction Assistance Program (SCAP)**. For the third Supplemental Capital Budget in a row, SCAP funding is reduced. The 2024 Supplemental Capital Budget provides \$293.7 million for SCAP, which is a \$294.5 million decrease from the \$588.2 million provided in the biennial budget last session.

While this trend of reducing SCAP in the Supplemental Budget is troublesome, there is some rationale. When the biennial budget is developed and adopted, an assumption has to be made regarding the number and amount of SCAP requests that will be on the table. The trend of reducing SCAP in the Supplemental Budget follows the trend of a “drop-off” in requests for funding from eligible district projects in the second year of the biennium, due to the unanticipated lower number of capital bonds approved by school district voters. Unfortunately, this reduction in funding is not set aside for future school facility needs; the funding simply goes into the pot of Capital Budget funding and is spent elsewhere.

Additionally, in the underlying two-year Capital Budget, \$5.0 million was provided for study and survey grants and for completing inventory and building condition assessments for public school districts every six years. In the 2024 Supplemental Capital Budget, this funding is reduced to \$4.8 million and additional proviso language is added. The new language requires OSPI to consult with the Department

of Enterprise Services and the Department of Commerce to identify cost-effective steps for new buildings and building modernization projects to comply with the Clean Buildings Act.

- Funding for the **Small District & Tribal Compact Schools Modernization** grant program is more than doubled in the 2024 Supplemental Capital Budget. The underlying 2023–25 Capital Budget provided \$100.0 million for the program and the new budget adds an additional \$114.8 million.

Proviso language specifies that \$86.0 million of the total appropriation is provided solely for small district modernization grants, not to exceed \$6.0 million per grant, to school districts that were awarded a planning grant in 2023–2025 fiscal biennium (see [LEAP capital document No. OSPI-1-2023](#), April 10, 2023, for the list of districts). Small districts awarded a planning grant pursuant to this list that do not receive a modernization grant in the 2023–25 fiscal biennium is eligible for a modernization grant up to \$12.0 million. OSPI must report the status and award amounts of all grants awarded to the governor and the Legislature no later than October 15, 2024.

The final Budget provides an increase of \$811,000 beyond the underlying 2023–25 Capital Budget for planning grants, not to exceed \$50,000 per district. Additionally, an increase of \$1.8 million beyond the underlying 2023–25 Capital Budget is provided solely for energy assessment grants for eligible small school districts. Grant funding awarded may be used to perform facility energy assessments of instructional buildings.

OSPI is required to submit a list of small school district modernization projects, as prioritized by the Advisory Committee (as described in law), to the Legislature and the governor by October 15, 2024 (rather than September 15, 2024). The list must include: A description of the project; the proposed state funding level, not to exceed \$12.0 million per project (rather than \$6.0 million); estimated total project costs; and local funding resources. New proviso language also requires OSPI to submit an alternative list with OSPI's capital appropriations request for the 2025–27 biennium that includes small school districts with 3,000 students or less, with a state funding level not to exceed \$12.0 million per project. This list must include: A description of the project; the proposed state funding level; estimated total project costs; and local funding resources.

Funds are appropriated only to fund projects approved by the Legislature, identified in [LEAP capital document No. OSPI-1-2023](#), developed April 10, 2023 and in [LEAP capital document No. OSPI-1-2024](#), developed March 2, 2024. New proviso language

states that if appropriations for small districts and state-tribal compact schools specified in these documents exceeds the actual costs of funding these projects, excess funding can be reallocated to eligible projects. However, the total funding appropriated to eligible small district projects must remain allocated to eligible small district projects; and the total funding appropriated to eligible state-tribal compact school projects must remain allocated to eligible state-tribal compact school projects.

The Budget includes a provision appropriating \$2.0 million of the Common School Construction Account for preconstruction grants and administrative implementation, pursuant to HB 1044 (small school district capital assistance). The proviso, however, states if HB 1044 is not enacted by June 30, 2024, the appropriation is instead provided solely for small district modernization grants, not to exceed \$6.0 million per grant, to school districts that were awarded a planning grant during the 2023–25 biennium pursuant to [LEAP capital document No. OSPI-1-2023](#), developed April 10, 2023.

HB 1044 failed to be adopted, so the \$2.0 appropriated to implement the bill is provided for small district modernization grants, as described above.

- \$79.2 million is provided for a **School Construction Assistance Program (SCAP) Enhancement**. The funding will be used to increase the current Construction Cost Allocation (CCA or “cost per square foot”), used to determine the maximum cost per square foot of construction that the state will recognize in SCAP, from the current \$271.61 per square foot to \$375.00 per square foot in Fiscal Year 2025. Proviso language also states it is the intent of the Legislature to increase the CCA by the same inflation rate used by the Office of Financial Management’s C-100 form in subsequent years.
- This inflation rate is the same rate used by all other state agencies for determining future costs.

While the new CCA level of \$375.00 per square foot is a far cry from the current market rate of construction—between \$600-700 per square foot—a SCAP increase of over \$100 per square foot is a significant event. This is the first major increase (beyond annual maintenance level increases) in decades.

The increase in CCA was momentous; however, no changes were made to the Student Space Allocation (SSA or “square feet per student”).

- \$68.2 million is provided to support Career and Technical Education Projects:
  - \$45.5 million—Tri-Tech Skills Center

- \$14.5 million—Wenatchee Valley Technical Skills Center
  - \$5.0 million—Sequim School District CTE Center of Excellence: Phase 1
  - \$2.1 million—Whatcom County Skills Center Preconstruction
  - \$1.2 million—Cascadia Tech: Natural Resource Outdoor Learning Collaboration
- \$45.0 million (\$30.0 million from the Climate Commitment Account and \$15.0 million from the Common School Construction Account) is provided for **Indoor Air Quality & Energy Efficiency**.

- \$11.3 million (\$3.8 million of the Common School Construction Account and \$7.5 million of the Climate Commitment Account) is provided is provided for grants to school districts with enrollments exceeding 3,000 students for indoor air quality assessment grants. Grantees may: seek technical assistance from state funded entities, such as OSPI, the Department of Commerce, and the Department of Health; seek technical assistance from other entities, such as local health jurisdiction school safety programs and the Smart Buildings Center's K–12 Ventilation and Indoor Air Quality Resource Team; and use funding awarded to seek guidance and technical assistance from commercial entities that have specialized knowledge of troubleshooting modern HVAC or smart building systems.

Proviso language states if applications for assessment grants for school districts exceed available funding, OSPI must first prioritize grants for school districts: without existing heating, ventilation, and air-conditioning (HVAC) systems; that have documented proof of indoor air quality performance that does not meet current state energy codes; with outdated or underperforming HVAC systems; and that have the most limited financial capacity. Assessments must include professional cost estimates for mitigating the indoor air quality deficiencies identified. OSPI must collect the cost estimate data from school districts receiving a grant and report a summary of the collected cost data, as well as a list of specific capital projects for school districts developed from this data, to the Legislature by January 6, 2025.

- \$33.3 million (\$11.3 million of the Common School Construction Account and \$22.0 million of the Climate Commitment Account) is provided for grants to school districts with enrollments that are less than or equal to 3,000 students for assessment, installation, repair, or replacement of HVAC, air filtration enhancements, and general air quality

improvements that improve student health and safety.

Grantees may: seek technical assistance from state funded entities, such as OSPI, the Department of Commerce, and the Department of Health; seek technical assistance from other entities, such as local health jurisdiction school safety programs and the Smart Buildings Center's K–12 Ventilation and Indoor Air Quality Resource Team; and use funding awarded to seek guidance and technical assistance from commercial entities that have specialized knowledge of troubleshooting modern HVAC or smart building systems.

OSPI is required to first allocate, to the maximum extent feasible, the funding appropriated for grants prioritized for school districts with enrollments exceeding 3,000 students and, separately, grants prioritized for school districts with enrollments that are less than or equal to 3,000 students. However, as necessary to award grants using the Climate Commitment Account, OSPI may also prioritize grants that will improve compliance with the state's energy-related building standards in Chapter 19.27A RCW by reducing energy use intensity.

- \$25,000 of the Common School Construction Account is provided for OSPI to make modifications to its Information and Condition of Schools (ICOS) system related to implementing Indoor Air Quality & Energy Efficiency grants.
  - \$500,000 of the Climate Commitment Account is provided solely to schools in communities located near and under Seattle-Tacoma International Airport flight paths for air filtration systems with HEPA filters that can remove ultrafine pollution particles from the air caused by aircraft traffic, as identified in the mobile observations of ultrafine particles study report published by the University of Washington.
  - NOTE: Proviso language clarifies that appropriations from the Climate Commitment Account take effect January 1, 2025; however, if Initiative 2117 (carbon tax credit trading) is adopted at the November General Election, the Climate Commitment Account will be repealed and the amounts appropriated from the Climate Commitment Account will lapse on December 31, 2024.
- \$10.4 million is provided for **Distressed Schools** projects:
- \$5.6 million—Whittier Elementary School, Seattle

- \$3.6 million—Marysville School District
  - \$975,000—Wishram School District Portables
  - \$175,000—Quilcene Elementary HVAC
- \$8.1 million in additional funding is provided beyond the funding in the underlying 2023–25 Capital Budget for **School District Health and Safety Grants** to support school districts in making their schools safer. (NOTE: These grants, originally funded by bonds in the underlying 2023–25 Capital Budget, are funded by funds from the Common School Construction Account in the new 2024 Supplemental Capital Budget.) Proviso language stipulates the following:
- An additional \$6.0 million is provided for **Emergency Repair Grants** to address unexpected and imminent health and safety hazards at K–12 public schools, including Skills Centers, that will impact the day-to-day operations of the school facility. For Emergency Repair Grants only, an emergency declaration must be signed by the school district board of directors and submitted to OSPI for consideration. The emergency declaration must include a description of the imminent health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of local funding to be applied to the project. Grants of emergency repair moneys must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable. OSPI is required to notify the Office of Financial Management, the Legislative Evaluation and Accountability Program Committee, the House Capital Budget Committee, and the Senate Ways and Means Committee as these projects are approved for funding.
  - An additional \$1.1 million is provided for **Urgent Repair Grants** to address nonrecurring urgent small repair projects at K–12 public schools, excluding Skills Centers, that could impact the health and safety of students and staff if not completed. OSPI, after consulting with Maintenance and Operations administrators of school districts, must develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (a) limiting school districts to one grant, not to exceed \$500,000, per three-year period; (b) prioritizing applications based on limited school district financial resources for the project; and (c) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a comprehensive description of the health and safety issues to be addressed, a detailed description of the remedy, including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Grants may be used for, but are not limited to: repair or replacement of failing building systems, abatement of potentially hazardous materials, and safety-related structural improvements.
  - An additional \$1.0 million is provided for Equal Access Grants for facility repairs and alterations at K–12 public schools, including Skills Centers, to improve compliance with the Americans with Disabilities Act (ADA) and Individuals with Disabilities Education Act (IDEA). OSPI must develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (a) limiting districts to one grant, not to exceed \$100,000, per three-year period; (b) prioritizing applications based on limited school district financial resources for the project; and (c) requiring recipient districts to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a description of the ADA and IDEA compliance deficiency, a comprehensive description of the facility accessibility issues to be addressed, a detailed description of the remedy including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Priority for grant funding must be given to school districts that demonstrate a lack of capital resources to address the compliance deficiencies outlined in the grant application.
- \$5.0 million is provided for **Energy Assessment Grants** to school districts.
- \$4.9 million of the Climate Commitment Account is provided solely for energy assessment grants to school districts for buildings that exceed 220,000 gross square feet pursuant to compliance with the state’s energy-related building standards in law (Chapter 19.27A RCW). Assessments funded with this appropriation must include professional cost estimates for mitigating the energy use intensity deficiencies identified. OSPI is required to collect the cost estimate data from school districts receiving grants and report a summary of the collected cost data, as well as a list of specific



capital projects for school districts developed from this data, to the Legislature by January 6, 2025.

- \$50,000 of the Common School Construction Account is provided for OSPI to make modifications to its Information and Condition of Schools (ICOS) system.
- If applications for energy assessment grants exceed funds available, OSPI must prioritize grants for school buildings that are likely to require the most substantial improvements related to compliance with law and for school districts that have the most limited financial capacity. OSPI is required to make prioritizations using facilities data from the ICOS database and through information provided by the school district at the time of application.

➤ \$2.1 million is provided for several **School-based Health and Behavioral Health Clinics:**

- \$490,000—Evergreen High School, HealthPoint
- \$490,000—Tyee High School, HealthPoint
- \$300,000—Options High School, Bellingham
- \$244,000—Cascade High School, CHC of Snohomish County
- \$244,000—Everett High School, CHC of Snohomish County
- \$136,000—Blue Heron Middle School, Jefferson County Public Health
- \$80,000—Meany Middle School, Country Doctor CHC
- \$80,000—Nova High School, Country Doctor CHC

➤ An additional \$1.5 million is provided for **Healthy Kids and Healthy Schools** grants for projects that are consistent with the Healthiest Next Generation priorities. Proviso language from the original, underlying 2023–25 Capital Budget continues to stipulate that grant funding to school districts are for the purchase of equipment or to make repairs to existing equipment that is related to improving:

- children’s physical health, and may include, but is not limited to, fitness playground equipment, covered play areas, and physical education equipment or related structures or renovation; and
- children’s nutrition, and may include, but is not limited to, garden related structures and greenhouses to provide students access to fresh produce, and kitchen equipment or upgrades.

Additionally, OSPI is required to develop criteria for Healthy Kids and Healthy Schools grants that include, but are not limited to, the following requirements:

- districts may apply for grants, but no single district may receive more than \$200,000;
- any district receiving funding must demonstrate a consistent commitment to addressing school facilities’ needs; and
- applicants with a high percentage of students who are eligible and enrolled in the Free and Reduced-Price Meals program may be prioritized.

➤ \$1.0 is provided for **School Construction Assistance Program Revision (SCAPR) Planning**, with the objective of modifying and improving the current School Construction Assistance Program.

Funding is provided to OSPI to:

- develop a proposal to modify and improve efficiencies within, and access to, the School Construction Assistance Program and to identify cost-saving measures for awarding state grants for the construction and modernization of common school facilities;
- contract with a consultant to develop the proposal; and
- facilitate a stakeholder process.

The proposal development process is required to include iterative consultation and meetings with the following entities:

- school districts, including ESDs, from all regions of the state and representing a variety of rural, urban, and suburban districts of various sizes;
- the governor or the governor’s designee;
- the Chairs and Ranking Members of the appropriate fiscal committees of the Legislature or their designees;
- OSPI’s Technical Advisory Committee (TAC);
- a statewide education employee organization; and
- other stakeholders deemed appropriate by the stakeholder group

No later than June 15, 2024, OSPI is required to convene a meeting with the Chairs and Ranking Members of the appropriate fiscal committees of the Legislature or their designees to discuss: a work plan; a draft Request for Proposals to hire a consultant; a facilitation plan that may include professional facilitation; and a schedule.

The proposal being developed is required to include options for how the state could create:

- A process that recognizes the substantial variation between district sizes and financial capacities that categorizes reasonably comparable applicants into

distinct school district groupings in order to foster a fair and equitable prioritization of projects;

- A process for prioritizing requests for state funding for school construction that results in ranked project lists, using the groupings developed as described in the previous bullet-point for the governor's and Legislature's consideration during the biennial budget development process;
- A formula or formulas for determining the state and school district shares of project cost, which may vary across the groupings established as described in the first bullet-point;
  - The formula for determining the state and school district shares of project cost must include consideration of: district incorporation of prototypical designs; factors related to school district financial capacity, including remaining debt capacity, property tax rates, and median household income; the market price of construction per square foot, with consideration of regional cost differences; and any other factors deemed appropriate by OSPI
- Policies regarding allowable space types and quantities to meet current and future instructional requirements and initiatives;
- A recommendation regarding the appropriate entity, such as an advisory committee, to evaluate and prioritize project applications;
- Recommendations related to the development of prototypical school designs intended to enhance the student learning environment and the useful life of facilities, while also reducing design and construction costs; and
- A phase-in schedule for changes to the school construction funding formulas that honors planning and currently authorized bonds that were developed based on current program rules

The project prioritization process developed, as described above, must include consideration of:

- District incorporation of prototypical designs;
- Projected enrollment;
- Facility condition and age;
- Factors related to school district financial capacity, including property valuation, remaining debt capacity, and any special circumstances that may impact districts' ability to fund capital projects;
- Natural hazard conditions, including seismic and tsunami risk; and
- Any other factors deemed appropriate by OSPI

OSPI is required to submit: an interim progress report to the governor and the Legislature, no later than March 15, 2025; and a final report containing the proposal developed to the governor and the Legislature, no later than September 30, 2025.

## OTHER DETAILS

### 2024 Citizens Initiatives

The 2024 Supplemental Capital Budget addresses the potential impacts of two Citizen Initiatives that will be on the ballot in November's General Election. Initiative 2117 (carbon tax credit trading), if adopted, would repeal the Climate Commitment Act (CCA) and certain accounts associated with the Act. The majority of the 2024 Supplemental Capital Budget appropriations from CCA accounts are assumed to be effective January 1, 2025, and would lapse if the accounts were repealed. Initiative 2109 (capital gains tax), if adopted, would repeal the tax on capital gains. The 2024 Supplemental Capital Budget does not appropriate the projected Common School Construction Fund revenue from the tax on capital gains beyond November 2024.

### Funding Swap

There is no fiscal impact; however, the following projects/programs originally funded by bonds in the underlying 2023–25 Capital Budget are funded by funds from the Common School Construction Account in the new 2024 Supplemental Capital Budget: West Sound Technical Skills Center (\$40.6 million); and 2023–25 Skills Center Minor Works (\$5.1 million).

### LED Lighting

In the 2022 Supplemental Capital Budget, grant funding (\$1.5 million) was provided through the Healthy Kids—Healthy Schools grant program to support public schools, including charter and state-tribal compact schools, in removing, disposing, and replacing T–12 lighting fixtures and ballasts, manufactured in or before 1979 with energy-efficient LED lighting.

The 2022 Supplemental Capital Budget stipulated that state grant funding may be used for all school districts, state-tribal education compact schools, and public charter school buildings, but funding is required to be prioritized for buildings that are not under contract to be replaced or modernized. State grant funding may only be expended after all applicable funding from utility company rebate programs available to schools in the state has been exhausted. Among other things, proviso language requires OSPI to provide information to state grant applicants related to identifying the year of T–12 lighting fixture and ballast manufacture. OSPI also has the authority to adopt rules to administer the program.

The 2024 Supplemental Capital Budget reappropriates this funding—and adds new proviso language. The new proviso language states the requirements in the 2022 Supplemental Capital Budget still apply; however, during the 2023–25 biennium, OSPI may contract with an organization of

educational facilities and maintenance professionals located in the state for the purpose of assisting school districts with identifying T-12 lighting fixtures and ballasts manufactured in or before 1979. The proviso continues, stipulating the organization contracted must provide information to school districts, as determined by OSPI, regarding the availability of state grant funding and utility company rebate programs for the replacement of T-12 lighting with energy-efficient LED lighting. The contract awarded is not allowed to exceed \$100,000.

### **Climate Resilience & Environmental Equity Campus**

The Department of Commerce is provided with \$250,000 to contract with an economic development corporation to analyze and provide recommendations related to the creation and implementation of a Climate Resilience & Environmental Equity Campus to be located in southern King County. Proviso language requires the analysis process to include iterative consultation with a series of stakeholders, including OSPI.

Among other things the Climate Resilience & Environmental Equity Campus is intended to create educational opportunities for younger learners, including those enrolled in early learning and in kindergarten through the 12th grade, to engage with climate science and the natural world.

### **Community Solar Resilience Hubs**

The Department of Commerce is provided with \$38.0 million to provide grants to increase solar deployment and installation of battery storage in community buildings to enhance grid resiliency and provide backup power for critical needs, such as plug load and refrigeration for medication, during outages, or to provide incentives to support electric utility demand response programs that include customer-sited solar and battery storage systems. Budget language clarifies that “community buildings” includes K-12 schools, community colleges, community centers, recreation centers, libraries, tribal buildings, state and local government buildings, and other publicly owned infrastructure.

### **Community EV Charging**

The Department of Commerce is provided with \$105.0 million to provide grants for the development of community electric vehicle charging infrastructure. Grant funding must be used for level two or higher charging infrastructure and related costs including, but not limited to, construction and site improvements. The Department of Commerce must prioritize funding for projects in the following order:

1. Multifamily housing;
2. Publicly available charging at any location;
3. Schools and school districts;
4. State and local government buildings and office buildings;
5. All other eligible projects

### **Public Facility Improvements**

The 2023-25 Capital Budget provided \$24.0 million for minor league baseball stadium improvements. Included was \$7.4 million for the Everett School District; an appropriation made in error. The funding, earmarked for Everett Memorial Stadium, will be used to rebuild a stadium for the Everett AquaSox minor league baseball team. Legislative leadership in all four Caucuses communicated with the Department of Commerce requesting the funding be directed to the City of Everett as the grantee, as intended. As expected, the 2024 Supplemental Capital Budget changes the title of the appropriation to the “City of Everett.”

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# Education-Related Bills That Passed—Titles

During the 2024 Legislative Session, almost 1,200 bills, resolutions, and memorials were introduced—for a total of more than 2,800 pieces of legislation introduced during the two-year Biennial Session. Of those, 376 bills (plus three Initiatives to the Legislature) were adopted by the 2024 Legislature. WASA staff monitored over 400 bills, resolutions, and memorials that had a direct or potentially indirect impact on K–12 education. Ultimately, 56 education-related bills of importance were adopted (along with one Senate Joint Memorial and one Initiative). Following is a description of those education-related bills that survived the legislative journey and were adopted. The description shows the bill’s prime sponsor and notes the Session Law chapter number (this is where the bill will be found in the [Session Laws of the State of Washington](#) which is compiled annually).\*

Initiative 2081 .....	Parents’ Rights	E2SHB 2247.....	Behavioral health providers
HB 1146 .....	Dual credit program notice	ESHB 2256.....	Children behavioral health
3SHB 1228.....	Dual & tribal language education	E2SHB 2301.....	Waste material management
E4SHB 1239.....	Educator ethics & complaints	ESHB 2331.....	Public schools materials
ESHB 1248.....	Pupil transportation	SHB 2335 .....	State-Tribal Education Compacts
E2SHB 1272.....	Voters’ pamphlets	SHB 2381 .....	School calendar waivers
ESHB 1277.....	Paraeducator course of study	ESHB 2384.....	Traffic safety cameras
E2SHB 1368.....	Zero-emission school buses	ESHB 2441.....	College in the High School
2ESHB 1377.....	Continuing education	HB 2481 .....	Health benefit premiums
2E2SHB 1541 .....	Lived experience	ESHB 2494.....	MSOC
ESHB 1608.....	Access to anaphylaxis	SB 5180.....	Out-of-state teachers
E2SHB 1618.....	Childhood sexual abuse	ESB 5462.....	Inclusive learning standards
HB 1879 .....	Tribal curriculum	SB 5647.....	School safety/temp employee
SHB 1889 .....	Professionals/immigration	E2SSB 5670.....	Running Start/Rising Juniors
SHB 1905 .....	Equal pay/protected classes	ESSB 5778.....	Employer political speech
SHB 1916 .....	Infants and Toddlers program	ESB 5790 .....	Medical equipment in schools
HB 1927 .....	Temporary total disability	ESSB 5793.....	Paid sick leave
SHB 1939 .....	Social Work Compact	SSB 5804 .....	Opioid overdose medication
HB 1946 .....	Behavioral health scholarship	E2SSB 5838.....	AI Task Force
HB 1950 .....	Public Service Loan Forgiveness	SB 5852.....	Special education safety net
E2SHB 1956.....	Fentanyl use prevention education	2SSB 5882 .....	Prototypical school staffing
HB 1982 .....	Broadband loans & grants	SB 5883.....	Special education hearings
SHB 1985 .....	PERS/TRS 1 benefit increase	ESSB 5891 .....	School bus trespass
HB 2110 .....	High School graduation	ESSB 5949 .....	2024 Supplemental Capital Budget
ESHB 2134.....	2024 Supplemental Transportation Budget	ESSB 5950 .....	2024 Supplemental Operating Budget
SHB 2180 .....	Special education cap	SSB 6053 .....	Access to postsecondary education
SHB 2195 .....	Early learning facilities	SB 6094.....	Retired health subsidy
HB 2209 .....	Lunar New Year	SB 6215.....	Tax & revenue laws
ESHB 2236.....	Career & Technical Education Core Plus	SJM 8007.....	IDEA funding

\*NOTE: Much of the text in the following descriptions has been adapted from bill reports prepared by non-partisan legislative committee staff. Their assistance is appreciated.



# Education-Related Bills That Passed

## Initiative 2081—Parents’ Rights

People of the State of Washington  
C4 L24

Initiative 2081 is one of six citizen Initiatives to the Legislature introduced this year. Three of them were adopted by the Legislature—including this education-related Initiative—and three of them sat dormant throughout the Session and have been forwarded to the November 2024 General Election ballot for voters to determine their fate.

(It is important to note that much of I-2081 simply reiterates or clarifies current law. To compare current statutory language to I-2081, see this [side-by-side](#) prepared by legislative staff.)

I-2081 provides a series of rights for parents and legal guardians of public school children younger than 18 years old, and begins with an intent statement, declaring the Legislature finds that:

- parents are the primary stakeholders in their children’s upbringing;
- parental involvement is a significant factor in increasing student achievement; and
- access to student information encourages greater parental involvement.

**Access to Materials.** Parents have a right to examine the textbooks, curriculum, and supplemental material used in their child’s classroom.

**Public School Records.** Parents have a right to inspect their child’s public school records and to receive a copy of their child’s records within ten business days of submitting a written request, either electronically or on paper. Parents must not be required to appear in person to request or validate a request for their child’s public school records.

No charge may be imposed on a parent to receive records electronically. Any charges for a paper copy must be reasonable and set forth in the official policies and procedures of the school district.

Public school records include all of the following:

- academic records including test and assessment scores;
- medical or health records;
- records of any mental health counseling;
- records of any vocational counseling;
- records of discipline including expulsions and suspensions;
- records of attendance including unexcused absences;
- records associated with a child’s screening for learning challenges, exceptionalities, plans for an Individualized Education Program (IEP), or Section 504 plan; and

- any other student-specific files, documents, or other materials that are maintained by the public school.

Notwithstanding anything to the contrary, a public school must not be required to release any records or information regarding a student’s medical or health records or mental health counseling records to a parent during the pendency of an investigation of child abuse or neglect conducted by any law enforcement agency or the Department of Children, Youth, and Families when the parent is the target of the investigation, unless the parent has obtained a court order.

**Medical Services and Treatment.** Parents have a right to receive prior notification when medical services are being offered to their child, except where emergency medical treatment is required. In cases where emergency medical treatment is required, the parent must be notified as soon as practicable after the treatment is rendered.

Parents have a right to receive notification when any medical service or medications have been provided to their child that could result in any financial impact to the parent’s health insurance payments or copays.

Parents have a right to receive notification when the school has arranged directly or indirectly for medical treatment that results in follow-up care beyond normal school hours. Follow-up care includes monitoring the child for aches and pains, medications, medical devices such as crutches, and emotional care needed for the healing process.

**Criminal Action and Law Enforcement.** Parents have a right to receive immediate notification if a criminal action is deemed to have been committed against their child or by their child.

Parents have a right to receive immediate notification if law enforcement personnel question their child, except in cases where the parent or legal guardian has been accused of abusing or neglecting the child.

**Removal from Campus.** Parents have a right to receive immediate notification if their child is taken or removed from the public school campus without parental permission, including to stay at a youth shelter or host home.

**Nondiscrimination.** Parents have a right to receive assurance their child’s public school will not discriminate against their child based upon the sincerely held religious beliefs of the child’s family.

**Notice of Opt Out.** Parents have a right to receive written notice and the choice to opt their child out of any surveys, assignments, questionnaires, role-play activities, recordings of their child, or other student engagements that include questions about any of the following:

- the child’s sexual experiences or attractions;
- the child’s family beliefs, morality, religion, or political affiliations;
- any mental health or psychological problems of the child or a family member; and
- all surveys, analyses, and evaluations subject to areas covered by the PPRA.

Parents have a right to receive written notice and have the option to opt their child out of instruction on topics associated with sexual activity in accordance with comprehensive sexual health education.

**School Calendar.** Parents have a right to receive from the public school the annual school calendar, no later than 30 days prior to the beginning of the school year, and to be notified in writing as soon as feasible of any revisions to such calendar. Such calendar must be posted to the public school’s website and must include, at a minimum, student attendance days and any event that requires parent or student attendance outside of normal school days or hours.

**Required Fees.** Parents have a right to receive in writing each year or to view on the public school’s website a comprehensive listing of any required fee and its purpose and use and a description of how economic hardships may be addressed.

**Dress Code or Uniform.** Parents have a right to receive in writing each year or to view on the school’s website a description of the school’s required dress code or uniform, if applicable, for students.

**Academic Performance.** Parents have a right to be informed if their child’s academic performance, including whether their child is provided a student learning plan, is such that it could threaten the child’s ability to be promoted to the next grade level, and to be offered an in-person meeting with the child’s classroom teacher and principal to discuss any resources or strategies available to support and encourage the child’s academic improvement.

### **HB 1146—Dual credit program notice**

Representative Paul

#### **C44 L24**

Under current law, school districts are required to notify students and their parents or guardians about advanced courses or programs available to students, including dual credit courses or programs. High schools that offer College in the High School programs must provide specified information about the program to all students in grades 8 through 12 and to their parents and guardians. School districts must also provide specified information about the Running Start program to all students in grades 10 through 12 and to their parents and guardians.

Under HB 1146, prior to course scheduling or course registration for the next school term, public schools that serve students in any of grades 9 through 12 must provide all students and

their parents or guardians with information on each available dual credit program and any financial assistance available to reduce dual credit course and exam costs for students and their families. The information must be provided via email and other communication methods, and, to the extent feasible, must be translated into the primary language of each parent or guardian.

Public schools are also encouraged to include in this notification with other information about advanced course-taking that is required to be provided to parents and guardians under current law.

### **3SHB 1228—Dual & tribal language education**

Representative Ortiz-Self, by request of Superintendent of Public Instruction

#### **C202 L24**

3SHB 1228 makes various changes regarding the establishment or expansion of dual language education programs and tribal language education programs.

**Dual Language Education Grants.** Subject to appropriation, OSPI is required to award grants to school districts and State-Tribal Education Compact Schools to establish dual language education programs that begin in kindergarten or to expand established dual language education programs. “Dual language education” is defined as an instructional model in which public school students are taught subject matter in both English and a world language other than English. Dual language education also includes heritage language education, in which students develop and maintain grade level literacy and language use in the language of their communities, homes, and families. For these purposes, a world language other than English includes sign languages, for example American Sign Language, and Indigenous languages.

OSPI must identify criteria for awarding the grants, evaluate applicants, award grant money, and provide technical assistance and support. Establishment grants must be prioritized to schools in the educational opportunity gap, with the first priority to schools with over 50 percent students of color.

Recipients of the grants must convene an advisory board to guide the development and continuous improvement of the dual language education program, including addressing enrollment considerations and staff hiring. Grant recipients must actively recruit to the advisory board parents of English language learner (ELL) students and current or former ELL students, with a goal of filling at least half of the advisory board seats with these individuals; the other members of the advisory board must represent teachers, students, school leaders, governing board members, and community-based organizations that support ELL students.

Recipients of the grants must also: (1) prioritize offering the dual language education program in the language that the majority of its ELL students speak; (2) conduct outreach to the community; and (3) submit data to OSPI identifying which grade levels and which courses are part of the dual language education program

and which students are enrolled in those courses.

By November 1, 2024, OSPI must report to the Legislature with its plan for expanding dual language education, so that all school districts that want to may offer a dual language education program that begins in kindergarten by 2040. The plan must prioritize the expansion to reach students in the educational opportunity gap first.

**Tribal Language Education Supports, Grants, and Convenings.** OSPI is required to develop a program to support tribal language education. The Office of Native Education (ONE) must provide school districts and State-Tribal Education Compact Schools with guidance, technical assistance, and statewide leadership and support. “Tribal language education” is defined as the revitalization of and instruction in tribal languages in public schools, developed in consultation with Washington’s federally recognized tribes and federally recognized tribes with reserved treaty rights in Washington, and provided by a certificated teacher with a Washington first peoples’ language, culture, and oral tribal traditions endorsement.

Subject to appropriation, ONE must award grants to school districts to establish tribal language education programs that begin in kindergarten or to expand established tribal language education programs. ONE must: identify criteria for awarding the grants, evaluate applicants, and award grant money. Recipients of the grants must submit data to OSPI identifying which students are enrolled in tribal language education programs.

Biannually, ONE is also required to convene up to 20 tribal language educators to develop and share best practices, resources, and knowledge. OSPI must provide technical assistance and support.

**Serving American Indian and Alaska Native Students.** Beginning with the 2025–26 school year, OSPI is required to provide school districts and State-Tribal Education Compact Schools with program guidance, technical assistance, and professional learning to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

Transitional Bilingual Instruction Program for English Language Learner Students.

3SHB 1228 specifies that dual language education and tribal language education are the preferred Transitional Bilingual Instruction Program (TBIP) models.

**Seal of Biliteracy for Student Diplomas.** Beginning with the 2025–26 school year, school districts, Charter Schools, and State-Tribal Education Compact Schools are required to award the Seal of Biliteracy to graduating high school students who meet OSPI’s award criteria. For a world language other than English that is an unwritten language, the criteria must only require a student to demonstrate proficiency in speaking (and not in reading and writing) the language. The criteria for the

Seal of Biliteracy must specify that only a sovereign tribal government may certify a student as proficient in the language of the tribe.

OSPI must provide students access to methods to demonstrate proficiency in less commonly taught or assessed languages at a cost that is not higher than that of assessing commonly taught or assessed languages. The standardized high school transcript must—rather than may—include a notation of whether the student has earned the Seal of Biliteracy.

**Aligning Language Endorsements and Determining Language Assessments.** By January 1, 2025, the Professional Educator Standards Board and the Paraeducator Board must collaborate with OSPI and institutions of higher education to align bilingual education and ELL endorsement standards and determine language assessment requirements for multilingual teachers and paraeducators.

NOTE: The final 2024 Supplemental Operating Budget provides \$185,000 to implement this bill.

#### **E4SHB 1239—Educator ethics & complaints** Representative Santos **C219 L24**

E4SHB 1239 addresses complaints involving the elementary and secondary education system.

**Uniform Complaint Process.** The bill requires, by July 1, 2025, the Office of the Education Ombuds (OEO) to create a simple and uniform access point for the receipt of complaints involving the elementary and secondary education system. The purpose of the access point is to provide a single point of entry for complaints to be reported and then referred to the most appropriate individual or entity for dispute resolution at the lowest level of intercession.

Complaints may be submitted by any individual who has firsthand knowledge of a violation of federal, state, or local laws, policies and procedures, or of improper or illegal actions related to elementary and secondary education and performed by an employee or contractor, student, parent or legal guardian, or member of the public. “Employee or contractor” means employees and contractors of the state education agencies, ESDs, public schools, the State School for the Blind, and the Center for Deaf and Hard of Hearing Youth. OEO must delineate a complaint resolution and referral process for reports received through the access point. The process must:

- require that OEO assign a unique identifier to a complaint upon receipt before referring the complaint to the appropriate individual or entity for dispute resolution at the lowest level of intercession;
- link to all existing relevant complaint and investigative processes; and
- discourage frivolous complaints and complaints made in bad faith.

OEO, in collaboration with OSPI, must develop protocols for the receipt, resolution, and referral of complaints and must design a communications plan to inform individuals who report complaints through the access point about the steps in the complaint resolution and referral process, including when to expect a response from the individual or entity charged with resolving the complaint.

OSPI, school districts, public schools, and ESDs are required to post on their websites a prominent link to the complaint resolution and referral access point maintained by OEO.

**Code of Educator Conduct.** By September 1, 2025, the Professional Educator Standards Board and the Paraeducator Board must jointly report to the Legislature on a code of educator ethics. In this context, “educator” refers to Certificated Administrative Staff, Certificated Instructional Staff, and paraeducators.

The Boards must engage with stakeholders across the professional educator spectrum and review the National Association of State Directors of Teacher Education and Certification’s model code of ethics for educators.

The required report must advise the Legislature on the following topics:

- how a code of educator ethics will support the development of an effective and comprehensive professional educator workforce;
- whether a model code of educator ethics will be adopted or adapted for Washington, or whether a code of educator ethics unique to Washington will be developed; and
- any challenges that are anticipated with state adoption of a code of educator ethics.

The report must also include a summary of the required activities, any planned activities by either Board related to adopting a code of educator ethics, and any recommendations for Legislative action, if necessary, related to state adoption of a code of ethics.

**Use of Force on Children.** Comprehensive legislation regarding student isolation and restraint failed to be adopted; however, legislators used this vehicle to address part of the issue. E4SHB 1239 removes the provision stating the defense for teachers that use of force on a child is not unlawful when it is reasonable and moderate and inflicted for purposes of restraining or correcting a child. Instead, the defense to use of force on a child by any person other than the parents and their authorized agents is expanded, such that use of force on a child is not unlawful if, when occurring in an educational setting and involving an educator, it actually or substantially complies with limitations on the use of student isolation and restraint, including that it is used only when a student’s behavior poses an imminent likelihood of serious harm.

NOTE: The 2024 Supplemental Operation Budget provides \$67,000 to implement this bill. \$46,000 is provided to the Professional Educator Standards Board and the Paraeducator Board to report to the Legislature on a code of educator ethics; OSPI is provided with \$21,000 to post on their website and assist school districts, public schools, and ESDs to post on their websites a prominent link to the complaint resolution and referral access point maintained by the Office of the Education Ombuds.

An additional \$559,000 is provided to the Governor’s Office of the Education Ombuds (outside of the Education budget) to create a simple and uniform access point for the receipt of complaints involving the elementary and secondary education system.

#### **ESHB 1248—Pupil transportation** Representative Stonier **C313 L24**

As originally introduced, this bill addressed a major WASA priority by providing for a transparent, predictable, and adequately funded pupil transportation formula.

As ultimately adopted, ESHB 1248 has a narrow focus addressing pupil transportation contractors.

The bill stipulates that any pupil transportation contract entered into, renewed, or extended must require the contractor to provide the following to, or on behalf of, its employees who choose to opt in for coverage:

- a contribution equal to the employer payment dollar amount in effect for the first year of the contract for health care benefit rates for the School Employees’ Benefits Board (SEBB) program; and
- an amount equivalent to the salaries of the employees of the contractor multiplied by the employer normal cost contribution rate determined under the entry age cost method for the School Employees’ Retirement System.

Contracts entered into, renewed, or extended in the 2024 Calendar Year must provide the required benefits by the beginning of the 2025–26 School Year.

For provisions of this bill, “employees” are defined as in-state employees of a private nongovernmental entity who work sufficient compensated hours performing services on the contract with the school district to meet the eligibility requirements for the state health benefits program for school employees if the employee was employed directly by the school district.

Subject to amounts appropriated, the OSPI must provide supplemental transportation allocations to reimburse school districts for increases in costs directly attributable to the new contractor benefit requirements. The reimbursement must be based on the total contract cost increase, less the portion of the increase not attributable to benefits required under the bill and the increase in transportation allocations due the cost increases.



Beginning September 1, 2024, school districts that contract for pupil transportation services must report:

- a breakdown of the total contract increases to show the required dollar equivalency for health care and retirement benefits;
- a breakdown from the contractor showing healthcare and pension benefits before and after the implementation of benefits required in the bill; and
- the amounts received under state transportation formulas before and after the implementation of SEBB to determine funding already being included.

NOTE: The final 2024 Supplemental Operating Budget appropriates \$425,000 to provide for supplemental transportation allocations to reimburse school districts for increases in costs directly attributable to the new contractor benefit requirements.

### **E2SHB 1272—Voters’ pamphlets**

Representative Bergquist

**C78 L24**

This comprehensive bill makes multiple changes to the publishing, formatting, and distribution of state and local voters’ pamphlets. While most of the provisions have little or no impact on K–12 education, included is one specific, positive provision which we have advocated on behalf of for several years.

E2SHB 1272 stipulates that people appointed to write arguments for and against local ballot measures—including school district levies and bonds—must reside within the jurisdiction’s boundaries. If the legislative authority (school boards in the case of school district ballot issues) misses the deadline for appointments, the County Auditor must issue a media release and publish information on the election website, and the Auditor must appoint people on a first-come, first-served basis. If no statement is produced, the Auditor must include a statement to that effect in the pamphlet.

### **ESHB 1277—Paraeducator course of study**

Representative Donaghy, by request of Professional Educator Standards Board

**C173 L24**

The paraeducator Fundamental Course of Study is a four-day course on the state paraeducator standards of practice. School districts are required to provide the Fundamental Course of Study to paraeducators who have not completed the course, either in the district or in another district within the state. Under current law, at least one day of the Fundamental Course of Study must be provided in person.

School districts must use best efforts to provide the Fundamental Course of Study before a paraeducator begins to work with students and their families. Subject to funding limitations, school districts must provide the four-day Fundamental Course of Study by the following deadlines:

- For paraeducators hired on or before September 1: the first two days of the Fundamental Course of Study

must be provided by September 30 of that year, and the second two days of the Fundamental Course of Study must be provided within six months of the date of hire.

- For paraeducators hired after September 1:
  - a. In districts with 10,000 or more students: the first two days of the Fundamental Course of Study must be provided within four months of the date of hire, and the second two days of the Fundamental Course of Study must be provided within six months of the date of hire or by September 1 of the following year, whichever is sooner; and
  - b. In districts with fewer than 10,000 students: the entire Fundamental Course of Study must be provided by September 1 of the following year.

School districts are only required to provide to paraeducators the number of days of the Fundamental Course of Study for which state funding is specifically provided. Since fiscal year 2020, the state has appropriated funding for school districts to provide at least two days of training to paraeducators each year.

ESHB 1277 is intended to improve the consistency and quality of the implementation of the Fundamental Course of Study for paraeducators.

By July 1, 2025, the Paraeducator Board must update rules on the implementation of the Fundamental Course of Study to require that a significant majority of paraeducators are provided with the Fundamental Course of Study in person. Under the rules, the Paraeducator Board may grant an exemption from the in-person requirement of the Fundamental Course of Study for school districts with fewer than 2,000 enrolled students hiring paraeducators after the beginning of the school year.

By July 1, 2025, the Paraeducator Board must publish guidance for school districts on how to provide the Fundamental Course of Study to improve consistency and quality of staff development.

The bill modifies deadlines, and in-person requirements, for provision of the Fundamental Course of Study by, among other things: changing the district size threshold for certain deadlines; referring to the beginning of the school year, rather than September 1; and requiring two days, rather than one day, be provided in-person. The resulting requirements are as follows:

1. Paraeducators hired before the beginning of the school year must be provided the first two days of the Fundamental Course of Study in person before the beginning of the school year and the second two days of the Fundamental Course of Study within six months of the date of hire.
2. Paraeducators hired after the beginning of the school year, by school districts with 2,000 or more enrolled students, must be provided the first two days of the Fundamental Course of Study in person within four months of the date of hire and the second two days of the Fundamental Course of Study within six months

of the date of hire or by September 1 of the following year, whichever is sooner.

3. Paraeducators hired after the beginning of the school year, by school districts with fewer than 2,000 enrolled students, must be provided the Fundamental Course of Study no later than September 1 of the following year, with two of the days provided in person unless the district has applied for and received an exemption from the Paraeducator Board.

### **E2SHB 1368—Zero-emission school buses**

Representative Senn

#### **C345 L24**

As originally introduced, this bill would have required school districts to begin to transition to zero-emission buses by purchasing on zero-emission school buses, beginning September 1, 2035.

As ultimately adopted, E2SHB 1368 eliminated zero-emission bus purchase deadlines; establishes a voluntary grant program for school districts that choose to apply; and establishes a requirement that new buses must be zero-emission when it is determined that the total cost of ownership of zero-emission buses is equal to or less than the total cost of ownership of diesel buses.

**Zero-Emission Vehicle School Bus Grants.** The Department of Ecology is required to administer a Zero-Emission School Bus Grant Program within the Clean Diesel Grant Program for buses, infrastructure, and other related costs. Grants are to transition from fossil-fuel school buses to zero-emission vehicles (ZEV) and may be used for planning and acquisition of ZEV school buses, transportation, planning, design and construction of fueling and charging infrastructure, the scrapping of old diesel school buses, and training for drivers, mechanics, and facility operations personnel. Grants are in addition to payments under OSPI's depreciation schedule, and may be combined with other sources of funding. Once the OSPI school bus depreciation schedule is adjusted to fund the cost of ZEV school bus purchases, the Department of Ecology must transition the grant program to focus solely on charging infrastructure grants. The Department of Ecology may retain up to 3.5 percent of funds for administering the grant program and 6.5 percent of funds for technical assistance to grant recipients.

The Department of Ecology is required to prioritize the following grant recipients, in descending order of priority:

- school districts using buses manufactured prior to 2007 serving communities highly impacted by air pollution identified by the Department of Ecology under the Climate Commitment Act;
- school bus routes serving communities highly impacted by air pollution identified by the Department of Ecology under the Climate Commitment Act;
- school bus routes using buses manufactured prior to 2007; and

- applicants that have demonstrated a previously unsuccessful application for federal funding prior to January 1, 2024.

The Department of Ecology must notify electric utilities that provide service to grant recipients.

The Department of Ecology, in consultation with OSPI, must submit a report updating on the status of the ZEV School Bus Grant Program by June 1, 2025.

**Zero-Emission Vehicle School Bus Acquisition.** OSPI, in consultation with the Department of Ecology, is required to develop preliminary guidance for school districts regarding the formula factors used to calculate Total Cost of Ownership for zero-emission and diesel school buses. After considering feedback to the preliminary guidance, OSPI, in consultation with the Department of Ecology, must adopt rules to establish formulas, which must address the initial cost of the bus at the time of purchase, the cost of maintenance, fueling, and charging, and the cost of battery replacement, if applicable. Once Total Cost of Ownership of ZEV buses is determined to be at or below the Total Cost of Ownership of diesel school buses:

- school districts may only receive reimbursement under the OSPI's depreciation schedule for ZEV school buses; and
- newly acquired school buses used for pupil transportation services contracts must be ZEV buses.

OSPI is required to make exceptions to ZEV bus reimbursement and contracting requirements:

- to allow reimbursement for diesel school buses purchased prior to the Total Cost of Ownership determination;
- if the school district has bus route mileage needs that cannot be met by the average daily mileage achieved under actual use conditions in Washington for ZEV school buses;
- if the school district has other unique needs; or
- if the school district does not have or have access to appropriate charging infrastructure.

Exceptions may not exceed five years, but may be renewed. The use of externally-vented fuel-operated passenger heaters are authorized from November 15 to March 15 annually until other viable alternatives become available.

School districts that enter into pupil transportation services contracts for zero-emission buses may enter into contracts of a duration of up to seven years.

**Zero-Emission Vehicle School Bus Survey.** By November 15, 2024, OSPI, in consultation with the Department of Ecology, must carry out a survey of school districts, Charter Schools, and State-Tribal Education Compact Schools focused on the uptake and total cost of ownership of ZEV school buses. OSPI must

submit a report to the Legislature summarizing its findings by December 1, 2024.

NOTE: Funding to support zero-emission bus grants is provided in the 2024 Supplemental Transportation Budget. For details, see ESHB 2134, Bills That Passed.

## **2ESHB 1377—Continuing education**

Representative Santos

### **C221 L24**

The Professional Educator Standards Board (PESB) adopts rules and creates policies for the preparation and certification of educators. PESB's statutory duties include specifying the types and kinds of educator certificates to be issued and the conditions for certification.

2ESHB 1377 modifies and establishes requirements for providers of continuing education for administrators and teachers on equity-based school practices and the National Professional Standards for Education Leaders (PSEL), for example, an application process and an approval revocation process.

**Subject Matter Expert List.** The bill requires OSPI and PESB to maintain on their websites a list of approved subject matter experts on government-to-government relationships with federally recognized tribes.

**Approval of Providers of Continuing Education.** In addition to the entities authorized in statute (OSPI; school districts; ESDs; Washington PESB-approved administrator or teacher preparation programs; AWSP; or WEA) to provide continuing education for administrators and teachers focused on equity-based school practice and the National Professional Standards for Education Leaders, PESB may approve other clock hour providers to offer this continuing education.

Beginning with the 2025–26 school year, PESB must approve clock hour providers offering continuing education focused on equity-based school practices or the PSEL through a revised application process. At a minimum, the application must include: (1) the entity's mission and vision; (2) the entity's experience and expertise in providing professional development to educators generally, as well as specific experience and expertise in equity-based practices; (3) possible subject matter topics of continuing education to be provided by the entity; (4) information on clock hour pricing; and (5) transcript processes.

**Requirements for Providers of Continuing Education.** A provider of an administrator or teacher continuing education program focused on equity-based school practices or the National Professional Standards for Education Leaders (NPSEL) must publicly post the learning objectives of the program on its website. If the provider does not have a website, it must post the learning objectives of the program in a conspicuous place in the entity's main office and submit a copy of the learning objectives to PESB.

**Revocation of Continuing Education Provider Status.** By September 1, 2024, PESB must develop a process for the temporary or permanent revocation of continuing education provider status for approved providers of administrator or teacher continuing education programs focused on equity-based school practices or the PSEL.

Continuing education provider status may be revoked for providers that meet any of the following criteria: (1) providers that receive a substantial number of complaints filed against the provider, as determined by the PESB; (2) providers found to not be in substantial compliance with requirements described above; or (3) providers found to offer course material that is not in substantial alignment with the cultural competency, diversity, equity, and inclusion standards of practices, as determined by the PESB. Entities authorized to submit a complaint about such providers are limited to the following: (1) educators; (2) local education agencies; (3) OSPI; (4) organizations representing principals; (5) organizations representing school board members; (6) organizations representing school administrators; (7) labor organizations representing classified instructional staff; and (8) labor organizations representing teachers.

**Legislative Report.** By December 1, 2024, PESB in consultation with OSPI must submit to the Legislature a report on how to implement an auditing system of continuing education providers and other recommendations for improving the clock hour system.

NOTE: The 2024 Supplemental Operating Budget provides \$426,000 for the Professional Educator Standards Board to implement this bill.

## **2E2SHB 1541—Lived experience**

Representative Farivar

### **C283 L24**

2E2SHB 1541 establishes the Nothing About Us Without Us Act, which implements membership requirements for statutorily created entities, including multimember task forces, work groups, or advisory committees.

The bill requires each statutory entity created on or after January 1, 2025, to include at least three individuals from underrepresented populations who have direct lived experience with the issue that the entity is tasked with examining.

A statutory entity is defined as any multimember task force, work group, or advisory committee, that is temporarily established by statute for the specific purpose of examining policies directly and tangibly affecting a particular underrepresented population, and that is required to report to the Legislature on that issue.

An "underrepresented population" is defined as a population group that is more likely to be at higher risk for disenfranchisement due to adverse socioeconomic factors, such as unemployment, high housing, and transportation costs relative to income, effects of environmental harms, limited access to nutritious food and adequate health care, linguistic isolation, and other factors that

may be barriers to participation in policy decision making. A person with “direct lived experience” is defined as a person with direct personal experience in the subject matter being addressed by the statutory entity.

If the membership requirements under this Act require that additional members be appointed to statutory entities created on or after January 1, 2025, the identified appointing authority for that statutory entity must appoint the additional members. If there are multiple appointing authorities for the statutory entity, they may collectively choose one individual among themselves to make the appointments for any additional members or they may defer to the Office of Equity or a state commission, board, or committee to make any necessary appointments. Except for appointing authorities from the legislative branch, appointing authorities must consult with relevant state entities identified by the Office of Equity when making appointments to the statutory entity. The additional members must have voted authority.

The Statute Law Committee must include information about membership requirements for statutory entities in the Bill Drafting Guide.

Beginning January 1, 2025, each statutory entity must collect the following information:

- a brief description of the statutory entity’s purpose; and
- information relating to the underrepresented populations directly and tangibly impacted by its work, including:
  - the number of members who are appointed to the statutory entity who have direct lived experience with the specific policy that the statutory entity is tasked with examining;
  - anonymous aggregate demographic information of statutory entity members related to disability status, age, race, gender, sexual orientation, ethnicity, and geographic representation;
  - an analysis of whether the membership requirements under the act reduced barriers to participation in policymaking decisions by members of underrepresented populations;
  - an analysis of how participation by members from underrepresented populations with direct lived experience affected the conduct and outcomes of the statutory entity as it accomplished its mission; and
  - the number of members from an underrepresented population who have direct lived experience and qualify for the existing statutory stipend of \$200 per day, the number of those who requested stipends, and the number who received the stipend.

The statutory entities must, by the date that its final report is due to the Legislature, report the collected information specified to the Office of Equity, except that statutory entities administered

by the Legislature must report the collected information to the Secretary of the Senate and the Chief Clerk of the House of Representatives.

By October 31, 2026, and each October 31 thereafter, the Office of Equity must analyze the information provided to it by statutory entities as of the end of the prior fiscal year and include in its annual report to the Legislature:

- an overall evaluation of the process relating to membership requirements for statutory entities;
- recommendations for improving the membership process;
- recommendations to further decrease barriers to participation; and
- recommendations to increase the diversity of statutory entity applicants.

### **ESHB 1608—Access to anaphylaxis**

Representative Bronoske

#### **C81 L24**

Under current law, OSPI is required to adopt guidelines for the care of students with anaphylaxis. The guidelines indicate that food is the leading cause of anaphylaxis in children and that deaths have occurred in schools because of delays in recognizing and responding to symptoms with immediate treatment and further medical interventions.

Epinephrine is used for the first-aid treatment of anaphylaxis. A qualified and licensed health professional may prescribe epinephrine autoinjectors in the name of the school or school district for use when necessary. The prescriptions must be accompanied by a standing order for the administration of school-supplied, undesignated autoinjectors for potentially life-threatening allergic reactions.

School districts and private schools may maintain a supply of autoinjectors based on the number of students enrolled in the school. Autoinjectors may be obtained from donation but must be accompanied by a prescription.

Autoinjectors are allowed to be used on school property, including the school building, playground, and school bus, and during field trips or sanctioned excursions away from school property. The school nurse or designated, trained school personnel may carry an appropriate supply of school-owned autoinjectors on field trips or excursions.

Civil and criminal liability immunity is provided to school personnel and governing boards in accordance with the provision of epinephrine to a student. The immunity applies if a school nurse or other school employee administers epinephrine prescribed by a qualified licensed health professional to a student in substantial compliance with a student’s prescription and according to written policies of the school district or private school.



Under ESHB 1608, the Secretary of Health or the Secretary's designee, in accordance with proper prescriptive authority and the exercise of sound professional judgment, must issue a statewide standing order prescribing epinephrine and epinephrine autoinjectors to any school district or school for use by a school nurse or other designated, trained school personnel for any student or individual experiencing anaphylaxis on school property, a school bus, a field trip, or a designated school activity.

School districts and private schools may maintain a supply of epinephrine and autoinjectors (rather than only autoinjectors). Requirements governing the use of autoinjectors for students are modified to permit the use of both epinephrine and autoinjectors in schools and sanctioned excursions.

Liability immunities for school personnel and governing boards that apply when epinephrine is administered to a student through a prescription from a qualified, licensed health professional are extended to include prescriptions made in accordance with a statewide standing order of the Secretary of Health or the Secretary's designee.

Outdated provisions that direct OSPI to review anaphylaxis policy guidelines and make related recommendations to the Legislature by December 1, 2013, are repealed.

### **E2SHB 1618—Childhood sexual abuse**

Representative Farivar

#### **C253 L24**

Statutes of limitations in civil cases set the amount of time a plaintiff may wait to commence an action following an injurious act or harm. Washington has statutes of limitations for various civil actions, including for childhood sexual abuse. Under current law, for childhood sexual abuse the statute of limitations for civil actions for damages is the later of three dates:

- three years from the commission of the act alleged to have caused the injury or condition;
- three years from the time the victim discovered or reasonably should have discovered that the injury or the condition was caused by the act; or
- three years from the time that the victim discovered that the act caused the injury for which the claim is brought.

None of these periods begin until a child turns 18, and the knowledge of a custodial parent or guardian may not be imputed to a person under the age of 18 years.

Courts interpret the childhood sexual abuse statute of limitations as beginning to run when the abuse victim discovers the nexus, or connection, between sexual abuse and later problems or injuries. Courts have recognized that this discovery may be delayed by a number of factors uniquely related to childhood sexual abuse, including repressed memories or post-traumatic stress disorder. Courts have also ruled that the childhood sexual abuse statute of limitations applies not just to claims against the

perpetrator of sexual abuse, but also to claims of negligence against parties who failed to protect the child, such as schools, state agencies, churches, parents, and others having a special relationship with the child.

As originally introduced, E2SHB 1618 would have eliminated the statute of limitations for civil actions based on childhood sexual abuse. As ultimately adopted, the new law continues to eliminate the statute of limitations for civil actions for childhood sexual abuse; however, it only applies prospectively for conduct that occurs on or after June 6, 2024. There is no time limit to bring a claim for recovery of damages for injury suffered as a result of childhood sexual abuse if the act of childhood sexual abuse occurs on or after June 6, 2024. The current statute of limitations remains for intentional conduct of childhood sexual abuse that occurred before June 6, 2024.

NOTE: The 2024 Supplemental Operating Budget provides \$100,000 to the Office of the Attorney General to implement this bill.

### **HB 1879—Tribal curriculum**

Representative Lekanoff

#### **C200 L24**

School districts are required to incorporate curricula about the history, culture, and government of the nearest federally recognized Indian tribe or tribes into their social studies curricula. The requirement is activated when a school district reviews or adopts social studies curricula. In meeting the requirement, school districts must use a curriculum developed by OSPI, called *Since Time Immemorial: Tribal Sovereignty in Washington State*. The curriculum has been endorsed for use by the 29 federally recognized tribes in Washington and districts may modify the curriculum to incorporate elements that have a regionally specific focus.

School districts must also collaborate with any federally recognized Indian tribe within their district, and with neighboring Indian tribes, for the purpose of incorporating expanded and improved curricular materials about Indian tribes, and creating programs of classroom and community cultural exchanges. Additionally, school districts are required to collaborate with OSPI on curricular areas regarding tribal government and history that are statewide in nature, such as the concept of tribal sovereignty and the history of federal policy towards federally recognized Indian tribes.

In 2005, Representative John McCoy (D-Tulalip) sponsored the originating legislation (HB 1495) that began the process of incorporating information about tribal history, culture, and government into social studies courses in which Washington or United States history is taught, and established the statutory foundation for the use of the *Since Time Immemorial* curriculum in public schools.

HB 1879 designates the curriculum used to teach public school students about tribal history, culture, and government as the John McCoy (lulilash) *Since Time Immemorial* curriculum.

This Act is known and cited as the John McCoy (Iulilaš) Memorial Tribal History, Culture, and Government Act.

### **SHB 1889—Professionals/immigration**

Representative Walen

#### **C50 L24**

In an effort to help fill hard to staff positions, SHB 1889 provides eligibility for certain professional and commercial licenses, certifications, permits, and registrations for various professions for persons not lawfully present in the United States. Among the long list of professions enumerated in the bill are certification of kindergarten through grade 12 personnel, including teachers, school counselors, school psychologists, school social workers, and paraeducators. Several other professions, which are not specifically K–12 staff, but are often employed in school districts include: mental health counselors, behavioral health support specialists, audiologists, speech-language pathologists, physical therapists, and occupational therapists.

Under provisions of the bill, a state agency or regulatory authority may not deny an application for a professional license, commercial license, certificate, permit, or registration solely on the basis of a person's immigration or citizenship status if the person has met all other qualifications. Among other boards and commissions, the new law calls out the Professional Educator Standards Board, OSPI, and the Paraeducator Board and specifically prohibits the denial of an application for a permit or certificate solely on the basis of a person's immigration or citizenship status if the person has met all other qualifications.

Applicants for licensure, certification, or registration are permitted to provide an Individual Taxpayer Identification Number in lieu of a Social Security number on an application. State agencies and regulatory authorities may not disclose the Social Security number or Individual Taxpayer Identification Number of an applicant or licensee for any purpose except tax purposes, licensing purposes, and enforcement of an order for child support payments.

### **SHB 1905—Equal pay/protected classes**

Representative Mena

#### **C353 L24**

Under the Equal Pay and Opportunities Act (EPOA), it is a misdemeanor for an employer in the state to discriminate in compensation against similarly employed employees based on the employee's gender. The EPOA also prohibits employers from discriminating, based on gender, in career advancement opportunities against similarly employed employees.

Additionally, the Washington Law Against Discrimination (WLAD) makes it an unfair practice for an employer to discriminate with regard to compensation or other terms or conditions of employment against an employee based on the individual's age, sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or immigration status, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the

use of a trained dog guide or service animal by a person with a disability. The WLAD applies to employers that employ eight or more persons and does not include any religious or sectarian organization not organized for private profit.

SHB 1905 amends the EPOA to include employees who are members of a protected class. Therefore, it is a violation of the EPOA for an employer to discriminate in compensation or career advancement opportunities against similarly employed employees based on the employee's membership in a protected class. A person may bring a claim under the EPOA based on the person's membership in more than one protected class. Protected class means a person's age, sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or immigration status, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, as those terms are defined under the WLAD. The Department of Labor & Industries must develop materials and conduct outreach to individuals and businesses on the new provisions related to discrimination based on protected class.

### **SHB 1916—Infants and Toddlers program**

Representative Senn, by request of Department of Children, Youth, and Families

#### **C284 L24**

Part C of the federal Individuals with Disabilities Education Act (IDEA) provides grant funding to states to operate a comprehensive program of individual and family intervention services for children from birth to age 3 who have been diagnosed with a disability or developmental delay. In Washington, these intervention services are administered by the Department of Children, Youth, and Families (DCYF) through the Early Support for Infants and Toddlers (ESIT) program. The ESIT program provides an array of services, such as developmental services, occupational and physical therapy, language therapy, and service coordination to clients according to an individualized family service plan.

The DCYF contracts with provider agency organizations, including school districts, and public, private, tribal, and nonprofit entities, to provide early intervention services within an assigned area. In some counties, services are coordinated through county lead agencies, which subcontract with provider agencies for service delivery.

Funding for the ESIT program is through multiple sources including state special education funding and other state funding, as well as federal IDEA funds. Funding is appropriated to the DCYF based on the annual average headcount of children who are eligible for and receiving early intervention services. The state provides the basic education allocation rate for the headcount, multiplied by 1.15. The DCYF is required to distribute funds to ESIT service providers and, when appropriate, to county lead agencies. A child is considered to have received ESIT services if the child received services within a month prior to the monthly count day.

Under the provisions of SHB 1916, for purposes of funding, a child is considered to have received Early Support for Infants and Toddlers services if the child received services within the same month as the monthly count day, rather than the month prior. Additionally, the bill requires the monthly count day for ESIT enrollment to fall on the last business day of the month.

### **HB 1927—Temporary total disability**

Representative Bronoske

**C144 L24**

Workers who are injured or disabled in the course of employment are entitled to certain benefits through the Workers' Compensation program, which is administered by the Department of Labor & Industries (L&I). Benefits include medical costs, temporary wage replacement, vocational rehabilitation benefits, and permanent disabilities benefits.

A worker may be entitled to a partial replacement of wages, also referred to as time-loss compensation, if the worker is temporarily unable to work as a result of an occupational injury or disease. In order to qualify for time-loss compensation, a health care provider must certify that the worker is unable to work due to a work-related injury or illness, also referred to as a temporary total disability.

Time-loss compensation is paid to a worker only if the worker is unable to work for more than three days following the date of the injury. Further, the worker does not receive time-loss compensation for those first three days unless they are still unable to work on the fourteenth day following the injury.

HB 1927 reduces the number of days—from fourteen to seven—that a temporary total disability must continue to receive workers' compensation time-loss benefits for the first three days following the injury.

### **SHB 1939—Social Work Compact**

Representative Orwall

**C67 L23**

The state licenses two types of social workers: advanced social workers and independent clinical social workers. To become licensed as either type of social worker, an applicant must have: (1) graduated from an approved master's or doctorate level social work educational program; (2) passed an approved examination; and (3) completed a supervised experience requirement.

SHB 1939 establishes the Social Work Licensure Compact, which would allow licensed social workers to practice across state lines in Compact states under a Compact privilege. The Compact would be administered by a Compact Commission, which is a joint government agency established by the Compact's member states. The membership of the Commission consists of one delegate selected by each member state.

The Compact becomes effective when enacted by at least seven states. To be eligible for Compact membership, a state must:

- license and regulate the practice of social work at the clinical, master's, or bachelor's category;
- require applicants for licensure to graduate from an accredited program;
- require applicants for clinical licensure to complete a period of supervised practice; and
- have a mechanism in place for investigating and adjudicating complaints about licensees.

To maintain membership in the Compact, states must:

- require that applicants for a multistate license pass a qualifying national exam;
- participate fully in the Commission's data system;
- notify the Commission of any adverse action or the availability of current significant investigative information regarding a licensee;
- implement procedures for considering the criminal history records of applicants for multistate licenses;
- comply with rules of the Commission;
- require an applicant to obtain or retain a license in the home state;
- authorize a licensee holding a multistate license in any member state to practice in accordance with the terms of the Compact and rules of the Commission; and
- designate a delegate to participate in the Commission meetings.

Social worker applicants must fulfill all clinical, master's, and bachelor's requirements depending on which license applicants apply for. To be eligible for a multistate license under the Compact, an applicant must:

- hold or be eligible for an active, unencumbered license in the home state;
- pay any applicable fees;
- submit, with an application, fingerprints or biometric data with an application for a criminal history record;
- notify the home state of any adverse action or encumbrance on any professional license within 30 days from the date the action is taken; and
- meet any continuing competence requirements, and abide by the laws and regulations of the member state where the client is located at the time care is rendered.

Additionally, social workers who have a multistate license under the Compact are subject to the regulatory authority of the member state. If a multistate licensee's license or authorization is encumbered, the licensee's license and authorization to practice in member states must be deactivated until the license is no longer encumbered.



The bill provides additional comprehensive details about the Compact. The ultimate outcome, however, is simple: As a Compact state, licensed social workers would be allowed to practice across state lines; that is, social workers licensed in Washington would be allowed to work in other Compact states and social workers licensed in other Compact states would be allowed to work in Washington.

There is currently a shortage of qualified, licensed social workers in the state. While this bill does not directly benefit K–12 education, student mental health, social emotional, and behavioral health needs continue to grow and providing a process to enhance the number of licensed social workers—even if they are licensed in another state—will help.

### **HB 1946—Behavioral health scholarship**

Representative Eslick

#### **C369 L24**

In 2019, the Washington Health Corps was established to encourage healthcare professionals to work in critical shortage areas. In exchange for service, healthcare professionals receive assistance with higher education in the form of loan repayment or conditional scholarships. The Washington Health Corps is an umbrella program under which four programs exist:

- the Health Professional Loan Repayment and Scholarship Program;
- the Behavioral Health Loan Repayment Program;
- the Nurse Educator Loan Repayment Program; and
- the Forensic Pathologist Loan Repayment Program.

These programs provide licensed professionals with repayment on all or a portion of participants' outstanding student loans in exchange for service at an eligible site. The Office of Student Financial Assistance (Office), created within and under the direction of the Washington Student Achievement Council, administers these programs in collaboration with the Department of Health (DOH). Each program differs in the type of eligible licensed health professionals and eligible geographic shortage areas of service. The Office, in consultation with DOH and the Department of Social and Health Services (DSHS), establishes annual conditional scholarship award amounts and required service obligations, and determines eligible education and training programs.

HB 1946 creates the Behavioral Health Scholarship Program under the Washington Health Corps for credentialed health professionals serving in underserved behavioral health areas. In administering and operating the Scholarship, the Office of Student Financial Assistance, within the Washington Student Achievement Council, administers these programs in collaboration with the Department of Health. These entities:

- establish annual conditional scholarship award amounts and required service obligations;
- determine eligible education and training programs;

- determine eligible credentialed healthcare professions;
- select participants;
- adopt rules and guidelines;
- collect and manage repayments from participants who do not meet their service obligations; and
- make exceptions to the conditions for participation and repayment obligations should substantial circumstances beyond the control of a participant warrant such exceptions.

While this bill does not directly benefit K–12 education, there is a shortage of qualified, licensed behavioral health professionals in the state, including in schools. While student mental health, social emotional, and behavioral health needs continue to grow, providing supports to help recruit more—and potentially more diverse—behavioral health staff will help.

### **HB 1950—Public Service Loan Forgiveness**

Representative Slatter, by request of Office of Financial Management

#### **C2 L24**

Public Service Loan Forgiveness (PSLF) is a federal program which allows borrowers employed full-time in a public service job, and who have made 120 qualifying payments for certain qualifying loans, to get their student loans repaid.

State agencies must provide PSLF materials to all employees annually and new employees within 30 days of employment. State agencies are required to certify employment for the purposes of PSLF. If the state agency does not directly certify employment with the U.S. Department of Education, it must annually provide notice of renewal and a copy of the PSLF certification form to:

- all employees; and
- any employee for whom the employer has previously certified employment.

The notice of renewal and completed employer sections of the PSLF form must be sent within 60 days of separation to an employee who has separated from service or employment. An employee may opt out of the employment certification process at any time.

For part-time academic employees to qualify as fulltime for PSLF, additional duties outside of contractually assigned in-class teaching hours must be counted by their employers. To count these hours, each hour of in-class teaching must be multiplied by 3.35 hours.

HB 1950 modifies the state agency requirements to providing Public Service Loan Forgiveness information and certifying employment. In addition to all employees and new hires, state agencies must provide the PSLF materials to separated employees upon separation from the state agency. State agencies are no longer required to annually provide notice of renewal



and a copy of the loan forgiveness form. Instead, state agencies must certify employment for any current or former employee who requests employment certification by providing a partially completed manual public student loan forgiveness form to the appropriate agency contact or by submitting a request through the federal PSLF online help tool. A state agency must send notice to submit a PSLF employment certification to any current employee that has previously had employment certified by the agency, one year after the last certification.

The bill also specifies that the multiplier for calculating part-time academic employee eligibility must be “at least 3.35” hours per hour of in-class teaching.

Finally, the bill adds OSPI to the current working group that includes the Washington Student Achievement Council, the Employment Security Department, the Department of Retirement Systems, nonprofit entities, local government representatives, and other public service employers to develop a statewide initiative to increase access to PSLF.

### **E2SHB 1956—Fentanyl use prevention education**

Representative Leavitt, by request of Office of the Governor  
**C201 L24**

Overdoses and overdose deaths, particularly from synthetic opioids, have increased in recent years, with overdose deaths among persons aged 14 through 18 increasing 94 percent from 2019 to 2020 and 20 percent 11 from 2020 to 2021. Given that fatal overdose risks among adolescents is increasing due to widespread availability of illicitly manufactured fentanyl, proliferation of counterfeit pills resembling prescription drugs but containing illicit drugs, and ease of purchasing pills through social media, Governor Inslee requested this bill. The intent is to combat the current public health crisis of abuse of fentanyl and other synthetic opioids, and to be prepared to address the next drug epidemic before it reaches crisis level, by deploying a statewide substance use prevention and awareness campaign. This bill utilizes the public education system to actively incorporate campaign messages and materials in classrooms, as well as in family and community communications.

E2SHB 1956 requires the Department of Health (DOH) to develop, implement, and maintain a statewide drug overdose prevention and awareness campaign to address the drug overdose epidemic. The campaign must educate the public about the dangers of methamphetamines and opioids, including fentanyl, and the harms caused by drug use. The campaign must include outreach to both youth and adults aimed at preventing substance use and overdose deaths.

DOH, in consultation with the Health Care Authority (HCA), may also include messaging focused on substance use disorder and overdose death prevention, resources for addiction treatment and services, and information on immunity for people who seek medical assistance in a drug overdose situation.

The 2024 and 2025 campaigns must focus on increasing the awareness of the dangers of fentanyl and other synthetic opioids,

including the high possibility that other drugs are contaminated with synthetic opioids and that even trace amounts of synthetic opioids can be lethal.

DOH must submit annual reports to the Legislature on the content and distribution of the statewide drug overdose prevention and awareness campaign. The report must include a summary of the messages distributed during the campaign, the mediums through which the campaign was operated, and data on how many individuals received information through the campaign. DOH must also identify measurable benchmarks to determine the effectiveness of the campaign and recommend whether the campaign should continue and if any changes should be made to the campaign.

Through July 1, 2026, OSPI is required to collaborate with DOH, HCA, other state agencies, and ESDs to develop school and classroom materials on the lethality of fentanyl and other opioids in coordination with the statewide drug overdose prevention and awareness campaign. OSPI must make these materials available to school districts and public schools.

By December 1, 2025, OSPI must adjust the state health and physical education learning standards for middle and high school students to add opioids to the list of drugs included in drug-related education and update the school and classroom materials to reflect the adjusted learning standards. OSPI must also make these materials available to school districts and public schools.

On an ongoing basis, OSPI must collaborate with DOH, HCA, other state agencies, and ESDs to develop age-appropriate substance use prevention and awareness materials for school and classroom uses. These materials must be periodically updated to align with substance use prevention and awareness campaigns implemented by DOH and HCA. OSPI must actively distribute the materials to school districts, public schools, ESDs, and community-based organizations that provide extended learning opportunities, and strongly encourage the incorporation of age-appropriate materials in classrooms, as well as in family and community communications.

This Act is known as the Lucas Petty Act, named after Lucas Petty who died after smoking marijuana laced with fentanyl when he was 16 years old.

NOTE: The 2024 Supplemental Operating Budget provides \$334,000 to OSPI to implement E2SHB 1956.

An additional \$2.6 million is provided to the Department of Health to implement the bill. This funding is to be used to develop a drug overdose prevention campaign for youth and adults.

### **HB 1982—Broadband loans & grants**

Representative Waters  
**C86 L24**

Since 2018 the Community Economic Revitalization Board (CERB) has operated a Rural Broadband Program, which

provides grants and loans to local governments and federally recognized tribes for the purposes of financing the cost to build infrastructure to provide high-speed, open-access broadband service to rural and underserved communities for the purposes of economic or community development. The Program was first authorized in the 2018 Supplemental Capital Budget and most recently received additional funding in the 2021-2023 Capital Budget.

HB 1982 codifies the Community Economic Revitalization Board Rural Broadband Program. Local governments and federally recognized tribes located in rural counties or a rural community, may apply for the Program. Under the Program, CERB may provide financial assistance only for projects located in a rural community or rural county that improve broadband in order to: (i) drive job creation, promote innovation, and expand markets for local businesses; or (ii) serve the needs of the local education system, health care system, public safety system, industries and businesses, governmental operations, and citizens.

CERB may not provide financial assistance for: (i) a project the primary purpose of which is to facilitate or promote a retail shopping development or expansion; or (ii) the deployment of publicly owned telecommunications network infrastructure solely for the sake of creating competitive, publicly owned telecommunications network infrastructure.

When evaluating and prioritizing projects, CERB must consider:

- the project's value to the community, feasibility, and readiness to proceed;
- the commitment of local matching resources and local participation;
- if the project uses a technology-neutral approach in order to expand access at the lowest cost; and
- if the project is included in a capital facilities plan, comprehensive plan, or local economic development plan consistent with applicable state planning requirements.

Before any financial assistance application is approved, the local government or the federally recognized tribe seeking the assistance must demonstrate to CERB that no other timely source of funding is available to it at costs reasonably similar to financing available from CERB.

While not directly related to K–12 education, the further expansion of broadband connectivity, especially in unserved and underserved rural communities, will have a positive impact on schools, students, and families.

#### **SHB 1985—PERS/TRS 1 benefit increase**

Representative Timmons, by request of Select Committee on Pension Policy

#### **C255 L24**

SHB 1985 provides a one-time three percent benefit increase

to Public Employees' Retirement System Plan 1 and Teachers' Retirement System Plan 1 retirees up to a maximum of \$110 per month. The benefit increase goes into effect on July 1, 2024. To be eligible for the increase the member must be retired on or before July 1, 2023. This increase only applies for members that are not receiving a minimum benefit.

#### **HB 2110—High School graduation**

Representative Nance

#### **C66 L24**

HB 2110 is essentially a statutory “clean up” bill and makes multiple nonsubstantive organizational and technical revisions to graduation requirement provisions to make current requirements more accessible. The various changes do not modify the current requirements or the related school district and state agency duties and authorizations. Examples of the nonsubstantive changes include consolidating graduation requirements into a specific statutory chapter, making grade and other references more consistent, and removing expired language.

#### **ESHB 2134—2024 Supplemental Transportation Budget**

Representative Fey, by request of Office of Financial Management

#### **C310 L24—Partial Veto**

This is the 2024 Supplemental Transportation Budget. The bill provides appropriations for state transportation agencies, road projects, and programs by amending the 2023–25 Transportation Budget adopted last session. This Budget makes supplemental transportation appropriations totaling \$14.6 billion for the 2023–25 biennium (an increase of \$1.1 billion beyond the Biennial Budget adopted last session).

Other than the positive, indirect impact provided by safe roads, K–12 education is not greatly affected by this budget. As usual, however, there is some funding for education-related issues:

- The Department of Ecology is appropriated \$19.7 million to provide grants to transition from diesel school buses and other student transport vehicles to zero-emission vehicles and for the necessary fueling infrastructure needed for zero-emission student transportation. The Department of Ecology is required to prioritize school districts serving tribes and vulnerable populations in overburdened communities, as defined under RCW 70A.02.010. Up to five percent of the appropriation may be used for technical assistance and grant administration.
- In the underlying 2023–25 Transportation Budget, the Department of Transportation received \$120.0 million for implementation of zero-emission medium and heavy-duty vehicle and equipment infrastructure and incentive programs and for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure. The 2024 Supplemental Transportation Budget provides an additional \$10.0 million.

\$20.0 million of the overall appropriation is provided to the Department of Transportation to administer an Early Action Grant Program to provide expedited funding for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure. The Department of Transportation is required to contract with the Department of Ecology to implement this grant program.

The remaining \$110.0 million appropriation must be used for a point-of-sale voucher incentive program to encourage the faster adoption of zero-emission medium and heavy-duty vehicles. Proviso language clarifies that school buses and transit vehicles eligible for state grant programs for the purchase of zero-emission vehicles are not eligible for vouchers under this program; however, they are eligible for fleet assistance provided in association with the voucher program, which must include assistance in determining state and federal grant eligibility for these vehicles.

- The University of Washington is provided with \$1.0 million for the Washington State Transportation Center to fund various training programs. \$81,000 of the total appropriation is provided for the Center to consult with the Board of Registration for Professional Engineers and Land Surveyors to conduct a statewide survey and analysis assessing workforce shortages of civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines. As part of an action plan to address engineering workforce shortages and to meet the increased demand for services, the plan must include several elements. One of the required elements is outreach opportunities and interinstitutional partnerships with middle schools, high schools, postsecondary institutions, and postgraduate programs. The Center must provide a preliminary plan to the Legislature by November 2024 and a final action plan report by December 31, 2024.
- \$500,000 of the Multimodal Transportation Account is provided to the Department of Transportation for the city of Seattle Department of Transportation to create a Digital Conflict Area Awareness Management Program to provide machine-readable information for transportation operators, such as autonomous vehicle fleet operators, to be aware of conflict areas, such as emergency response zones, work zones, schools, pick up and drop off locations, and other areas where vulnerable road users may be present.
- The Department of Transportation (Local Programs) is provided with an increase of \$27.3 million for Safe Routes to School projects.
- The underlying 2023–25 Transportation Budget required the Department of Licensing to develop a comprehensive implementation plan for the expansion

of the current driver training education requirement to obtain a driver's license to persons between the ages of 18 and 24. The driver training education expansion plan was required to include an assessment of public and private resources necessary to support the new driver training education requirement to ensure sufficient course availability and accessibility. The 2024 Supplemental Transportation Budget added new proviso language to this provision requiring the assessment to include opportunities for the Department of Licensing to provide driver training education directly or to facilitate partnerships with schools, community organizations, or driver training providers, to close availability and accessibility gaps in rural and underserved areas.

### **SHB 2180—Special education cap**

Representative Callan, by request of Office of Financial Management

#### **C229 L24**

The state allocates funding for a program of special education for students with disabilities using an excess cost formula. For eligible students in kindergarten through age 21, the formula multiplies a school district's base allocation by an excess cost multiplier. In 2009, the enrollment limit was set at 12.7 percent of a school district's full-time student enrollment. In 2017, the enrollment limit was increased to 13.5 percent. In the last year's session, the enrollment limit was increased to 15.0 percent.

SHB 2180 increases the enrollment limit for K–21 special education funding from the current 15.0 percent to 16.0 percent, beginning in the 2024–25 school year.

The bill also directs the State Auditor to review the prevalence of disabilities and whether the provisions and funding for evaluating students and providing services reflects the prevalence of disabilities, including whether any populations are disparately underevaluated or underserved. The Auditor must report findings and recommendations to the governor and the Legislature by November 30, 2025.

NOTE: The 2024 Supplemental Operating Budget provides \$19.6 million to fund the increase required in SHB 2180. The Budget also appropriates \$800,000 to the State Auditor to fund the required special education performance review.

Separate from the requirements in SHB 2180, the Budget provides OSPI with \$25,000 to support a review of school districts' utilization of special education funding. OSPI's report is due December 1, 2024. This review is in addition to the State Auditor's review required in SHB 2180 and is also in addition to a current performance review being conducted by the Joint Legislative Audit & Review Committee (JLARC). JLARC's study is due January 2025. For details, see the Operating Budget Section earlier in this Report.



**SHB 2195—Early learning facilities**

Representative Callan

**C230 L24**

The Department of Commerce administers the Early Learning Facilities (ELF) program, which provides grants and loans to eligible organizations to plan, renovate, purchase, and construct early learning facilities.

Organizations eligible to receive funding from the ELF program include:

- Early Childhood Education and Assistance Program providers;
- Working connections child care providers who are eligible to receive state subsidies;
- Licensed early learning centers not currently participating in the ELF program, but intending to do so;
- Developers of housing and community facilities;
- Community and Technical Colleges;
- ESDs;
- Local governments;
- Federally recognized tribes in the state; and
- Religiously affiliated entities.

In the 2023–25 biennium, grants and loans are limited to the following amounts:

- \$21,605 for facility predesign, feasibility planning, and project development;
- \$216,052 for minor renovation or repairs of existing early learning facilities; and
- \$2.5 million to create, purchase, or expand early learning facilities.

School districts may also receive grants or loans to purchase, construct, or renovate early learning classrooms up to \$1 million.

SHB 2195 removes the current ELF program grant of loan limits, effective July 1, 2025. Grant or loan awards for ELF construction, renovation, purchase, or repair grants are prioritized to facilities that are ready for construction. Translation services are added as an eligible administrative cost. ELF program facilities collocated with housing developments are allowed to receive state funding for up to 90 percent of the project cost, regardless of the proportionate match amount. The Department of Commerce may adopt rules to implement the ELF program.

**HB 2209—Lunar New Year**

Representative Thai

**C76 L24**

The Lunar New Year is a celebration of the arrival of spring and the beginning of a new year. It is a significant holiday in many East and Southeast Asian cultures, including in Chinese,

Vietnamese, and Korean communities. The beginning of the Lunar New Year varies each year, as it is tied to the lunar calendar based on the cycles of the moon, and the duration of the holiday varies by culture.

In the United States, the Lunar New Year is commonly associated with the Chinese New Year, also known as the Spring Festival. This is typically a 15-day celebration beginning on the day of the second new moon after the winter solstice, which usually falls between the end of January and mid-February. In Vietnam, the holiday is known as Tet Nguyen Dan, commonly referred to as Tet, whereas in Korea it is known as Seollal. In China, the holiday can be traced as far back as the Shang Dynasty (1600–1046 BCE) as a celebration of the end of the harvest and time to spend with family.

Each culture celebrates the Lunar New Year differently with various foods and traditions that symbolize prosperity, abundance, and togetherness. Among other traditions, people give offerings to ancestors and deities, often in the form of food and money, and hang red lanterns to welcome health, wealth, and good fortune in the new year.

Early in the 2024 Session, there was an effort to make the Lunar New Year a paid state legal holiday. As ultimately adopted, however, HB 2209 adds the Lunar New Year to the current list of legislatively recognized days. It is defined as the day of the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene.

HB 2209 encourages state governmental entities, local governments, schools and institutions of higher education, and cultural organizations to celebrate the Lunar New Year. In addition, the State Commission on Asian Pacific American Affairs is required to create Lunar New Year programming and resources for entities to use in planning and structuring their celebrations.

**ESHB 2236—Career & Technical Education Core Plus**

Representative Shavers

**C234 L24**

Career and Technical Education (CTE) is a planned program of courses and learning experiences that begins with exploration of career options and supports basic academic and life skills. Core Plus is a two-year CTE instruction program that is designed to prepare students for a structured pathway to employment in one of three sectors: aerospace/advanced manufacturing; construction; and maritime.

ESHB 2236 directs OSPI, in collaboration with the State Board for Community & Technical Colleges, the Department of Health, the Health Workforce Council convened by the Workforce Training and Education Coordinating Board, a statewide organization representing Career and Technical Education, representatives from the Allied Health Industry, and representatives from labor organizations representing allied health professions, to develop an Allied Health Professions Career and Technical Education



program for providing instruction to students who are pursuing industry-recognized nondegree credentials that: lead to entry level positions in allied health professions; and lead or articulate to either related, recognized nondegree credentials or two- or four-year degrees, or both.

The curriculum and other instructional materials for the Allied Health Program, which must reflect consideration of a specified list of issues that includes instructional, training, and professional development, and community relationship issues, must be available for optional use in school districts and Skills Centers beginning in the 2027–28 school year.

In meeting the obligations related to the Allied Health Program, OSPI must:

- consult with representatives from allied health profession employers and labor organizations representing Allied Health employees for the purpose of promoting industry sector partnerships, developing relationships with employers that are committed to hiring students who have completed the Allied Health Program, and soliciting recommendations for its establishment on specified topics and other issues deemed necessary by the entities with which it must collaborate;
- implement a process for soliciting comments about the Allied Health Program’s establishment and operation from teachers and students, including students’ parents or guardians; and
- consider any preliminary or final recommendations of the Statewide CTE Task Force.

After the Allied Health Program is established, OSPI must convene and collaborate with an advisory committee consisting of industry leadership from the Allied Health sector, representatives from a statewide entity representing businesses in the sector, and representatives from qualifying labor organizations for the purpose of:

- informing the administration and continual improvement of the Allied Health Program;
- reviewing data and outcomes;
- recommending program improvements;
- ensuring that the Allied Health Program reflects needed industry competencies; and
- identifying appropriate program credentials.

OSPI is also authorized to adopt and revise rules as necessary for the implementation of the Allied Health Program and associated responsibilities.

ESHB 2236 also establishes the Statewide Career and Technical Education Task Force within OSPI with the following members:

- the Superintendent of Public Instruction or the Superintendent’s designee;

- two representatives from a statewide organization representing CTE, at least one of whom must be a CTE classroom instructor;
- a representative of CTE Core Plus Aerospace/Advanced Manufacturing selected by an organization representing aerospace or advanced industrial manufacturers;
- a representative of CTE Core Plus Construction selected by an organization representing general contractors;
- a representative of CTE Core Plus Maritime selected by an organization representing maritime interests;
- a representative from the State Board for Community and Technical Colleges (SBCTC) selected by the SBCTC;
- a representative from a Skills Center as selected by the Washington State Skills Center Association;
- a representative from the Allied Health industry; and
- a representative from the Workforce Training and Education Coordinating Board selected by the Board.

The State Superintendent or the Superintendent’s designee must chair the Task Force, and staff support for the Task Force must be provided by OSPI. Provisions establishing the Task Force and prescribing its duties expire June 30, 2026.

The Task Force must develop recommendations for:

- expanding and strengthening the accessibility, stability, and uniformity of secondary work-integrated learning opportunities, including CTE, career connected learning, regional apprenticeship programs, CTE Core Plus programs, work-based learning, internships and externships, and other types of work-integrated learning—these recommendations should address governance, operations, and codification, and must be in the form of draft legislation;
- the successful administration and operation of CTE Core Plus programs through appropriate collaboration with industry sector leadership from program areas; and
- a CTE Core Plus model framework that can be used to guide the expansion, establishment, and operation of CTE Core Plus programs.

In making recommendations on a CTE Core Plus model framework, the Task Force must consider, at a minimum:

- Curricula and instructional hours that lead or articulate to industry-recognized nondegree credentials;
- Curricula provided without cost to educators;
- Academic course equivalencies;
- Courses and course sequencing;
- The development, maintenance, and expansion of industry, labor, and community partnerships;

- Program credentials;
- Training and professional development for educators and counselors;
- Alignment with postsecondary education and training programs;
- The promotion of student, family, and community awareness of Career and Technical Education Core Plus programs, including instructional offerings and potential work placement opportunities; and
- The development and expansion of a cohort of employers willing to hire and place students that have successfully completed Career and Technical Education Core Plus programs.

The Task Force must report its findings and recommendations to the governor, the Legislature, and the State Board of Education by November 15, 2025. The bill clarifies that the Legislature does not intend for the recommendations of the Task Force to modify the operation of CTE Core Plus programs established prior to January 1, 2024.

NOTE: The 2024 Supplemental Operating Budget provides \$500,000 to support OSPI in implementing ESHB 2236.

### **E2SHB 2247—Behavioral health providers**

Representative Bateman

#### **C371 L24**

E2SHB 2247 changes licensing requirements, practice settings, and reimbursement requirements for various master's level behavioral health professionals with the intent of addressing behavioral health provider shortages.

**Psychologists. Licensed Psychological Associates.** This bill creates a new licensed psychological associate credential. A licensed psychological associate may practice psychology under the supervision of a licensed supervisor under rules adopted by the Examining Board of Psychology (Board). An individual who is a licensed psychological associate must provide each client or patient, during the first professional contact, a disclosure form disclosing that the individual is a licensed psychological associate under the supervision of an approved supervisor.

To be credentialed as a licensed psychological associate, an applicant must be:

- currently enrolled in a doctoral program, a Doctor of Psychology program, or its equivalent in psychology at an accredited educational institution or participating in a postdoctoral residency, postdoctoral fellowship, or another supervised postdoctoral experience; and
- deemed competent by the Director of Clinical Training or postdoctoral supervisor to practice psychology under the supervision of a licensed supervisor subject to rules adopted by the Board.

An applicant for a licensed psychological associate credential must comply with relevant administrative procedures, administrative requirements, and fee requirements. An applicant may practice without a license under direct supervision for 120 days or until the applicant's license is issued or denied, whichever is sooner.

*Licensing Psychologists Without Examination.* The Board may adopt rules waiving requirements for licensing a psychologist without examination for applicants who have continuously been licensed in another state, territory, or country for a period of time that, in the judgment of the Board, renders the waived requirements duplicative or unnecessary.

### **Clinical Social Workers, Mental Health Counselors, and Marriage and Family Therapists. Continuing Education.**

The minimum hours of continuing education are eliminated for master's level behavioral health professionals (licensed clinical social workers, mental health counselors, marriage, and family therapists), and associates. Instead, the continuing education requirements are established in rules adopted by the Department of Health (DOH) in consultation with the Washington State Mental Health Counselors, Marriage and Family Therapists, and Social Workers Advisory Committee.

*Associate Licenses.* An applicant for an associate license may practice without a license under direct supervision for 120 days or until the applicant's license is issued or denied, whichever is sooner.

The limit on the number of times an associate license may be renewed is eliminated. A person whose associate license was not renewed due to the person exceeding the renewal limit must be treated as if the person's license expired. DOH must allow such a person to return to active status pursuant to standard rules and procedures.

The minimum number of years of clinical experience for a marriage and family therapist supervising an associate is reduced from five years to two years.

*Supervisor Stipends.* The stipend program for associate licensees is changed to a stipend to offset the costs of providing supervision to associates. To be eligible for the program, a supervisor must

- meet all supervision qualifications; and
- be actively providing supervision to at least one associate.

Participating supervisors must document their expenses attributable to each supervised associate and time spent supervising each associate. Supervisors are eligible for up to \$2,000 per year per associate if the supervisor maintains the supervisory relationship for the entire year, subject to the availability of funds. If the supervisor does not provide supervision for an entire year, DOH must prorate the stipend amount accordingly.

If the supervisor's documented expenses attributable to an associate exceed the stipend amount, the supervisor may charge the associate a fee to recoup the expenses. In no case may the fee exceed \$1,600. The supervisor must report any fees charged to DOH.

The start date for the stipend program is delayed until July 1, 2025.

**Disciplining Authority.** The Secretary of Health (Secretary) must study and make recommendations on changing the disciplining authority for master's level behavioral health professionals from the Secretary to separate boards or commissions for each profession. The Secretary's findings and recommendations must, at a minimum, include whether the disciplining authority for each profession should be a board or a commission; the recommended membership of each board or commission, which must include a majority of members who are members of the regulated professions and at least one public member; an estimate of the fiscal impact of changing the disciplining authority for the professions; and a transition plan for changing the disciplining authorities, including recommended statutory changes.

When formulating the findings and recommendations, the Secretary must consult with organizations representing the affected professions. The Secretary must report the findings and recommendations to the appropriate committees of the Legislature no later than July 1, 2025.

**Agency Affiliated Counselors.** Beginning January 1, 2028, the practice settings for agency affiliated counselors are expanded to include federally qualified health centers.

**Substance Use Disorder Professionals.** The requirement that a substance use disorder trainee practice with a state-regulated agency is eliminated.

The limit on the number of times a substance use disorder professional trainee credential may be renewed is eliminated. A person whose credential was not renewed due to the person exceeding the renewal limit must be treated as if the person's license expired. DOH must allow such a person to return to active status pursuant to standard rules and procedures.

**Medicaid.** The Health Care Authority must ensure that associates are included in the Medicaid State Plan, including filing any Medicaid State Plan amendments by January 1, 2025.

**Rulemaking.** The Examining Board of Psychology and the Secretary of Health may adopt rules necessary to implement this Act.

NOTE: While this bill does not directly impact K–12 education, the intent is to address the current behavioral health provider shortage. The shortage of qualified, licensed behavioral health professionals in the state does negatively impact schools and these types of bills will help to recruit more behavioral health staff, thereby expanding the pool of available staff for schools.

## ESHB 2256—Children behavioral health

Representative Callan

C372 L24

The Children and Youth Behavioral Health Work Group was established to identify barriers to, and opportunities for, accessing behavioral health services for children and their families and advise the Legislature on statewide behavioral health services for those children and families. There are 38 members of the Work Group, including legislators, representatives from state agencies, providers, parent and child representatives, and advocates.

The cochairs of the Work Group are selected by the Work Group members and must include one legislative member and one executive branch member. At the direction of the cochairs of the Work Group, the Work Group may convene advisory groups to evaluate specific issues and report related findings and recommendations to the full Work Group. The Work Group is required to convene an advisory group for the purpose of developing a behavioral health strategic plan. This strategic plan advisory committee must complete the strategic plan by October 1, 2024.

The Work Group must submit annual recommendations to the governor and the Legislature. The Work Group expires December 30, 2026.

ESHB 2256 modifies membership and various requirements of the Children and Youth Behavioral Health Work Group.

The goals of the Work Group are expanded to include strengthening and building a coordinated systemic approach to providing behavioral health care and supports that ensure that all children, youth, young adults, and their families have timely access to high quality, equitable, well-resourced behavioral health education, care, and supports across the continuum when and where they need it, including prenatal care.

The bill modifies the Work Group membership to:

- allow the governor to appoint additional representatives from state agencies;
- include three youth or young adult representatives who have experience with behavioral health issues as members;
- allow the cochairs of the Work Group to request that the governor appoint additional members;
- allow the governor to consult with the cochairs regarding discretionary additional membership appointments beyond what are required in statute;
- limit newly appointed Work Group member terms to three years and allow existing members to remain in their positions until January 1, 2027; and
- add a member representing ESDs.

The Work Group cochair designation is modified to specify that the nonlegislative cochair must be the representative from the Health Care Authority (current law allows the nonlegislative cochair to be selected from among the executive branch members).

The requirements of the Work Group are expanded to include determining the strategies and resources needed to achieve parity of private health insurance coverage for behavioral health conditions with the coverage provided for other health conditions.

The School-based Behavioral Health and Suicide Prevention Advisory Group is modified to:

- specify that it includes preschool through twelfth grade (instead of kindergarten through twelfth grade); and
- require that it consider the broader behavioral health issues impacting children, youth, and families, while focusing on the issues that are unique to children and families that interface with schools.

The Work Group cochairs must appoint a chair for the Strategic Plan Advisory Group. The Strategic Plan Advisory Group Draft Strategic Plan is modified to remove an incremental action plan outlining the action steps needed to achieve the vision provided by the draft strategic plan, clear prioritization criteria, and a transparent evaluation plan. This strategic plan must be developed in coordination with the Joint Legislative and Executive Committee on Behavioral Health and the Department of Health and the Health Care Authority in relation to the implementation of the 988 Crisis Hotline. The deadline for the advisory group to submit this strategic plan is delayed from October 1, 2024, to August 1, 2025.

The expiration of the Work Group is delayed from December 30, 2026, to December 30, 2029.

### **E2SHB 2301—Waste material management**

Representative Doglio

#### **C341 L24**

E2SHB 2301 establishes new grant programs related to food waste reduction and organic material management policy implementation. Additionally, several requirements under the state's solid waste management laws are amended.

Most of the bill's provisions—and the programs being amended—apply to cities and counties. There is one specific provision that addresses school districts, however. In 2008, legislation required the Office of Waste Reduction to develop, in consultation with OSPI, an awards program to achieve waste reduction and recycling in public schools, and to encourage waste reduction and recycling in private schools, grades kindergarten through high school. The program is known as Waste Not Washington. For the purpose of granting awards, the Office of Waste Reduction may group all participating schools into not more than three classes, based upon student population, distance to markets for recyclable materials, and other criteria,

as deemed appropriate. Under current law, awards of no more than \$5,000 are provided and five or more awards may be granted to each of the three classes.

Additionally, awards are required to be granted each year to the schools that achieve the greatest levels of waste reduction and recycling. Under current law, a single award of not less than \$5,000 may be presented to the school having the best recycling program as measured by the total amount of materials recycled, including materials generated outside of the school.

One of the many changes made in E2SHB 2301 is the award levels provided to schools as a part of the Waste Not Washington program. Beginning January 1, 2026, the limit for the awards to schools is \$10,000.

NOTE: \$6.3 million is appropriated in the 2024 Supplemental Operating Budget to implement E2SHB 2301; funding is provided to the Department of Agriculture (\$3.2 million) and the Department of Ecology (\$3.0 million). Another \$106,000 is provided to the Office of the Attorney General for legal services provided to the Department of Agriculture and the Department of Ecology related to E2SHB 2301. Additional funding for Waste Not Washington awards is included in the additional funding.

### **ESHB 2331—Public schools materials**

Representative Stonier

#### **C316 L24**

ESHB 2331 amends current law addressing how a school district board of directors handles issues regarding instructional materials. The bill specifically prohibits any school board from refusing to approve, or prohibit the use of, any textbook, instructional material, supplemental instructional material, or other curriculum for student instruction on the basis that it relates to or includes the study of the role and contributions of any individual or group that is part of a protected class as established in public school nondiscrimination provisions (that is: sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained guide dog or service animal by a person with a disability). An exception to these requirements is provided if the educational material content associated with the action or inaction violates nondiscrimination requirements for public schools, including if the materials contain bias against any individual or group who is part of a protected class.

Anyone alleging a violation of requirements barring the specified inactions and prohibitions may bring a complaint under provisions prohibiting discrimination in public schools. Any school board found to be in violation of the requirements is considered to have violated public school nondiscrimination provisions and is subject to the applicable actions.

By the beginning of the 2025–26 school year, each school board must adopt or revise as necessary policies and procedures governing requested reviews and removals of supplemental



instructional materials. The policies and procedures must:

- include a summary of provisions barring the specified inactions and prohibitions for supplemental instructional materials, a defined term;
- require that requests for the review and potential removal of the materials be in writing from a parent and submitted to the applicable certificated teacher or teacher-librarian and school principal;
- seek to resolve requests for reviews and potential removals of the materials at the school building level through, if requested by the parent, a meeting with the parent, the applicable certificated teacher or teacher-librarian, and school principal;
- require, if a resolution cannot be agreed upon with the parent and the school principal, and following a review of the materials by the principal, in consultation with a teacher-librarian of the school district if one is available, the principal to provide a written decision on whether to remove the materials within specified timeframes; and
- provide a process for appealing decisions of principals, either by the parent or the applicable certificated teacher or teacher-librarian, to the superintendent of the school district or a designee of the superintendent. Appeal requests must be made in writing and decisions by the superintendent or designee are not subject to appeal. Final decisions at any point in the process may not be reconsidered for a minimum of three years unless there is a substantive change of circumstances as determined by the superintendent.

Decisions about requested reviews and removals of supplemental instructional materials must be in conformity with provisions barring the specified inactions and prohibitions for supplemental instructional materials. The decisions may also be limited in application to only the student or students of the parent who submitted the complaint.

The new law requires Instructional Materials Committees to include one or more parents of enrolled students. Additionally, school districts must develop and implement comprehensive outreach programs to parents of enrolled students in the district for the purpose of recruiting a diverse pool of parent members that, to the greatest extent possible, reflect the demographics and learning needs in the school district.

If an Instructional Materials Committee is unable to recruit at least one parent member, the Instructional Materials Committee, while it is without a parent member, must report quarterly to the school board and the public on its efforts to recruit one or more parent to serve on the Instructional Materials Committee.

Provisions governing the duties of Instructional Materials Committees are modified by the bill to specify that their recommendations must include recommendations for culturally and experientially representative instructional materials,

including materials on the study of the role and contributions of individuals or groups that are part of a protected class as established in public school nondiscrimination provisions.

Provisions governing mandatory systems for written complaints about instructional materials used by school districts are modified. The complaint systems must:

- require that complaints be in writing from a parent or legal guardian of a student who is enrolled in the district and submitted to a principal from a school where the materials that are the subject of the complaint are used;
- seek to resolve complaints through, if requested by the parent or guardian, a meeting with the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, and the principal to whom the complaint was submitted; and
- require, if a resolution cannot be agreed upon with the parent or guardian and the school principal, the Instructional Materials Committee to provide a written decision on the matter within a specified timeframe. Decisions made by the Instructional Materials Committee must be in conformity with provisions barring the specified inactions and prohibitions for instructional materials and may be limited in application to only the student or students of the parent or guardian who submitted the complaint.

The complaint systems must also provide a process for appealing decisions of the Instructional Materials Committee, by the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, or a principal from a school where the materials that are the subject of the complaint are used, to the superintendent of the school district or a designee of the superintendent. These appeal requests must be made in writing and decisions by the superintendent or designee are not subject to appeal. Final decisions at any point in the process may not be reconsidered for a minimum of three years unless there is a substantive change of circumstances as determined by the superintendent.

Requirements obligating school boards, through adopted policies, to evaluate teaching materials in a public hearing upon receiving a complaint by parents or guardians, are modified to require that the evaluations be conducted in accordance with provisions governing instructional materials and supplemental instructional materials.

Rules and guidelines developed by the Superintendent of Public Instruction to eliminate discrimination in the public school system must include provisions for the barred inactions and prohibitions related to instructional and supplemental instructional materials.

Finally, the bill clarifies that these new requirements apply to Charter Schools and State-Tribal Education Compact Schools.

**SHB 2335—State-Tribal Education Compacts**

Representative Santos

**C206 L24**

SHB 2335 was introduced to address an oversight regarding governance. OSPI may affect a State-Tribal Education Compact; however, related duties of a legislative nature fall under the purview of the State Board of Education.

To address this conflict, SHB 2335 allows exemptions to basic education requirements and certain compulsory coursework and activities to be included within State-Tribal Education Compacts negotiated between OSPI and the governing body of a tribe or qualifying school. OSPI is required to consult with the State Board of Education on provisions within new or revised State-Tribal Education Compacts relating to the duties or authorizations of the State Board.

**SHB 2381—School calendar waivers**

Representative McEntire, by request of Superintendent of Public Instruction

**C238 L24**

Under current law, OSPI is authorized to grant three-year renewable waivers from the 180-day school year requirement to school districts that propose to operate one or more schools on a flexible calendar for purposes of economy and efficiency. A school district seeking a waiver from the 180-day school year requirement must submit an application to OSPI that meets certain content requirements, including having:

- a proposed calendar for the school day and school year that demonstrates how instructional hour requirements will be maintained;
- an explanation and estimate of the economies and efficiencies to be gained from compressing the instructional hours into fewer than 180 days;
- an explanation of the impact on employees in education support positions and the ability to recruit and retain employees in education support positions; and
- a summary of comments received at one or more public hearings on the proposal and how concerns will be addressed.

Although OSPI has the power to grant these waivers, that authority is limited to issuing the waivers to ten school districts. Eligible districts must have fewer than 500 students. Additionally, two of the waivers issued must be reserved for school districts with fewer than 150 students.

SHB 2381 retains OSPI's authority to issue waivers reducing the minimum number of school days required in a school year; however, the number of allowed districts is increased from ten to thirty and eligible districts are those which have less than 1,000—rather than less than 500—students.

The waiver applications, noted above remain; however, applicants must also include an examination of the impact on employees in education support positions, specifically including

expected position and work hour reductions, reductions in force, and the loss of work benefits or eligibility for work benefits.

**ESHB 2384—Traffic safety cameras**

Representative Donaghy

**C307 L24**

ESHB 2384 comprehensively amends statutory provisions related to the use of automated traffic safety cameras. Most of the amendments do not impact K–12 education; however, the following provisions affect public schools:

- Automated traffic safety cameras are authorized to be used in school speed zones and school walk zones. The bill clarifies the definition of these two terms. “School speed zone” is defined to match the definition that applies to non-camera enforced rules of the road violations: “Three hundred feet in either direction from a marked crosswalk.” “The definition of “school walk zone” is expanded to include all roadways within a 1-mile radius of a school that students use to travel to school by foot, bicycle, or other means of active transportation.
- The bill amends the maximum penalty amount permitted for traffic camera violations to \$145. This maximum penalty amount can be doubled for a traffic camera-enforced school speed zone infraction and is adjusted for inflation every five years beginning January 1, 2029.
- The bill clarifies automated traffic safety cameras may be used to detect speed violations within:
  - Hospital speed zones;
  - Public Park speed zones;
  - School speed zones;
  - School walk zones;
  - Roadway work zones; and
  - State highways within city limits that are classified as city streets.
- Currently, a notice of a traffic infraction can be issued if the infraction is detected through the use of an automated school bus safety camera; however, new language is added to this provision. In addition to a law enforcement officer, a trained and authorized civilian employee of a general authority Washington law enforcement agency or an employee of a local public works or transportation department performing under the supervision of a qualified traffic engineer has the authority to review infractions detected through the use of an automated school bus safety camera and to issue notices of infraction. These employees must be sufficiently trained and certified in reviewing infractions and issuing notices of infraction by qualified peace officers or by traffic engineers employed in the jurisdiction's public works or transportation department.

- Beginning four years after the effective date of the bill, 25 percent of the revenue generated from traffic cameras placed into use after the effective date of the bill (excluding revenue for costs associated with administering, installing, operating, and maintaining traffic cameras), must be deposited in the Cooper Jones Active Transportation Safety Account. Revenue generated from red light and school zone cameras for existing traffic camera programs is exempt from this requirement in the following circumstances:
  - if the programs expand up to 10 percent, as measured by an increase in camera locations for red light cameras, or school zone cameras, in place as of January 1, 2024;
  - if a program with fewer than 10 locations in place as of the effective date of the bill adds up to one additional location for red light cameras or school zone cameras in place as of January 1, 2024; or
  - if the program has an ordinance in place on January 1, 2024, directing the manner in which traffic camera revenue can be used.

#### **ESHB 2441—College in the High School**

Representative Corry

##### **C240 L24**

College in the High School programs provide college-level courses in high schools or high school environments to qualified students who are in or are eligible for enrollment in grades 9 through 12. Students who participate in a College in the High School program are able to earn both high school and postsecondary credit by completing postsecondary level courses with a passing grade. Programs are established in individual agreements between the schools and colleges or universities, defined as the state universities, the regional universities, The Evergreen State College, and Community and Technical Colleges.

ESHB 2441 establishes a pilot program, allowing one private, not-for-profit four-year institution that serves rural or underserved communities with a main campus in Yakima County, selected by the Washington Student Achievement Council (WSAC), to offer College in the High School courses at no cost to students at public high schools. WSAC is required to distribute funds at a rate of \$300 per student up to a maximum of \$6,000 per course to the pilot institution. The pilot institution must provide WSAC with a signed affidavit to attest to certain nondiscrimination policies. The CHS course content or instruction must not include religious behavior or conduct by the pilot institution or its faculty. The pilot institution must provide annual information starting November 1, 2025, including:

- College in the High School courses offered, by name, number, specific location offered, and student enrollment information disaggregated by school district and high school;
- data on College in the High School student demographics;
- awards of postsecondary credit at the pilot institution; and
- the academic performance of students taking the offered College in the High School courses.

WSAC is required to compile the information submitted by the pilot institution and submit an annual report to the Legislature beginning December 1, 2025. The pilot program expires December 1, 2030.

NOTE: The 2024 Supplemental Operating Budget provides \$100,000 for the Washington Student Achievement Council to implement ESHB 2441.

#### **HB 2481—Health benefit premiums**

Representative Volz

##### **C185 L24**

When a recipient of a pension or annuity from the Washington State Retirement Systems is living at the time their monthly pension is paid, the Department of Retirement Services (DRS) pays that pension for the entire month. Recipients of those monthly benefits are only entitled to payment until the date of death, meaning that many individuals receive benefits for a portion of the month after their death. Payments to retirees for periods after death result in survivors or the member's estate having to repay a portion of the final pension payment received during the month of the member's death. DRS issues an invoice to the deceased member's estate for the repayment of benefits. When an individual dies before a monthly benefit payment is paid, the payment is prorated. Typically, DRS makes benefits payments during the later part of each month, so a typical repayment required of the deceased member's estate is for three or four days' worth of benefits. Administratively, however, DRS takes back the entire pension payment for the final month, including the health benefit premium, calculates the correct payment for the final month, and deposits that corrected amount in the member's bank account. DRS does not resend premium payments for health benefit premiums to the Health Care Authority (HCA).

HB 2481 requires the Health Care Authority to waive the payment of premiums during the month that a retired participant in the Public Employees' Benefits Board health coverage program dies. HCA must enroll any eligible surviving dependents in the same plan effective on the first day of the month in which the death occurred, and require those survivors to pay the applicable premiums.

#### **ESHB 2494—MSOC**

Representative Bergquist

##### **C262 L24**

ESHB 2494 updates the Materials, Supplies, and Operating Costs (MSOC) per pupil amounts defined in state prototypical formulas in statute. Additionally, MSOC per pupil rates

are increased by \$21. The bill specifically increases three components in the current 2023–24 school year: Utilities and Insurance (from \$416.26 to \$430.26 per student); Instructional Professional Development for Certificated and Classified Staff (from \$25.44 to \$28.94 per student); and Security and Central Office Administration (from \$142.87 to \$146.37 per student). This increases the per student allocations in the current 2023–24 school year from a total of \$1,483.44 to \$1,504.44.

The bill also states the \$21 per student increase is intended to address growing costs in specific categories (Utilities and Insurance; Instructional Professional Development for Certificated and Classified Staff; and Security and Central Office Administration) and may not be expended for any other purpose.

Finally, the technology category includes \$25 per pupil outside the state's program of basic education that was added in the 2022–23 school year above statutorily required amounts. This \$25 per pupil increase provided for technology is added to statute.

NOTE: The 2024 Supplemental Operating Budget provides \$43.6 million for the 2023–24 school year, to increase MSOC per pupil funding by \$21, as required by the ESHB 2494. Additionally, the Budget increases the 2024–25 school year values by an inflationary factor of 1.9 percent.

#### **SB 5180—Out-of-state teachers**

Senator Hunt

**C317 L24**

Under state law, the Professional Educator Standards Board (PESB) is tasked with establishing rules for teacher certification, including requirements for teacher preparation programs. Under rules set by PESB and state law, there are several pathways to becoming a certificated teacher, with the traditional route being enrollment in a teacher preparation program as part of a bachelor or master's degree program. Teacher applicants must also take a basic skills assessment and report the results to PESB. Applicants must also achieve a minimum assessment score in the subjects for which the applicant has applied for an endorsement. As part of the initial application for certification, candidates must undergo a criminal history record check through the Washington State Patrol criminal identification system.

PESB is required under state law to adopt rules to identify an expedited professional certification process for out-of-state teachers who have five years or more of successful teaching experience, including a method to determine the comparability of rigor between the Washington professional certification process and the advanced level teacher certification process of other states. PESB is also required under state law to develop rules for expediting issuance of a license to a person who is licensed in another state and whose spouse is the subject of a military transfer to Washington State. A professional-level certificate must be issued to out-of-state teachers if the teacher holds a valid teaching certificate issued by the National Board for Professional Teaching Standards.

Out-of-state candidates who have not completed an approved teacher preparation program or approved alternate route program may obtain a residency certificate if they have an out-of-state teaching certificate and three years of out-of-state teaching experience. PESB may also establish criteria to ensure that persons who are applying for residency certification and persons applying to master's degree level teacher preparation programs can demonstrate to PESB's satisfaction that they have the requisite basic skills.

SB 5180 adopts the Interstate Teacher Mobility Compact. The Compact comes into effect on the date on which the Compact statute is enacted into law in the 10th member state.

Each state in the Compact must compile a list of eligible licenses the member state is willing to consider for equivalency and provide this list to the Interstate Teacher Mobility Compact Commission established under the Compact. Upon receipt of an application for licensure by a teacher holding a valid, current, and unencumbered license in a member state, the receiving state shall determine which, of any, of the state's eligible licenses the teacher is qualified to hold and shall grant such a license to the applicant. The determination shall be made in the sole discretion of the receiving state's licensing authority. An unencumbered license is not a restricted, probationary, provisional, substitute, or temporary credential.

A teacher eligible to receive a license under the Compact must undergo a criminal background check in the receiving state, comply with any applicable conditions of employment, and provide the receiving state with additional information for determining compensation. For active military members and eligible military spouses who hold a license that is not unencumbered, the receiving state shall grant an equivalent license regardless of the other state's participation in the Compact, except where the receiving state does not have an equivalent license.

A state under the Compact may require specific requirements for licensure renewal or advancement and may require additional information from teachers receiving a license for purposes of compensation.

Nothing in the Compact shall be construed to invalidate or alter existing and future cooperative agreements, or limit award licenses or other benefits based on additional credentials.

Nothing in the Compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to state practice. Member states shall be authorized to receive and must provide files and information regarding the investigation and discipline of teachers in other member states upon request, according to certain disclosure conditions.

The Interstate Teacher Mobility Compact Commission is established as a joint interstate governmental agency comprised of states that have enacted the Compact. The Commission is granted the following powers and duties:



- Establish a code of ethics for the commission;
- Establish the fiscal year of the commission;
- Establish bylaws for the commission;
- Maintain its financial records in accordance with the bylaws of the commission;
- Meet and take such actions as are consistent with the provisions of the Compact, the bylaws, and rules of the commission;
- Promulgate uniform rules to implement and administer the Compact. The rules shall have the force and effect of law and shall be binding in all member states;
- Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any member state licensing authority to sue or be sued under applicable law shall not be affected;
- Purchase and maintain insurance and bonds;
- Borrow, accept, or contract for services of personnel including, but not limited to, employees of a member state, or an associated nongovernmental organization that is open to membership by all states;
- Hire employees, elect, or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the Compact, and establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;
- Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use, any property, real, personal, or mixed, provided that at all times the Commission shall avoid any appearance of impropriety;
- Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;
- Establish a budget and make expenditures;
- Borrow money;
- Appoint committees, including standing committees composed of members and such other interested persons as may be designated in the Compact, rules, or bylaws;
- Provide and receive information from, and cooperate with, law enforcement agencies;
- Establish and elect an executive committee;
- Establish and develop a charter for an executive information governance committee to advise on facilitating exchange of information, use of information, data privacy, and technical support needs, and provide reports as needed;
- Perform such other functions as may be necessary or

appropriate to achieve the purposes of the Compact consistent with the state regulation of teacher licensure; and

- Determine whether a state's adopted language is materially different from the model Compact language such that the state would not qualify for participation in the Compact.

The Compact also provides procedures on effectuation, withdrawal, amendment, and severability. Any laws, statutes, regulations, or other legal requirements in a member state in conflict with the Compact are superseded to the extent of the conflict. The superintendent of a school district may not renew the employment contract of a provisional employee licensed under the Compact for a third year if the employee has not completed both the issues of abuse course and the equity-based school practices requirements under state law.

### **ESB 5462—Inclusive learning standards**

Senator Liias

#### **C157 L24**

IESB 5462 requires: OSPI to review and update state learning standards at all grade levels to ensure that the concepts of diversity, equity, and inclusion are incorporated into each new or revised learning standard; and WSSDA to update a model policy and procedure to require school districts to adopt inclusive curricula and select inclusive, age-appropriate, instructional materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups, including but not limited to, people from various racial, ethnic, and religious backgrounds, LGBTQ people, and people with various socioeconomic and immigration backgrounds.

**State Learning Standards.** OSPI must include a screening for biased content in each development or revision of a state learning standard and ensure that the concepts of diversity, equity, and inclusion are incorporated into each new or revised learning standard. In meeting this requirement, OSPI must consult with the applicable commissions and other persons and organizations with relevant expertise.

By September 1, 2025, OSPI must produce and post on its website a schedule for the revision of state learning standards. In addition to notifying parents, schools, and the public of the revision schedules and timelines, the website posting must be updated as necessary to inform persons of the status of any pending revisions, and of any plans or actions related to developing new state learning standards.

**Model Policy and Procedure and Best Practices.** By June 1, 2025, WSSDA, with the assistance of OSPI, must review and update a model policy and procedure regarding course design, selection, and adoption of instructional materials. The model must require that the school board of directors, within available materials, adopt inclusive curricula and select diverse, equitable, inclusive, age-appropriate instructional materials that include histories, contributions, and perspectives

of historically marginalized and underrepresented groups, including but not limited to, people from various racial, ethnic, and religious backgrounds, LGBTQ people, and people with various socioeconomic and immigration backgrounds.

The model must require that, in adopting curricula and selecting instructional materials, school boards must seek curricula and instructional materials that are as culturally and experientially diverse as possible, recognizing that the availability of materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups may vary.

By October 1, 2025, school districts, Charter Schools, and State-Tribal Education Compact Schools must amend their policies and procedures to conform with the model. For the purpose of documenting compliance and assisting school districts, school boards, within ten days of completing the policy and procedure updates, must provide notice of the completed actions and electronic copies of the applicable policies and procedures to OSPI.

As soon as is practicable, OSPI must compile this information and prepare best practices and other informative materials to support school districts, Charter Schools, and State-Tribal Education Compact Schools in meeting the requirements. This OSPI requirement expires June 30, 2028.

**Open Educational Resource Database.** Subject to appropriations, OSPI, in collaboration with the AESD, the Legislative Youth Advisory Council, and WSSDA, must create an open collection of educational resources for inclusive curricula. OSPI must consult with the Office of Equity and other relevant agencies.

The open collection of educational resources must include resources that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups.

NOTE: The final 2024 Supplemental Operating Budget provides \$430,000 to implement this bill.

#### **SB 5647—School safety/temp employees**

Senator Torres

##### **C21 L24**

SB 5647 requires substitute teachers and other temporary employees to be provided necessary information about school safety policies and procedures.

As required by the bill, school district safe school plans must include how substitute teachers and other temporary employees receive necessary information about safe school plans, including school safety policies and procedures and the three basic functional drill responses:

- shelter-in-place, used to limit the exposure of students and staff to hazardous materials;

- lockdown, used to isolate students and staff from threats of violence; and
- evacuation, used to move students and staff away from threats.

OSPI's School Safety Center must include how these temporary employees receive necessary information in model policies and procedures and best practices.

NOTE: The 2024 Supplemental Operating Budget provides OSPI \$28,000 to implement SB 5647.

#### **E2SSB 5670—Running Start/Rising Juniors**

Senator Hawkins

##### **C159 L24**

Running Start allows 11th—and 12th—grade high school students to take courses at community colleges, technical colleges, and various four-year institutions of higher education. Upon completion of a course, students earn both high school and college credit.

Under current law, a student who enrolls in Running Start courses in grade 11 may not enroll for high school credit and postsecondary credit for more than the equivalent of the coursework for two academic years. A student who enrolls in Running Start courses in grade 12 may not enroll for high school credit and postsecondary credit for more than the equivalent of the coursework for one academic year.

E2SSB 5670 allows “Rising Juniors” to enroll in Running Start for up to ten quarter credits, or the semester equivalent, during the summer academic term. Rising Juniors are defined as students who have completed their tenth grade year and not yet begun their 11th grade year.

Currently, school districts must provide general information about the Running Start program to all students in grades 10, 11, and 12 and the parents and guardians of those students, including information about the opportunity to enroll in the program through online courses. In addition to these current requirements, E2SSB 5670 requires school districts to provide information about Running Start enrollment opportunities during the summer academic term.

#### **ESSB 5778—Employer political speech**

Senator Keiser

##### **C357 L24**

ESSB 5778 intends to protect the rights of workers to refrain from attending meetings or listening to their employer's speech on political or religious matters.

The bill specifies that an employer may not discipline or discharge, threaten to discipline or discharge, penalize, or take any adverse employment action against an employee:

- on account of the employee's refusal to attend or participate in an employer-sponsored meeting, or listen to speech or view communications, the primary

purpose of which is to communicate the employer's opinion concerning religious or political matters;

- as a means of requiring an employee to attend a meeting or participate in communications, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters; or
- because the employee makes a good faith report of a violation or a suspected violation of the bill.

An aggrieved employee may bring a civil action within 90 days after the date of the alleged violation. The court may award a prevailing employee all appropriate relief, including injunctive relief, reinstatement, back pay and reestablishment of employee benefits, and any other appropriate relief considered necessary by the court.

Employers must post a notice of employee rights under the bill in a place normally reserved for employment-related notices and in a place commonly frequented by employees.

The bill does not:

- prohibit an employer from communicating to its employees any information the employer is required by law to communicate, but only to the extent of the legal requirement;
- limit the rights of an employer to offer meetings, forums, or other communications about religious or political matters for which attendance or participation is strictly voluntary;
- limit the rights of an employer from communicating to its employees any information, or requiring employee attendance at a meeting or other event, necessary for the employees to perform their lawfully required job duties; or
- prohibit an employer from requiring its employees to attend any training intended to reduce and prevent workplace harassment or discrimination.

The bill also defines:

- "Political matters," which means matters relating to elections for political office, political parties, proposals to change legislation, proposals to change regulations, and the decision to join or support any political party or political, civic, community, fraternal, or labor association or organization; and
- "Religious matters," which means matters relating to religious affiliation and practice, and the decision to join or support any religious organization or association.

### **ESB 5790—Medical equipment in schools**

Senator Dhingra

#### **C365 L24**

Current state law allows school districts to maintain certain health related items including epinephrine autoinjectors,

opioid overdose reversal medication, and automated external defibrillators.

According to the United States Department of Homeland Security, "Stop the Bleed" is a national awareness campaign that encourages bystanders to become trained and equipped to help in a bleeding emergency before professional help arrives.

Beginning in the 2026–27 school year, ESB 5790 requires school districts, Charter Schools, and State-Tribal Education Compact Schools to maintain and make available bleeding control equipment on each school campus for use in the event of a traumatic injury. Schools must inspect and inventory this equipment annually and after each use, and replace equipment as necessary. School districts are encouraged to implement these requirements during the 2024–25 and 2025–26 school years.

Bleeding control equipment must include:

- a tourniquet endorsed by, or approved for use in battlefield trauma care by, the United States Department of Defense Committee on Tactical Combat Casualty Care;
- a compression bandage;
- a bleeding control bandage;
- latex-free gloves;
- permanent markers;
- scissors; and
- instructional documents.

The equipment may include other medical materials and equipment.

The bill also requires each school to have a minimum of two employees per school who have completed training on using the bleeding control equipment. If a school has more than 1,000 students it must have one trained employee per 500 students.

School districts may use trainings produced by the United States Department of Homeland Security, the American College of Surgeons, or similar organizations.

### **ESSB 5793—Paid sick leave**

Senator Saldaña

#### **C356 L24**

Every employer must provide each of its employees at least one hour of paid sick leave for every 40 hours worked as an employee. Under current law, an employee may use paid sick leave:

- for an absence resulting from an employee's mental or physical illness, injury, or health condition; or to accommodate the employee's need for medical diagnosis, care, treatment, or preventive medical care;
- to allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; or care of a family member who

needs medical diagnosis, care, treatment, or preventive medical care;

- when the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason; and
- for absences that qualify for leave under the Domestic Violence Leave Act.

Under the law, family member means:

- a child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;
- a biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;
- a spouse or registered domestic partner;
- a grandparent;
- a grandchild; or
- a sibling.

ESSB 5793 expands the allowable use of paid sick leave. An employee may use paid sick leave when their child's school or place of care is closed after the declaration of an emergency by a local or state government or agency, or by the federal government.

Additionally, the bill modifies the definition of family member for purposes of using paid sick leave. A family member means a child, grandchild, grandparent, parent, sibling, or spouse of an employee, and also includes any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care. An individual who regularly resides in the employee's home is considered a family member, except that it does not include an individual who simply resides in the same home with no expectation that the employee care for the individual.

Other modified definitions include:

- "Child" means a biological, adopted, or foster child, a stepchild, a child's spouse, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;
- "Grandchild" means a child of the employee's child;
- "Grandparent" means a parent of the employee's parent;
- "Parent" means the biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an

employee or the employee's spouse, or an individual who stood in loco parentis to an employee when the employee was a child;

- "Spouse" means a husband or wife, as the case may be, or state registered domestic partner.

NOTE: The 2024 Supplemental Operating Budget provides the Department of Labor & Industries with \$581,000 to implement ESSB 5793. The Office of Attorney General is also provided \$30,000 to address potential legal action.

### **SSB 5804—Opioid overdose medication**

Senator Kuderer

#### **C214 L24**

State law allows a high school to obtain and maintain opioid overdose reversal medication through a standing order prescribed and dispensed in accordance with certain requirements. The following personnel may distribute or administer the school-owned opioid overdose reversal medication pursuant to a prescription or standing order:

- a school nurse;
- a health care professional or trained staff person located at a health care clinic on public school property or under contract with the school district; or
- designated trained school personnel.

Under current law, a school district with 2,000 or more students must obtain and maintain at least one set of opioid overdose reversal medication doses in each of its high schools. A school district that demonstrates a good faith effort to obtain the medication through a donation source, but is unable to do so, is exempt from this requirement.

SSB 5804 requires all school districts, Charter Schools, and State-Tribal Education Compact Schools to obtain and maintain at least one set of opioid overdose reversal medication doses in each of the public schools. School districts must also adopt an opioid-related overdose policy by September 1, 2024.

Public schools are encouraged to include opioid overdose reversal medication in each first aid kit maintained on school property and in any coach or sports first aid kits maintained by the public school, provided that these kits are not accessible to people other than school personnel who have been designated to distribute or administer this medication.

Additionally, public schools are encouraged to include at least one location of this medication on the school's emergency map.

### **E2SSB 5838—AI Task Force**

Senator Nguyen, by request of Attorney General

#### **C163 L24**

E2SSB 5838 establishes an Artificial Intelligence Task Force. The Task Force is created to assess current uses and trends by private and public sector entities and make recommendations to the Legislature regarding standards for the use and regulation



of AI. The Office of the Attorney General must administer and provide staff support for the Task Force.

The Task Force is composed of a nine-member executive committee including one member from each of the two largest caucuses in the Senate and the House of Representatives, and one member representing each of the following organizations:

- one member representing the Office of the Governor;
- one member representing the Office of the Attorney General;
- one member representing Washington Technology Solutions;
- one member representing the State Auditor;
- one member representing universities or research institutions that are experts in the design and effect of an algorithmic system;
- one member representing private technology industry groups;
- one member representing business associations;
- three members representing community advocate organizations that represent vulnerable communities;
- one member representing the LGBTQ+ community;
- one member representing the retail industry;
- one member representing the hospitality industry;
- one member representing statewide labor organizations; and
- one member representing public safety.

The executive committee may convene subcommittees comprised of experts and relevant stakeholders to advise the Task Force on designated topics on an ongoing, recurring, or one-time basis. Subcommittees must contain at least one member from an advocacy organization that represents communities that are disproportionately vulnerable to being harmed by algorithmic bias and at least one member with relevant industry expertise. Subcommittee meeting reports and summaries must be published on the Attorney General's website.

The executive committee must define the scope of activity and subject matter focus required of the subcommittees including, but not limited to: Education and workforce development; public safety and ethics; health care and accessibility; labor; government and public sector efficiency; state security and cybersecurity; consumer protection and privacy; and industry and innovation.

The executive committee of the Task Force must examine the development and use of artificial intelligence by private and public sector entities and make recommendations to the Legislature regarding guidelines and potential legislation for the use and regulation of artificial intelligence systems to protect Washingtonians' safety, privacy, and civil and intellectual

property rights. The Task Force findings and recommendations must include:

- A literature review of public policy issues with artificial intelligence, including benefits and risks to the public broadly, historically excluded communities, and other identifiable groups, racial equity considerations, workforce impacts, and ethical concerns;
- A review of existing protections under state and federal law for individual data and privacy rights, safety, civil rights, and intellectual property rights, and how federal, state, and local laws relating to artificial intelligence align, differ, conflict, and interact across levels of government;
- A recommended set of guiding principles for artificial intelligence use informed by standards established by relevant bodies, including recommending a definition for ethical artificial intelligence and guiding principles;
- Identification of high-risk uses of artificial intelligence, including those that may negatively affect safety or fundamental rights;
- Opportunities to support and promote the innovation of artificial intelligence technologies through grants and incentives;
- Recommendations on appropriate uses of and limitations on the use of artificial intelligence by state and local governments and the private sector;
- Recommendations relating to the appropriate and legal use of training data;
- Algorithmic discrimination issues which may occur when artificial intelligence systems are used and contribute to unjustified differential treatment or impacts disfavoring people on the basis of race, color, national origin, citizen or immigration status, families with children, creed, religious belief or affiliation, sex, marital status, the presence of any sensory, mental, or physical disability, age, honorably discharged veteran or military status, sexual orientation, gender expression or gender identity, or any other protected class and recommendations to mitigate and protect against algorithmic discrimination;
- Recommendations on minimizing unlawful discriminatory or biased outputs or applications;
- Recommendations on prioritizing transparency so that the behavior and functional components artificial intelligence can be understood in order to enable the identification of performance issues, safety and privacy concerns, biases, exclusionary practices, and unintended outcomes;
- Racial equity issues posed by artificial intelligence systems and ways to mitigate the concerns to build equity into the systems;
- Civil liberties issues posed by artificial intelligence

systems and civil rights and civil liberties protections to be incorporated into artificial intelligence systems;

- Recommendations as to how the state should educate the public on the development and use of artificial intelligence, including information about data privacy and security, data collection and retention practices, use of individual data in machine learning, and intellectual property considerations regarding generative artificial intelligence;
- A review of protections of personhood, including replicas of voice or likeness, in typical contract structures, and a review of artificial intelligence tools used to support employment decisions;
- Proposed state guidelines for the use of artificial intelligence to inform the development, deployment, and use of artificial intelligence systems to:
  - Retain appropriate human agency and oversight;
  - Be subject to internal and external security testing of systems before public release for high-risk artificial intelligence systems;
  - Protect data privacy and security;
  - Promote appropriate transparency for consumers when they interact with artificial intelligence systems or products created by artificial intelligence; and
  - Ensure accountability, considering oversight, impact assessment, auditability, and due diligence mechanisms;
- A review of existing civil and criminal remedies for addressing potential harms resulting from the use of artificial intelligence systems and recommendations, if needed, for new means of enforcement and remedies; and
- Recommendations for establishing an ongoing committee that must study emerging technologies not limited to artificial technology.

The executive committee must hold its first meeting within 45 days of final appointments to the Task Force and must meet at least twice each year thereafter. The first report must be delivered by December 31, 2024. An interim report must be delivered by December 1, 2025, and the final report must be delivered by July 1, 2026. Meeting summaries must be posted to the website of the Attorney General's Office within 30 days of any Task Force meeting.

#### **SB 5852—Special education safety net**

Senator Braun

**C127 L24**

The state allocates funding for a program of special education for students with disabilities. Special education is funded on an excess cost formula for up to 15 percent of a district's students (up to 16 percent beginning in 2024-25). This formula

multiplies the district's base allocation for students enrolled in K–12 special education by an excess cost multiplier of either:

- 1.12 for students receiving special education and reported to be in the general education setting for 80 percent or more of the school day; or
- 1.06 for students receiving special education and reported to be in the general education setting for less than 80 percent of the school day.

Beyond these allocations, safety net funding may be awarded if a district can convincingly demonstrate that all legitimate expenditures for special education exceed all available revenues from state funding formulas, and it is maximizing its eligibility for all related state and federal revenues.

Under state law, safety net awards must be adjusted for any audit findings or exceptions related to special education funding; and under state rule, the Safety Net Oversight Committee may adjust awards for IEP noncompliance.

As provided for in SB 5852, the Safety Net Oversight Committee must limit its review to relevant documentation that illustrates adherence to award criteria when determining safety net eligibility and award amounts. The Safety Net Oversight Committee may not make determinations regarding the content of IEPs beyond confirming documented and quantified services and evidence of corresponding expenditures for which a school district seeks reimbursement.

Safety net awards may only be adjusted for errors in safety net applications or IEPs that materially affect the demonstration of need. The requirement to adjust safety net awards for audit findings is modified to apply only if the audit findings are unresolved.

By December 1, 2024, OSPI must develop a survey requesting specific feedback on the safety net application process from school districts with 3,000 or fewer students. The survey must include, at a minimum, questions regarding the average amount of time school district staff spend gathering safety net application data, filling out application forms, and correcting application deficiencies. The survey must also include questions to help identify which application components are the most challenging and time consuming for school districts to complete.

By December 1, 2025, OSPI must use this feedback to implement a simplified, standardized safety net application for all school districts that reduces barriers to safety net funding.

NOTE: The 2024 Supplemental Operating Budget provides OSPI with \$581,000 to support the implementation of SB 5852.

#### **2SSB 5882—Prototypical school staffing**

Senator Stanford

**C191 L24**

2SSB 5882 enhances staffing ratios for paraeducators, office support staff, and noninstructional aides in the Prototypical School Funding Model (PSFM).

Under provisions of the bill, the category of “teaching assistance” is changed to “paraeducators” in the Prototypical School Funding Model. The PSFM staffing ratios for paraeducators, office supports, and noninstructional aides are increased by 0.076 in Elementary, Middle, and High Schools. The increases begin in the current 2023–24 school year.

The intent of this additional funding is to assist school districts with hiring additional support staff or providing the staff they already employ with better wages. Specifically, the bill states the new funding must be used to “increase staffing, prevent layoffs, or increase salaries” for paraeducators, office support, and noninstructional aides in the 2024–25 school year; OSPI is required to adopt rules to mandate school districts use the funds in this way. As a further accountability measure, OSPI is required to collect data from school districts on how the increased allocations are used.

NOTE: The 2024 Supplemental Operating Budget provides \$71.8 million to increase staffing ratios for paraeducators, office supports and noninstructional aides by 0.076 in the Prototypical School Funding Model, as required by 2SSB 5882.

### **SB 5883—Special education hearings**

Senator Trudeau

#### **C29 L24**

Parents and school districts have a right to request a due process hearing on any matter relating to the identification, evaluation, educational placement, or provision of a free appropriate public education to a student with a disability under the Individuals with Disabilities Education Act (IDEA). The due process hearing is a formal, legal proceeding conducted by an administrative law judge, and parties have the right to present and question witnesses and submit or challenge documents regarding the issues.

When a parent requests a due process hearing, the district must convene a resolution meeting within 15 days to discuss the facts and resolve the dispute. If the parties are unable to resolve the dispute within the following 30-day resolution period then a due process hearing must be scheduled and a final decision must be issued within 45 days, with some exceptions. Due process hearings concerning disciplinary placements or safety concerns may be expedited to occur within 20 school days.

IDEA and state law are silent about which party to the hearing has the burden of proving the facts at issue; however, in 2005, in *Schaffer v. Weast*, the United States Supreme Court held that the party requesting a due process hearing bears the burden of proof under IDEA.

SB 5883 shifts the burden of proof from the plaintiff onto school districts. This includes the burden of persuasion and production, when it is a party to a due process hearing regarding the identification, evaluation, reevaluation, classification, educational placement, disciplinary action, or provision of a free appropriate public education for a student with a disability.

The burden of proof must be met by a preponderance of the evidence.

In a case where a parent or person in parental relation seeks tuition reimbursement for a unilateral parental placement, they continue to have the burden of proof, including the burden of persuasion and production, on the appropriateness of that placement.

### **ESSB 5891—School bus trespass**

Senator Boehnke

#### **C302 L24**

ESSB 5891 creates the Richard Lenhart Act, named for a school bus driver who was killed protecting the 35 students riding his bus when a man armed with a knife entered the bus.

Under provisions of the bill, the gross misdemeanor crime of school bus trespass is created. A person commits the crime of school bus trespass if the person knowingly and maliciously enters or remains unlawfully in a school bus, does any other act that creates a substantial risk of harm to passengers or the driver, and causes a substantial interruption or impairment to services rendered by the school bus.

School bus means any vehicle owned, leased, or operated by a public school district, a private entity contracted with a school district, or education institution for the purpose of transporting students to and from school or school-related activities.

It is clarified that school bus trespass does not apply to any of the following:

- students enrolled in the school which is being serviced by the school bus;
- law enforcement officers or other authorized personnel engaged in the performance of their official duties;
- individuals with written consent from the school district or educational institution allowing them to enter or remain on the public school bus; and
- emergency situations where entering the bus is necessary to protect the safety or wellbeing of students or others.

School districts and educational institutions must implement educational programs and awareness campaigns to educate students, parents, and the community about the importance of maintaining safety and security on public school buses emphasizing the potential consequences of school bus trespassing. Subject to funding school districts and educational institutions must post signage warning of the consequences of school bus trespass.

NOTE: The 2024 Supplemental Operating Budget provides \$2,000 to implement this bill.

**ESSB 5949—2024 Supplemental Capital Budget**

Senator Mullet, by request of Office of Financial Management  
**C302 L24**

This is the 2024 Supplemental Capital Budget. For details, see the Capital Budget section earlier in this Report.

**ESSB 5950—2024 Supplemental Operating Budget**

Senator Robinson, by request of Office of Financial Management  
**C376 L24—Partial Veto**

This is the 2024 Supplemental Operation Budget. For details, see Operating Budget section, earlier in this Report.

**SSB 6053—Access to postsecondary education**

Senator Holy, by request of Student Achievement Council  
**C324 L24**

In the 2023 Session, legislation was adopted to require public institutions of higher education to enter into data-sharing agreements with OSPI to facilitate the transfer of high school student directory information to inform Washington high school students of postsecondary educational opportunities available in the state.

Data-sharing agreements must provide for the sharing of student enrollment and outcome information from institutions of higher education to OSPI and must include the statewide identifier for each student. To the extent feasible, OSPI is required to transmit student enrollment information to the enrolled students' host districts for the current year and must identify a process for making this information available to school districts by the 2025–26 school year.

Beginning in 2024, each school district that operates a high school must annually transmit directory information of all enrolled high school students to OSPI by November 1st. OSPI must hold this information and make the information available to the state's public institutions of higher education.

Agreements entered into between institutions of higher education and OSPI must obligate institutions that will receive information through an agreement to maintain the statewide student identifier for each student.

Data-sharing agreements entered into by a Community or Technical College are limited to informing Washington high school students of postsecondary educational opportunities available within a college's service district. The State Board for Community and Technical Colleges may coordinate with all Community and Technical Colleges to develop a single data-sharing agreement between the Community and Technical Colleges and OSPI.

SSB 6053 makes two major changes to the legislation adopted last year: (1) the Washington Student Achievement Council (WSAC) must enter into data-sharing agreements with OSPI to facilitate the transfer of high school student directory information, rather than individual institutions of higher education; and (2) in addition to providing high school students with information

about postsecondary educational opportunities, information about financial aid opportunities will also be provided.

Data-sharing agreements entered into for these purposes must provide for the Education and Research Data Center to share student enrollment and outcome information from institutions of higher education to OSPI. Agreements entered into between WSAC and OSPI must obligate WSAC to maintain the statewide student identifier for each student.

NOTE: The 2024 Supplemental Operating Budget appropriates \$3,000 to the Washington Student Achievement Council to implement this bill.

**SB 6094—Retired health subsidy**

Senator Robinson, by request of Health Care Authority  
**C197 L24**

The Public Employees' Benefits Board, within the Health Care Authority (HCA), offers eligible retired state employees and retired or disabled school employees with optional retiree health care. The cost of retiree premiums is reduced by up to 50 percent of the total cost by the prescription drug subsidy. The amount of the subsidy is set by the Legislature and is currently set at up to \$183 per member per month. This subsidy is currently applied to all the Medicare eligible plans available to retirees, including the Medicare supplements.

SB 6094 expands the prescription drug subsidy to reduce the cost of both medical and prescription drug premiums. Language authorizing HCA to establish a separate subsidy to reduce the premiums for Medicare supplements is removed.

For several years, language in the Operating Budget has directed the use of the retiree health care subsidies for medical insurance costs, as well as prescriptions; this bill aligns the statute and ongoing Budget language.

**SB 6215—Tax & revenue laws**

Senator Schoesler  
**C252 L24**

This bill addresses mostly minor technical or administrative changes in current tax and revenue statutes. The amendments are made for additional clarity or to align current law after language has been repealed or amended. Given that these changes are technical in nature and are revenue and policy neutral, these annual bills usually have bi-partisan sponsorship and broad support (SB 6215 was adopted with no dissenting votes in either house).

While changes made in this bill are revenue and policy neutral, one change of note addresses school district regionalization. Under current law, adopted in 2017's *McCleary* "solution," the Legislature is required to regularly review and "rebase" compensation issues, including regionalization. Last year, the Legislature, as required, "rebased" regionalization, the experience factor, and other required issues. We were disappointed legislators chose this opportunity to simply update flawed formulas with updated data, rather than modify



the defective methodologies. SB 6215 now revises language regarding regionalization. Remember, however, that the amendments are technical, and revenue and policy neutral, so there is nothing to get excited about (in either a positive or negative way). The hope is the language does provide some clarity for legislators—and educators.

As originally written, the Department of Revenue (DOR) was required to provide to the Legislature the median single-family residential value of each school district (every four years). The language is clarified—and aligned with the original intent—requiring this information to be provided in addition to the median single-family residential value of school districts within 15 miles of the boundary of that school district.

NOTE: Those of us who have been tracking regionalization since it was first implemented understood this was the process and the intent; however, if these amendments provide additional clarity for the Department of Revenue and/or legislators, that is positive. This new language, however, may not matter in November 2026 (the next time DOR must update the data), if we are successful in persuading the Legislature to dump the current, faulty regionalization process.

#### **SJM 8007—IDEA funding**

Senator Kauffman

#### **Filed with Secretary of State**

This Joint Memorial requests the President of the United States, the Secretary of the United States Department of Education, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington to pass federal legislation to fully fund 40 percent of the costs of IDEA.

Joint Memorials are often derisively referred to as “letters to Santa,” as the purpose is for the Legislature to send a message, usually to Congress and/or the President, urging them to take action on something. While it makes legislators feel good, the Legislature has no authority over their colleagues in “the other Washington,” and a positive response rarely occurs.

The Joint Memorial lays out a compelling case why the federal government should follow through on their promise (made in 1975) to pay 40 percent of the excess costs to serve special education students; however, Congress has long underfunded their promise (and obligation). Since IDEA was adopted, funding has fallen well-short of the “full funding.” The closest Congress has ever come was in Fiscal Year 2009, with federal stimulus funds being rolled out of Washington, D.C. That year, almost 35 percent of the average per pupil expenditure was funded. That was short-lived, however. The most recent data, in Fiscal Year 2019, shows federal funding is just-over 14 percent.

While receiving the necessary federal funding would be a boon for K–12 education, the check is unlikely to be coming. Additionally, while it is positive our legislators feel compelled to press Congress to adequately fund special education, in many ways this is passing the buck. Many legislators are reluctant

to provide additional state funding for special education (for a host of reasons) and they blame Congress for not appropriating the needed federal funding. (This is a textbook case of the pot calling the kettle black.) We will support additional dollars from D.C.; however, state legislators still have a legal and moral obligation to provide appropriate levels of state funding to support our special needs students.

# Education-Related Bills That Died—Titles

As noted in the previous section, over 2,800 resolutions, and memorials were introduced in the 2023 and 2024 Sessions. WASA actively tracked over 400 of those pieces of legislation that had either direct or potentially indirect impacts on K–12 education. Obviously, it is important to be aware of education legislation that was adopted so you can understand the impacts—policy requirements, reporting obligations, and fiscal implications, to name a few. But what is the point of including dead bills in this Report? There are many reasons, but here are two key motives:

1. While we can never be 100 percent successful in advancing our priorities, we can take solace in the fact that many, many negative bills never make it to the finish line either. In fact, there are times when it is more important and positively impactful to kill a bad bill, than it is to get a good bill adopted; and
2. By reviewing bills that were unsuccessful (along with those bills that passed), you can gain some insight into priorities of legislators—which can provide a bit of a preview of what may be coming in the future. Seldom is a bill a one-and-done proposition. Even the simplest, noncontroversial bill can take three or four years to be adopted. And especially for those bad bills, we can be better prepared when they creep back out of the swamp.

Washington operates on a biennial cycle with a two-year Legislature; 2024 is the second year of the Legislature’s 68th Biennial Session. Remember, bills that died at the end of the first year of the biennial session are carried over and automatically reintroduced in the Legislature’s second-year session. The following list includes all of the education-related bills we followed from 2023 and 2024 which ultimately failed to be adopted; however, bills introduced in 2023 are only included here if any action was taken on the bill during the 2024 Session.

HB 1044.....	Small school capital assistance	HB 2035.....	Teen work restrictions
HB 1113.....	Professional educator reprimands	HB 2037/SB 5851 .....	Holocaust/genocide education
HB 1332.....	Tribal curriculum	HB 2038.....	Public school transfer data
HB 1468.....	Impact fee deferrals	HB 2053.....	Ninth grade success
HB 1479.....	Isolation and restraint	HB 2058/SB 5964.....	Free school meals
HB 1565.....	Professional education workforce	HB 2077.....	Guaranteed Admissions Program
HB 1692.....	Student advisory groups	HB 2079.....	School threats
HB 1714.....	Financial literacy grants	HB 2092.....	School construction funding
HB 1866.....	Children of seasonal farmworkers	HB 2095/SB 5988.....	Unused gift certificates
HB 1893/SB 5777 .....	Unemployment/strikes	HB 2130.....	Special education services
HB 1914.....	Special education services	HB 2138.....	Outdoor learning
HB 1915/SB 5819 .....	Financial education	HB 2142.....	Reading coaches
HB 1922.....	Vape detectors	HB 2148.....	School staff wages
HB 1923.....	Special education cap	HB 2155.....	Credential registry
HB 1932.....	Even-year elections	HB 2174.....	Special education cap
HB 1933/SB 6276.....	Digital electronics/repair	HB 2175.....	Special education cap
HB 1935.....	Resource conservation	HB 2188/SB 6139.....	Health subsidy/retirees
HB 1938.....	Academic reengagement	HB 2190.....	Public Records Act
HB 1944/HB 2123.....	Running Start for the Trades	HB 2192.....	Voter Registration Day
HB 1990/SB 5954.....	Aerial imaging	HB 2198.....	School facility temperatures
HB 2005.....	Weighted GPA	HB 2212.....	School administrator allocations
HB 2013.....	Retirement benefits/death	HB 2223.....	School librarians
HB 2017.....	Schools/aged facilities	HB 2239.....	Social-emotional instruction
HB 2018.....	Mobile device use	HB 2250/SB 6156.....	Local elections

HB 2267.....	Graduation/cultural expressions	SB 5966.....	Isolation and restraint
HB 2282/SB 6275.....	African American studies	SB 5978.....	School district loans
HB 2284.....	Reading/writing literacy	SB 5993.....	Voter education
HB 2297.....	Solar energy	SB 5995.....	Interpreters and translators
HB 2309.....	Washington 13 Free Guarantee	SB 6003.....	SBE
HB 2313.....	Digital equity	SB 6012.....	Teacher preparation programs
HB 2315.....	CPR and AED instruction	SB 6016.....	Green energy
HB 2326/SB 6239.....	AP, IB, CIE exams	SB 6018.....	Early learning coordinators
HB 2327.....	Digital equity	SB 6026.....	Student given names
HB 2333.....	Carbon sequestration	SB 6031.....	Alternate vehicles
HB 2349/SB 6241.....	Wage transparency	SB 6045.....	School district consolidation
HB 2370.....	Traffic safety education	SB 6048.....	Special Education Ombuds
HB 2387.....	Classified staff salaries	SB 6049.....	Learning recovery
HB 2398.....	Instructional materials	SB 6062/HB 2299.....	DNR trust leasing
HB 2399.....	School library complaints	SB 6082/HB 2380.....	Paraeducator compensation
HB 2404.....	Learning recovery	SB 6096.....	Local Effort Assistance
HB 2406/SB 6289.....	Teen work restrictions	SB 6116.....	Interscholastic athletics
HB 2411/SB 5969.....	School construction debt	SB 6123.....	Classified staff
HB 2448.....	Grant assistance	SB 6159.....	Task force and board representation
HB 2458.....	Experience factor	SB 6204.....	School district curriculum
HB 2471.....	Defined benefit accrual	SB 6205.....	Pledge of Allegiance
HJR 4207.....	School bond elections	SB 6216/HB 2280.....	Student mental/behavioral health
SB 5059.....	Prejudgment interest	SB 6223.....	School director compensation
SB 5237.....	Education law noncompliance	SB 6232.....	Public records portal pilot
SB 5344.....	School modernization loans	SB 6236.....	Home-based instruction
SB 5648.....	SBE waivers	SB 6253.....	LAP
SB 5789.....	School construction/sales tax	SB 6254.....	Student navigational support
SB 5809/HB 1897.....	Charter school enrichment	SB 6264.....	Competency-based education
SB 5813.....	Agricultural instruction	SB 6270.....	Computer science
SB 5830/HB 1270.....	Commission on Boys & Men	SB 6274.....	School Resource Officers
SB 5835.....	Rule-making transparency	SB 6292.....	Eid al-Fitr and Hannukah
SB 5837.....	Election database	SB 6299.....	Employees/digital technology
SB 5849.....	Computer science	SB 6304.....	Transportation electrification
SB 5850/HB 2146.....	Chronically absent students	SB 6314.....	Social studies
SB 5873.....	Pupil transportation	SB 6315.....	Retiree benefits
SB 5903.....	PESB Membership	SB 6318.....	Child sexual abuse
SB 5924.....	Personnel records	SJR 8207.....	Simple majority for bonds
SB 5956/HB 2215.....	Enrichment levies limit		

# Education-Related Bills That Died

## **HB 1044—Small school capital assistance** (Representative McEntire)

Would have provided capital financial assistance to small school districts with demonstrated funding challenges.

## **HB 1113—Professional educator reprimands** (Representative Harris)

Would have required the Professional Educator Standards Board to adopt rules providing for reviewing and vacating reprimands issued to certificated professional educators related to behavior that did not involve a student.

## **HB 1332—Tribal curriculum** (Representative Lekanoff)

Would have required all school districts to: incorporate a tribal sovereignty curriculum into their social studies curricula; and incorporate materials about the history, culture, and government of their nearest federally recognized Indian tribe or tribes into their social studies curricula.

## **HB 1468—Impact fee deferrals** (Representative Goehner)

Would have amended current law by repealing provisions requiring a lien to be imposed on a property receiving an impact fee deferral and repealing the option to defer collection of an impact fee until the time of closing of the first sale of the property.

## **HB 1479—Isolation and restraint** (Representative Callan, by request of Superintendent of Public Instruction)

Would have: prohibited students from being subjected to isolation, mechanical restraint, or chemical restraint by school staff, except for School Resource Officers under some circumstances; required existing isolation rooms to remain unlocked, while phasing out the use of isolation rooms; and required school districts to carry out trainings and other activities to support the elimination of isolation and chemical restraint and to reduce the use of restraint in schools.

## **HB 1565—Professional education workforce** (Representative Ortiz-Self)

This comprehensive bill was intended to support and strengthen the professional education workforce. The bill would have required: the development of an online platform for the recruitment and hiring of public school employees; established a teacher residency program; required a report to be made to the Legislature on the establishment of a teacher exchange program; modified the Beginning Educator Support Team (BEST) Program; established educator workforce program data collection, organization, and analysis requirements; and a report to be made to the Legislature on the improvement of the quality and effectiveness of educator preparation and workforce programs.

## **HB 1692—Student advisory groups** (Representative Bergquist)

Would have created a nonpartisan Legislative District Student Council, composed of eleven student members, in each legislative district to serve as advisory bodies to examine and make recommendations on issues affecting youth and education.

## **HB 1714—Financial literacy grants** (Representative Stonier)

Would have allowed school districts to apply for financial literacy education professional development grants.

## **HB 1866—Children of seasonal farmworkers** (Representative Ortiz-Self)

Would have studied the needs of children of seasonal farmworkers to determine whether the state should provide these children with academic and other support services that are modeled after services provided to migrant children.

## **HB 1893—Unemployment/strikes** (Representative Doglio) and **SB 5777** (Senator Keiser)

Would have allowed striking workers to qualify for unemployment insurance benefits.

## **HB 1914—Special education services** (Representative Couture)

Would have enhanced special education services by: requiring school districts to provide to parents information about the Office of the Education Ombuds; directing districts to provide parents with a monthly report about the quantity and method of special education services delivered to their students; directing ESDs to contract for professional services for students eligible for special education services; and establishing special education due process hearing requirements.

## **HB 1915—Financial education** (Representative Rude) and **SB 5819** (Senator Valdez)

Would have made financial education instruction a graduation prerequisite and a required component of public education.

## **HB 1922—Vape detectors** (Representative Couture)

Would have established a grant program for the purchase and installation of vape detectors in public schools.

## **HB 1923—Special education cap** (Representative Couture)

Would have would have phased in increases of the special education enrollment cap, from the current 15.0 percent in 2023–24, to 15.5 percent in 2024–25, to 16.0 percent in 2025–26 and 2026–27, then eliminated beginning in 2027–28.



Additionally, would have immediately eliminated the cap for districts that: have fewer than 2,500 students; received a safety net award due to community characteristics; or have at least ten percent of students that identify as having a military parent.

#### **HB 1932—Even-year elections**

(Representative Gregerson)

Would have given local governments, including school districts, the option to conduct local elections in even-numbered years, rather than odd-numbered years. Jurisdictions with voter turnout below 40 percent in four consecutive general elections would have been required to switch their elections to even-numbered years.

#### **HB 1933—Digital electronics/repair**

(Representative Gregerson)

and **SB 6276** (Senator Stanford)

Would have established the Right to Repair Act, requiring manufacturers of digital electronic products to make available to independent repair providers certain parts, tools, and documentation on fair and reasonable terms for the diagnosis, maintenance, and repair of digital electronic products.

#### **HB 1935—Resource conservation**

(Representative Bergquist)

Would have established a voluntary Washington State Green Schools Program in OSPI to create and expand resource conservation practices in public schools.

#### **HB 1938—Academic reengagement**

(Representative Shavers)

Would have increased accessibility of academic reengagement opportunities by expanding the definition of “eligible student” to include any student who is eligible to be enrolled in high school, rather than limiting opportunities to students who are between sixteen and 21 years of age.

#### **HB 1944—Running Start for the Trades**

(Representative Orwall)

and **HB 2123** (Representative Orwall)

Would have established a Running Start for the Trades grant program to offer preapprenticeship opportunities for students to learn skills and gain experience using hand tools and power tools.

#### **HB 1990—Aerial imaging**

(Representative Ryu)

and **SB 5954** (Senator Lovick)

Would have directed the Consolidated Technology Services Agency to create an aerial imagery program for the purpose of providing aerial imagery services to state agencies, local governments, special purpose districts, and tribal governments. (NOTE: Adopted legislation in 2022 (ESHB 1629) required the Department of Commerce to conduct a comprehensive study regarding the use of aerial imaging technology for state, local, special purpose district, and tribal government purposes.

HB 1990 is a response to the study that was concluded in June 2023.)

#### **HB 2005—Weighted GPA**

(Representative McClintock)

Would have required the development of a revised standardized high school transcript with a weighted grade point average to recognize accelerated coursework.

#### **HB 2013—Retirement benefits/death**

(Representative Volz, by request of Select Committee on Pension Policy)

Would have paid state retirement benefits until the end of the month in which the retiree or beneficiary died.

#### **HB 2017—Schools/aged facilities**

(Representative McClintock)

Would have addressed school districts with aged facilities and a history of capital bond failure by creating a capital grant program for planning, modernization, and new construction projects in school districts with 1,001 or more students.

#### **HB 2018—Mobile device use**

(Representative McClintock)

Would have required OSPI to select pilot sites to implement a strategy to restrict student mobile device use during instructional hours and to report back on implementing the restriction. Additionally, would have required WSSDA to develop a model policy and procedures for restricting student mobile device use during instructional hours and directed school districts to adopt a policy and procedures for restricting student mobile device use during instructional hours.

#### **HB 2035—Teen work restrictions**

(Representative McClintock)

Would have required rules adopted by the Department of Labor and Industries to allow a 16- or 17-year old to work the same number and frequency of hours during the school year as would be permitted during school vacations or holidays if the minor is enrolled in either a bona fide college program or a Career and Technical Education program.

#### **HB 2037—Holocaust/genocide education**

(Representative Couture)

and **SB 5851** (Senator Braun)

Would have designated April as International Genocide Prevention and Awareness Month and required public schools to provide age-appropriate activities related to Holocaust and genocide education. Additionally, would have directed OSPI to publish resources to support Holocaust and genocide education and required middle schools, junior high schools, and high schools to provide instruction on the Holocaust and other genocides and crimes against humanity.

**HB 2038—Public school transfer data**  
(Representative McClintock)

Would have required OSPI to create a voluntary online survey for parents or guardians to collect data on student transfers and withdrawals from public schools and school districts.

**HB 2053—Ninth grade success**  
(Representative Stonier)

Would have established the Ninth Grade Success Grant Program, which funds the creation of ninth grade success teams to identify and support incoming high school students who are at risk of not graduating.

**HB 2058—Free school meals**  
(Representative Riccelli)  
and **SB 5964** (Senator Nobles)

Would have required all school districts, charter schools, and state-tribal education compact schools to provide breakfast and lunch without charge to any requesting students, beginning with the 2024–25 school year.

**HB 2077—Guaranteed Admissions Program**  
(Representative Reed)

Would have required all public school districts that operate a high school to participate in the Washington Guaranteed Admissions Program, which supports guaranteed admissions efforts at participating institutions of higher education in Washington.

**HB 2079—School threats**  
(Representative Schmidt)

Would have improved school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and athletic activities.

**HB 2092—School construction funding**  
(Representative Callan)

Would have required preschool-age enrollments and before- and after-school care enrollments to be included in the School Construction Assistance Program (SCAP) formula. Additionally, would have clarified that, for SCAP purposes, “common schools” includes facilities owned by school districts in which programs are operated by a school district or its contractor to serve preschool-age students and students in before- and after-school care. (NOTE: While this bill failed, a similar bill, SHB 2195, was adopted.)

**HB 2095—Unused gift certificates**  
(Representative Alvarado)  
and **SB 5988** (Senator Trudeau)

Would have classified unused gift certificates issued by certain businesses as unclaimed property for purposes of the Revised Uniform Unclaimed Property Act. Currently, balances on gift certificates that are unused after a period of time can be claimed as profit, without providing services, by the issuing businesses. By declaring unused gift certificates as unclaimed property,

unused balances would become state revenue, estimated to be approximately \$250 million per year.

**HB 2130—Special education services**  
(Representative Pollet)

Would have extended the provision of special education and related services to students with disabilities until the end of the school year in which the students turn age 22, or high school graduation, whichever occurs first. Additionally, would have required OSPI, the Department of Social and Health Services, and the Department of Services for the Blind to collaborate to develop an implementation plan for extending special education services.

**HB 2138—Outdoor learning**  
(Representative Rule)

Would have promoted outdoor learning in state parks by requiring the Parks and Recreation Commission to consider design elements that support outdoor learning when developing certain capital projects. Additionally, the Commission would have been required to collaborate with OSPI, school districts, outdoor education program providers, and grantees to assist with coordinating outdoor education events in state parks.

**HB 2142—Reading coaches**  
(Representative Corry)

Would have established the Reading to Ensure Academic Development (READ) grant program to improve early elementary student literacy.

**HB 2148—School staff wages**  
(Representative Reeves)

Would have required the Employment Security Department to conduct a comparative labor market analysis of salaries and other compensation for public school employees.

**HB 2155—Credential registry**  
(Representative Reeves)

Would have created the Washington Credential Registry to provide students, workers, employers, and educators an online registry to understand, evaluate, and access essential information about educational and occupational credentials, such as diplomas, certificates, digital badges, certifications, licenses, apprenticeships, military training, and degrees.

**HB 2174—Special education cap**  
(Representative Pollet, by request of Superintendent of Public Instruction)

Would have required school districts with special education enrollment exceeding the current cap (15.0 percent) to include a spending plan containing current and future activities related to identification of students with disabilities, analysis of identification processes, a breakout of the types of disabilities and how that relates to likely prevalence in the community served, and trends, to OSPI for approval through the school district’s annual application for special education funds.

Would have clarified if the spending plan is not approved, the excess cost allocation would continue to be adjusted using a 15.0 percent calculation.

#### **HB 2175—Special education cap**

(Representative Caldier)

Would have immediately eliminated the special education enrollment cap.

#### **HB 2188—Health subsidy/retirees**

(Representative Bronoske, by request of Office of Financial Management)

and **SB 6139** (Senator Conway, by request of Office of Financial Management)

Would have increased the amount of premium reduction available to Medicare-eligible retired state employees and retired or disabled school employees enrolled in the Public Employee Benefits Board program from no more than 50 percent of the premium to no more than 60 percent of the premium.

#### **HB 2190—Public Records Act**

(Representative Walen)

Would have required the Washington State Institute for Public Policy to conduct an examination of, and make recommendations to alleviate, challenges faced by state and local governments in fulfilling their obligations under the Public Records Act.

#### **HB 2192—Voter Registration Day**

(Representative Farivar, by request of Superintendent of Public Instruction)

Would have required public high schools to observe “National Voter Registration Day” in September. Social studies teachers would have been required to coordinate a voter registration event in each history or social studies class attended by high school seniors and teachers would have been required to make voter sign up and registration available to all students.

#### **HB 2198—School facility temperatures**

(Representative Reeves)

Would have: required OSPI to develop recommendations for indoor temperature standards, including a maximum temperature recommendation, for public school facilities; and provided OSPI the specific authority to develop rules related to school districts’ cancellation of school days due to excessive heat.

#### **HB 2212—School administrator allocations**

(Representative Rule)

Would have increased staffing allocations for principals, assistant principals, and other certificated building-level administrators in the Prototypical School Funding Model.

#### **HB 2223—School librarians**

(Representative Rule)

Would have increased staffing allocations for school librarians in the Prototypical School Funding Model. Additionally, would

have directed OSPI to adopt rules to require school districts to meet or exceed the new staffing ratios—ensuring this would be another category in the Prototypical School Funding Model that is no longer a flexible distribution formula “for allocation purposes only.”

#### **HB 2239—Social-emotional instruction**

(Representative Timmons)

Would have encouraged school districts to provide instruction on skills that promote social, emotional, behavioral, and mental health and wellness. Additionally, OSPI would have been directed to annually distribute funding to support this instruction and to submit an outcomes report.

#### **HB 2250—Local elections**

(Representation Gregerson)

and **SB 6156** (Senator Nobles)

Would have permitted local governments, including school districts, to implement a system of ranked choice voting in candidate elections.

#### **HB 2267—Graduation/cultural expressions**

(Representative McEntire)

Would have required school districts, charter schools, and state-tribal education compact schools to permit students to wear one item or object of cultural significance with or attached to their gown at high school commencements and other official graduation ceremonies and events.

#### **HB 2282—African American studies**

(Representative Morgan)

and **SB 6275** (Senator Nobles)

Would have directed OSPI to: convene a workgroup to identify African American studies curricula and other instructional methods and materials for students in grades 7 through 12; and report to the Legislature with a summary of the work group activities and a list of identified curricula and other instructional methods and materials by December 1, 2024.

#### **HB 2284—Reading/writing literacy**

(Representative Pollet)

Would have required school districts to implement a comprehensive literacy program that uses evidence-based instructional practices to promote the early literacy and reading and writing literacy of students in kindergarten through fourth grade.

#### **HB 2297—Solar energy**

(Representative Orwall)

Would have required the installation of solar energy systems on new school buildings.

#### **HB 2309—Washington 13 Free Guarantee**

(Representative Bergquist)

Would have created the Washington 13 Free Guarantee to provide up to 45 credits of tuition-free community or technical college to eligible students regardless of income.

**HB 2313—Digital equity**  
(Representative Gregerson)

Would have expanded the purpose and duties of the Statewide Broadband Office (SBO) regarding digital equity, including requiring the SBO to monitor implementation of the Digital Equity Plan (submitted December 2023). Additionally, the bill would have made changes to OSPI's Technology Grant Program. The objectives of OSPI's Digital Equity and Inclusion Grants would have included maintaining, as well as attaining, a universal 1:1 student to learning device ratio.

**HB 2315—CPR and AED instruction**  
(Representative Caldier)

Would have required school districts that operate a high school to provide instruction in cardiopulmonary resuscitation in at least one health class necessary for graduation. Further, students would have been required to earn certification in cardiopulmonary resuscitation and the use of an automated external defibrillator to successfully complete the required instruction.

**HB 2326—AP, IB, CIE exams**  
(Representative Doglio)  
and **SB 6239** (Senator Hunt)

Would have required OSPI to subsidize fees related to exam registration and administration for students taking exams for Advanced Placement (AP), International Baccalaureate (IB), and Cambridge international Education (CIE).

**HB 2327—Digital equity**  
(Representative Gregerson)  
Would have provided a revenue stream to fund digital equity programs.

**HB 2333—Carbon sequestration**  
(Representative Reeves)

Would have required the Department of Natural Resources, the Department of Ecology, and the Department of Enterprise Services to collaborate to conduct an assessment of state-owned assets in both the natural and built environments with potential to generate carbon offset credits under the Climate Commitment Act.

**HB 2349—Wage transparency**  
(Representative Stonier)  
and **SB 6241** (Senator Randall)

Would have clarified an employer's opportunity to conform to current law requiring wage transparency without incurring penalties.

**HB 2370—Traffic safety education**  
(Representative Schmick)

Would have increased student access to traffic safety education in rural school districts with less than 1,000 students.

**HB 2387—Classified staff salaries**  
(Representative Rude)

Would have increased staffing allocations for teaching assistance and classified staff in the Prototypical School Funding Model; however, the bill clarified the additional funding must be used only for salaries and benefits for teaching assistance and classified staff.

**HB 2398—Instructional materials**  
(Representative Walsh)

Would have required parent representation on school district instructional materials committees.

**HB 2399—School library complaints**  
(Representative Walsh)

Would have required each school district board of directors to provide a system for receiving, considering, and acting upon written complaints about library materials in one or more schools of the district.

**HB 2404—Learning recovery**  
(Representative Rule)

Would have established a grant program in OSPI to support post-pandemic learning recovery programs for students through academic interventions, including tutoring, academically focused summer school programs, and increased instructional time in math and reading.

**HB 2406—Teen work restrictions**  
(Representative Connors)  
and **SB 6289** (Senator Boehnke)

Would have established a work group to assess the restrictions on the employment of 16- and 17-year olds.

**HB 2411—School construction debt**  
(Representative Callan)  
and **SB 5969** (Senator Dhingra)

Would have expanded the specific purposes for which a school district can contract indebtedness without a vote of the public—subject to the statutory indebtedness limit of 0.375 percent—to include new building construction and various related costs.

**HB 2448—Grant assistance**  
(Representative Mosbrucker)

Would have required OSPI to establish and administer a grant program to provide assistance to school districts for the personnel and other costs associated with applying for grants funded by the state of Washington and grants from other public or private sources for which the school district may be eligible.

**HB 2458—Experience factor**  
(Representative Rule)

Would have adjusted the current implementation of experience factors by: determining allocations annually; maintaining eligibility in the 2024–25 school year for districts eligible in the 2023–24 school year; and gradually reducing experience factors for school districts that lose eligibility beginning in the 2025–26 school year.



**HB 2471—Defined benefit accrual**

(Representative Kolba)

Would have increased the defined benefit accrual for a member of the state's retirement system by increasing an additional one-half of one percent of a member's average final compensation for each year of service beyond 30 years.

**HJR 4207—School bond elections**

(Representative Harris)

This constitutional amendment (and its necessary implementing bill, HB 1843) would have permitted the passage of local school district bond issues with a 55 percent approval of voters.

**SB 5059—Prejudgment interest**

(Senator Kuderer)

For individuals, entities, and public agencies (including school districts), would have changed current law by starting interest on damages to accrue from the date of tortious conduct, rather than from the date a judgment is entered.

**SB 5237—Education law noncompliance**

(Senator Wilson, C.)

Would have required OSPI to establish procedures to investigate and address complaints against a superintendent, a school board, or a school director alleging noncompliance with state laws: concerning civil rights; harassment, intimidation, and bullying; certain curriculum requirements; the use of restraint or isolation on a student; and student discipline. OSPI would have been required to conduct a prompt and thorough investigation into the allegations in the complaint. Consequences of willful noncompliance with state law, including the possible withholding of state apportionment, would have been established.

**SB 5344—School modernization loans**

(Senator Schoesler)

Would have established a modernization loan program for school districts and state-tribal education compact schools with significant building system deficiencies.

**SB 5648—SBE waivers**

(Senator Wellman)

Would have included state-tribal education compact schools and charter schools as entities for which the State Board of Education is permitted to grant waivers from provisions relating to certain instructional requirements and waivers relating to educational restructuring programs.

**SB 5789—School construction/sales tax**

(Senator Mullet)

Would have amended the School Construction Assistance Program formula so that the state will pay for the full sales and use tax levied on all costs chargeable to a school construction project.

**SB 5809—Charter school enrichment**

(Senator Mullet)

and **HB 1897** (Representative Springer)

Would have required OSPI to distribute a per pupil enrichment grant to eligible charter schools equal to the state Local Effort Assistance threshold.

**SB 5813—Agricultural instruction**

(Senator Dozier)

Would have mandated instruction on agricultural literacy for students in grades seven through 12.

**SB 5830—Commission on Boys & Men**

(Senator Lovick)

and **HB 1270** (Representative Dye)

Would have established a Washington State Commission on Boys and Men, tasked with addressing the well-being of Washington's boys, male youth, and men. Among other things, the Commission would be required to examine gender-based learning needs and educating policymakers about educational tools and solutions tailored to address the specific needs of boys and male youth to close the achievement gap in the Washington education system.

**SB 5835—Rule-making transparency**

(Senator Wilson, L.)

Would have required state agencies, including OSPI, with creating rule-making webpages to include a plain-language summary of 100 words or less detailing all proposed rules, emergency rules, and permanent rules proposed or adopted within the last 12 months.

**SB 5837—Election database**

(Senator Valdez)

Would have created a Washington Election Database, to assist the state and all local governments with evaluating whether and to what extent existing laws and practices with respect to voting and elections are consistent with public policy, implementing best practices in voting and elections, and investigating potential infringements upon the right to vote.

**SB 5849—Computer science**

(Senator Wellman)

Would have required all students to show competency in high school learning standards related to computer science in order to graduate from high school; however, it would have been clarified the requirements do not increase the number of high school credits required for graduation.

**SB 5850—Chronically absent students**

(Senator Braun)

and **HB 2146** (Representative Rule)

Would have required each ESD to develop and maintain the capacity to offer training and coaching for staff on early warning systems to identify and locate students who are

chronically absent and connect them with the necessary supports. Additionally, would have directed OSPI to establish a grant program for community-based organizations and tribes to support students who are chronically absent.

### **SB 5873—Pupil transportation**

(Senator Wellman)

Would have: modified the current pupil transportation allocation formula; provided 100 percent reimbursement of reported special passenger costs; and required OSPI to provide an analysis of school district transportation costs and allocations to the Legislature.

### **SB 5903—PESB Membership**

(Senator Wilson, C., by request of Professional Educator Standards Board)

Would have added an undergraduate or a graduate student as a member of the Professional Educator Standards Board (PESB). To be eligible, the student would have been required to be enrolled in a PESB-approved preparation program in the state.

### **SB 5924—Personnel records**

(Senator Kuderer)

Would have required employers to furnish an employee, former employee, or their designee with the employee's personnel file at no cost within 21 calendar days of a request. Additionally, would have allowed an employee or former employee to bring a private action for violations of certain rights regarding personnel files.

### **SB 5956—Enrichment levies limit**

(Senator Wellman, by request of Superintendent of Public Instruction)

and **HB 2215** (Representative Slatter, by request of Superintendent of Public Instruction)

For school districts with less than 40,000 students, this bill would have increased the maximum per-pupil limit (\$2,500 per-pupil increased by inflation) used for enrichment levies by the school district's regionalization factor used for state salary allocations. Additionally, would have required OSPI to make recommendations to remedy school funding challenges.

### **SB 5966—Isolation and restraint**

(Senator Wilson, C.)

Would have: prohibited certain restraint and isolation of students, including chemical restraint and mechanical restraint; allowed physical restraint and isolation in certain circumstances; expanded the procedures following the use of restraint or isolation, including notifications, incident reviews, and incident reports; and required school districts to adopt a restraint and isolation policy and procedure and a professional development plan. Additionally, would have directed OSPI to provide technical assistance, monitor and support compliance, and develop a required training program for school board members. Staff allocations for paraeducators in the Prototypical School Funding Model would also have been increased.

### **SB 5978—School district loans**

(Senator Robinson)

Would have authorized OSPI to act as a guarantor for a county when the county provides a loan to a school district.

### **SB 5993—Voter education**

(Senator Hasegawa, by request of Secretary of State)

Would have required a voting jurisdiction to provide public notice and create a public education campaign whenever a voting jurisdiction changes its method of candidate selection from the methods described in state law. Among other things, this bill would have required county election offices of the voting jurisdiction to provide instructional materials and instructors when requested to all high schools serving students who reside within the jurisdiction.

### **SB 5995—Interpreters and translators**

(Senator Saldaña)

Would have created licenses for spoken language interpreters and translators with oversight from the Department of Licensing (DOL). Additionally, among other things, DOL would have been required to collaborate and share data with the Administrator of the Courts, the Professional Educator Standards Board and OSPI.

### **SB 6003—SBE**

(Senator Hunt)

Would have made the Superintendent of Public Instruction the Chair of the State Board of Education and required OSPI to administer the Board.

### **SB 6012—Teacher preparation programs**

(Senator Wellman)

To ensure approved teacher preparation programs respond to the continuously changing needs of the modern classroom, this bill would have directed the Professional Educator Standards Board (PESB) to develop a list of changes to the educational system in statute and rule during the last ten years that might require pedagogical changes in teacher preparation programs. Additionally, PESB would have been directed to convene various work groups to identify what teacher preparation programs must be providing candidates to prepare them for the modern classroom and for programs to develop a gap analysis and action plan.

### **SB 6016—Green energy**

(Senator Shewmake)

Would have created a Green Energy Community Fund to support school districts and nonprofit organizations that service communities where renewable energy projects are located.

### **SB 6018—Early learning coordinators**

(Senator Wilson, C.)

Would have required each ESD to designate an early learning coordinator to support increased collaboration, recruitment,

enrollment, and service delivery across Washington’s prekindergarten through third grade continuum.

**SB 6026—Student given names**  
(Senator Padden)

Would have prohibited a school employee or contractor to use a name to address a student other than the name listed on a student’s birth certificate, or derivatives thereof, without the written permission of a student’s parents or guardians. Additionally, would have prohibited a school employee or contractor to use a pronoun in addressing a student that is different from that student’s biological sex without the written permission of a student’s parents or guardians.

**SB 6031—Alternate vehicles**  
(Senator Braun)

Would have provided school districts with flexibility to use their pupil transportation allocation to purchase the vehicle type that the district deems to be the safest and most cost-effective.

**SB 6045—School district consolidation**  
(Senator Hunt)

Would have required WSSDA to work with school districts to develop and implement a comprehensive statewide consolidation initiative to “streamline and provide efficiencies in the administration and operation” of school districts and ESDs. Additionally, a new Commission on School District Efficiencies and Consolidation would have been established to develop and recommend a comprehensive plan for the consolidation of Washington school districts, resulting in a maximum of 150 school districts in the state.

**SB 6048—Special Education Ombuds**  
(Senator Braun)

Would have appropriated \$1,053,000 from the State-General Fund to the Office of the Governor, to support the appointment of at least one Special Education Ombuds to serve each ESD region.

**SB 6049—Learning recovery**  
(Senator Braun)

Would have established a grant program to help schools provide high quality tutoring, rigorous extended learning programs, and summer school programs for students with the greatest learning recovery needs.

**SB 6062—DNR trust leasing**  
(Senator Torres, by request of Department of Natural Resources) and **HB 2299** (Representative Street, by request of Department of Natural Resources)

Would have provided the Department of Natural Resources the authority to lease trust assets for the benefit of trust beneficiaries and the state.

**SB 6082—Paraeducator compensation**  
(Senator Nobles, by request of Superintendent of Public Instruction) and **HB 2380** (Representative Shavers, by request of Superintendent of Public Instruction)

Would have mandated paraeducator compensation to increase by an average of \$7 per hour, plus benefits, and adjusted for inflation and regionalization. A “compliance mechanism” would have also been implemented, requiring a district’s student-to-paraeducator ratio in the 2018-19 school year to be maintained in the 2024-25 school year and beyond.

**SB 6096—Local Effort Assistance**  
(Senator Braun)

Would have increased the current state Local Effort Assistance (LEA) threshold from \$1,550 per student (increased by inflation) to \$2,250 per student (increased by inflation). Additionally, would have provided LEA funds for charter schools and state-tribal education compact schools.

**SB 6116—Interscholastic athletics**  
(Senator Fortunato)

Would have specified groupings in which students could compete in athletic activities to ensure biological males only compete against biological males and biological females only compete against biological females.

**SB 6123—Classified staff**  
(Senator Wellman)

For the purposes of the statewide salary allocation, this bill would have differentiated classified administrative staff and other classified staff. Additionally: would have established the minimum statewide average allocation for salaries for the new category of classified administrative staff at \$91,733 beginning with the 2024-25 school year, to be adjusted by inflation; and would have increased the minimum statewide average allocation for salaries for other classified staff to \$54,633, to be adjusted by inflation.

**SB 6159—Task force and board representation**  
(Senator Nobles, by request of Superintendent of Public Instruction)

Would have clarified that a designee, instead of the Superintendent of Public Instruction, may serve on: the State Board of Education; the Board of Natural Resources; and the Washington State Traffic Safety Commission.

**SB 6204—School district curriculum**  
(Senator McCune)

Would have clarified a school district’s board of directors has the final authority regarding curriculum standards for its district and the curriculum does not have to be consistent with state law or OSPI rules. Additionally, comprehensive sexual health education requirements, adopted in 2020, would have been repealed.

**SB 6205—Pledge of Allegiance**

(Senator McCune)

Would have required school districts to offer instruction in the meaning and history of the Pledge of Allegiance at least once in elementary school, middle school, and high school.

**SB 6216—Student mental/behavioral health**

(Senator Nobles, by request of Superintendent of Public Instruction)

and **HB 2280** (Representative Rule, by request of Superintendent of Public Instruction)

Would have directed OSPI to: provide state-level coordination to help schools better identify and connect students to behavioral health supports; establish a regional school-based mental and behavioral health student assistance program through the ESDs; and create a grant program to support school districts in developing and implementing a plan for recognition, screening, and response to emotional or behavioral distress in students.

**SB 6223—School director compensation**

(Senator Nguyen, by request of Superintendent of Public Instruction)

Would have updated school director compensation by allowing school directors to receive compensation in an annual amount not to exceed \$500/month plus \$0.50 per student. OSPI would have been required to submit a biennial budget request to fully fund school director compensation and to provide that amount in apportionment payments to school districts that adopt a compensation model.

**SB 6232—Public records portal pilot**

(Senator Wilson, J.)

Would have established a pilot common public records portal for the purpose of developing a model public records access system that will provide free and convenient access to commonly requested public records.

**SB 6236—Home-based instruction**

(Senator Wellman)

Would have required a parent who intends for their child to receive home-based instruction to file a signed declaration of intent in the school years when their child turns six and seven. Would have also clarified this requirement does not modify the compulsory attendance or home-based instruction requirements, which begin at age eight.

**SB 6253—LAP**

(Senator Nobles)

Would have changed the funding formula for the Learning Assistance Program (LAP), resulting in an increase in LAP funding.

**SB 6254—Student navigational support**

(Senator Nobles)

Would have provided student navigational supports to increase postsecondary enrollment. The financial aid completion

program at the Community and Technical Colleges would have been expanded to every ESD. Additionally, would have created a new financial aid certification program for secondary school teachers and counselors, higher education staff, and community partners. Further, would have directed OSPI, the Washington Student Achievement Council, and the Professional Educator Standards Board to explore whether completion of a financial aid certification program could be recognized as continuing education credits.

**SB 6264—Competency-based education**

(Senator Wellman)

Would have supported the implementation of competency-based education by requiring: the State Board of Education to develop and recommend a process to identify and designate schools and school districts that are implementing competency-based education (CBE) and identify costs associated with this process; OSPI to adopt rules to authorize funding for students enrolled by CBE programs and to create competencies aligned with state learning standards; and the Washington Interscholastic Activities Association to include in its rule adoption process a review of barriers related to students participating in CBE. Additionally, the State Board would have also been required to develop or adopt a format for a CBE high school transcript as an alternative to the standardized high school transcript.

**SB 6270—Computer science**

(Senator MacEwen)

Would have required OSPI to create a grant program to support the establishment of computer science courses and related technology purchases and upgrades in Washington's grade schools.

**SB 6274—School Resource Officers**

(Senator Torres)

Would have established a grant program to fund School Resource Officers on public school campuses.

**SB 6292—Eid al-Fitr and Hannukah**

(Senator Trudeau)

Would have made Eid al-Fitr (the first day of the tenth month of the Islamic calendar) and Hannukah (the twenty-fifth day of the ninth month of the Hebrew calendar, the first day of Hannukah) state holidays.

**SB 6299—Employees/digital technology**

(Senator Stanford)

Would have protected employee rights in the workplace by making it unlawful for any employer to use a replica of an employee's voice or likeness without the employee's explicit consent for a specific use or to utilize artificial intelligence to evaluate or make employment decisions regarding current employees without written disclosure.



**SB 6304—Transportation electrification**

(Senator Liias)

Would have implemented a series of recommendations from the Interagency Electric Vehicle Coordinating Council's transportation electrification strategy. Included would have been a required calculation of funding needed for school districts to cover higher purchase prices before cost parity, bus route planning, facility upgrades, charging infrastructure, and driver and technician training to fully transition to zero emissions school buses.

**SB 6314—Social studies**

(Senator Nobles)

Would have required school districts to provide instruction in grades K-12 on Asian American, Native Hawaiian, and Pacific Islander history when the topic aligns with the social studies learning standards and included in United States history and Washington state history.

**SB 6315—Retiree benefits**

(Senator Robinson)

Would have provided a one-time, 3 percent increase to the retirement benefits of retirees in the Public Employees' Retirement System and the Teachers' Retirement System Plan 1, up to \$125 per month.

**SB 6318—Child sexual abuse**

(Senator Fortunato)

In addition to provisions not related to K-12 education, this bill would have required ESDs to annually report to OSPI a record of sexual abuse accusations, investigations, and subsequent disciplinary or corrective actions as well as preventative measures taken by the ESD towards both students and any school employee or volunteer. OSPI, in turn, would have been required to compile the data and report to the governor and the Legislature annually.

**SJR 8207—Simple majority for bonds**

(Senator Hunt)

This constitutional amendment (and its necessary implementing bill, SB 5823) would have permitted the passage of local school district bond issues with a simple majority approval of voters.

# Health Care, Pensions, Financials, and Other Issues

Fred Yancey – The Nexus Group

*“Though we may not have reached the heights we anticipated yesterday, today is a brand-new day to begin a new climb.” —Chinonye Chidolue*

*“Yesterday is gone. Tomorrow has not yet come. We have only today. Let us begin.” —Mother Teresa*

Session has concluded and the Governor has acted. Below is a brief summary of pension, health care and other legislation that will impact school districts, present staff and future retirees. The work to implement the changes continues.....

## ***Pension/Retirement Related Bills***

**SHB 1985: Providing a benefit increase to certain retirees of the public employees’ retirement system plan 1 and the teachers’ retirement system plan 1.**

Comment: This bill provides a one-time 3 percent increase to the retirement benefits of retirees in the Public Employees’ Retirement System and the Teachers’ Retirement System Plan 1, up to \$110 per month effective Monday, July 1, 2024. A reminder that last session the Select Committee on Pension Policy was directed to study and recommend an ongoing COLA for Plan 1 retirees. Their recommendation must consider employer contribution rate stability and coordinate the effective date with the reduction or elimination of the unfunded actuarial accrued liability. This will be a key focus of their activity during the interim.

Signed and effective 6/6/24.

**HB 2481: Waiving health benefit premiums in the public employees’ benefits board.**

Comment: This bill waives the payment of health benefit premiums for the deceased during the month of death for retired participants in the Public Employees’ Benefits Board health coverage programs. The dependents/survivors will still be responsible for their share of the premium cost.

Signed and effective 6/6/24.

## ***RE: SEBB/PEBB (Budget Provisos)***

**Section 212 (8)(a) allocates money and directs the Health Care Authority (HCA) to study consolidating the PEBB and SEBB programs. Report due Sunday, December 1, 2024 which should outline the steps needed to accomplish such a consolidation.**

\$100,000 is provided to report to the legislature by Sunday, December 1, 2024, the necessary statutory and program changes required to achieve consolidation of: • PEBB and SEBB into a single governing board • The current PEBB non-Medicare and SEBB Active risk pools • Existing eligibility provisions • Benefit offerings into more aligned plans

The report should consider: • Ways to engage with impacted participants • Options to maintain eligibility • Options to ensure equity • Data and findings from previous reports related to consolidation

**Section 212(9) directs the HCA to report to the legislature by Sunday, December 1, 2024, describing options and a recommendation for probable future coverage for approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss. (The same language is also under SEBB section 213 (2)).**

## ***Other areas of potential fiscal (\$\$) impact and (often, unfunded) to districts:***

Below are selected titles and brief summaries of proposed bills that may have potential impact to the business operations of districts. The *TWIO* has a more extensive list and explanations.

**SHB 1105: Requiring public agencies to provide notice for public comment that includes the last date by which such public comment must be submitted.**

Comment: This bill mandates a public agency that is required to solicit public comment for a statutorily specified period of time and provide notice that it is soliciting public comment to include in the notice the first and last date of the comment period and the time by which written public comment may be submitted. • Subjects an agency to civil penalties for failure to include in a notice for public comment the first and last day of the comment period and time by which written comment may be submitted.

Signed and effective 6/6/24.

**ESHB 1248: Concerning pupil transportation.**

Comment: This bill provides that school districts may only enter into, renew, or extend pupil transportation services contracts with private nongovernmental entities that provide employee health and retirement benefits comparable to those received by school employees. • Directs the Office of the Superintendent of Public Instruction to reimburse school districts for increased costs due to providing these benefits and provides a formula for calculating the reimbursement.

The budget included \$425,000 solely for supplemental transportation allocations contractor benefits. (Note: This is a one-time allocation. Future continued costs are subject to further appropriations in future budget(s).)

Signed and effective 6/6/24.

**E2SHB 1618: Concerning the statute of limitations for childhood sexual abuse.**

Comment: It eliminates the statute of limitations for recovery of damages as a result of childhood sexual abuse for all intentional actions occurring after Thursday, June 6, 2024.

Signed and effective 6/6/24.

**SHB 1905: Including protected classes in the Washington equal pay and opportunities act.**

Comment: This bill extends the prohibitions on discrimination in wages and career advancement opportunities and the remedies to a person's membership in a protected class. • Provides that protected class means a person's age, sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or immigration status, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained guide dog or service animal by a person with a disability.

Signed and effective 7/1/25.

**HB 1927: Reducing the number of days that a worker's temporary total disability must continue to receive industrial insurance compensation for the day of an injury and the three-day period following the injury.**

Comment: It reduces the number of days—from 14 to 7—that a temporary total disability must continue to receive workers' compensation time loss benefits for the first three days following the injury.

Signed and effective 6/6/24.

**HB 2044: An act relating to standardizing limitations on voter-approved property tax levies.**

Comment: This bill removes the restriction on levy lid lift funds supplanting existing funds.

Signed and effective 6/6/24.

**SHB 2127 2023–24: Concerning workers' compensation incentives to return to work.**

Comment: This bill modifies certain return to work policies and reimbursement amounts under the workers' compensation program. • Increases the maximum amounts of reimbursements paid to employers participating in the Stay at Work Program and Preferred Worker Program by the Department of Labor and Industries (L&I). • Increases the maximum amount paid to qualifying employers for job modification costs by L&I. • Allows L&I to authorize payments for basic skills development for qualifying injured workers.

Signed and effective 1/1/25.

**HB 2246: Concerning vacation leave accrual for state employees.**

Comment: This bill increases the annual cap on the accrual of unused vacation leave for state employees from 240 hours to 280 hours.

Signed and effective 6/6/24.

**SHB 2381: Increasing eligibility for economy and efficiency flexible school calendar waivers.**

Comment: This bill expands eligibility for economy and efficiency waivers to the 180-day school year requirement to school districts with 1000 or fewer students, rather than 500 or fewer students, and increases the cap on the total number of districts that may seek such a waiver from 10 to 30. • Requires school districts to include the following additional information in the waiver application when explaining the impact on employees in education support positions: expected position and work hour reductions, reductions in force, and the loss of work benefits or eligibility for work benefits.

Signed and effective 6/6/24.

**E2SSB 5670: Permitting 10th grade students to participate in running start in online settings.**

Comment: Rising 11th grade students may enroll in Running Start for up to ten quarter credits, or the semester equivalent, during the summer academic term. Rising 11th grade students are defined as students who have completed their tenth-grade year and have not yet begun their 11th grade year. Requires school districts to provide information about Running Start enrollment opportunities during the summer academic term.

Signed and effective 6/6/24.

**ESB 5790: An act relating to bleeding control equipment in schools.**

Comment: This bill requires school districts, charter schools, and state-tribal education compact schools to maintain and make available certain bleeding control equipment and acquire and maintain at least one semiautomatic external defibrillator on each school campus beginning in the 2026–27 school year. • Specifies that schools must have a certain number of employees trained to use the bleeding control equipment. • Each school must have a minimum of two employees per school who have completed training on using the bleeding control equipment. If a school has more than 1000 students, it must have one trained employee per 500 students. Directs school districts to comply with existing requirements regarding semiautomatic external defibrillators. School districts are encouraged to implement the requirements in this section during the 2024–25 and 2025–26 school years.

Signed and effective 6/6/24.

**ESSB 5793: Concerning paid sick leave.**

Comment: This bill allows an employee or transportation network company driver to use paid sick leave when their child's school or place of care is closed after the declaration of an emergency. • Modifies the definition of family member for the purpose of using paid sick leave to include any individual who regularly resides in the employee's home or where the relationship creates an expectation the employee care for the person, and that individual depends on the employee for care, except it does not include an individual who simply resides in the same home with no expectation the employee care for the individual. • Provides that a child also includes a child's spouse. Requires the Department of Labor and Industries to develop

materials and conduct outreach to inform individuals and businesses about the new provisions of the act.

Signed and effective 1/1/25.

**SSB 5804: Concerning opioid overdose reversal medication in public schools.**

Comment: This bill requires all school districts, charter schools, and state-tribal education compact schools, not just those with 2000 or more students, to obtain and maintain at least one set of opioid overdose reversal medication doses in each of the public schools and to adopt a related policy.

Signed and effective 6/6/24.

**ESB 5824: Concerning the dissolution of libraries and library districts.**

Comment: This bill changes the number of signatures required to file a petition to dissolve a library created by a county, city, or town from 100 taxpayers to 25 percent of qualified electors of that county, city, or town. • Increases the percentage of voters required to file a petition to dissolve a library district, and consequently a library created by that district, from 10 percent of eligible voters residing outside of incorporated cities or towns to 25 percent of all eligible voters residing in the library district. • Removes the exclusion of qualified electors residing in incorporated cities or towns within library districts from voting on propositions to dissolve a library district. • Authorizes a library created by a county, city, town, or library district to also be dissolved by independent action of the legislative body of the governmental unit in which the library is located.

Signed and effective 6/6/24.

**SB 5883: Concerning the burden of proof for special education due process hearings.**

Comment. A school district has the burden of proof, including the burden of persuasion and production, when it is a party to a due process hearing regarding the identification, evaluation, reevaluation, classification, educational placement, disciplinary action, or provision of a free appropriate public education for a student with a disability. The burden of proof must be met by a preponderance of the evidence. A parent or person in parental relation that seeks tuition reimbursement for a unilateral parental placement has the burden of proof, including the

burden of persuasion and production, on the appropriateness of that placement.

Signed and effective 6/6/24.

***Concerning actuarial funding (UAAL) of state retirement systems.***

Comment: The State Actuary expects the Plans 1 UAAL will be paid off in FY 2026 for PERS and FY 2023 for TRS, excluding the remaining unfunded cost of benefit improvements. (SHB 1985 will slightly affect the rates and the UAAL: A projected increase of .08 percent in PERS/SERS, and 0.16 percent TRS/PERS 1):

The existing minimum UAAL (Unfunded Liability) projected rates and (funded status) are:

**TRS 1:** FY 2024 6.46 percent (101 percent) | FY 2025 6.46 percent (122 percent) | FY 2026 0.71 percent (100 percent) | FY 2027 0.71 percent (131 percent)

**PERS 1:** FY 2024 3.85 percent (85 percent) | FY 2025 3.85 percent (99 percent) | FY 2026 3.85 percent (100 percent) | FY 2027 3.85 percent (120 percent)

A reminder: As a result of passage in 2023 of ESSB 5294, the Select Committee on Pension Policy is directed to study and recommend an ongoing COLA for plan 1 retirees. The recommendation must consider employer contribution rate stability and coordinate the effective date with the reduction or elimination of the unfunded actuarial accrued liability.

One additional positive assist to the budget was adjustments to pension contribution rates. SB 5294, as adopted, reduced contribution rates for the Unfunded Liability in the Public Employees' Retirement System (PERS) Plan 1 and the Teachers' Retirement System (TRS) Plan 1. This is helpful for local governments, including school districts—AND it provides a projected \$804 million savings for the state in 2023–25 (and projected to grow to \$1.9 billion over the next five years). SB 5294 also reduced (from \$800 million to \$250 million) a scheduled advance payment into the Teacher Retirement System Plan 1. This saved another \$550 million.



Selected Financials

Unless noted otherwise, funds are apportioned for ‘allocation purposes’ only.

Substitute Teachers (2023–24 and 2024–25 school years): Four (4) days per formula generated staff at \$151.86/day.

Fringe Benefits/Formula Generated Staff

Certificated/Administrative Range:	2023–24: 17.33–17.97 percent	2024–25: 17.51–18.15 percent
Classified Staff Range:	2023–24: 18.56–22.06 percent	2024–25: 18.16–21.66 percent

SEBB Insurance Benefit Per Formula Generated Staff:	2023–24: \$1,100	2024–25: \$1,178
PEBB Insurance Benefit Per Formula Generated Staff:	FY 2024: \$1,145	FY 2025: \$1,170

Health Care Remittance Paid to HCA

Per FTE:	\$68.41   September 1, 2023	\$80.32   September 1, 2024
Part-Time Staff:	\$68.41   September 1, 2023	\$80.32   September 1, 2024

What will the future hold?

Predictions are an exercise in fantasy, but what the heck!

- 2024 will be a Presidential Election Year. Turnout should be high. In Washington State, the race to succeed Governor Inslee will be competitive with the likely candidates to be Attorney General Bob Ferguson and former Congressman/Sheriff Dave Reichert. However, there are other credible candidates running.
- Filing week for candidates is Monday, May 6–Friday, May 10.
- There will be some expensive races: The Governorship, Attorney General, and others yet to be announced. All House members and half the Senate members will be up for re-election. The 5th and 6th Congressional districts are also open with credible candidates.
- There have been a number of retirements of both House and Senate members, as well as a few who have chosen to run for higher or different offices. This means a new slate of legislators who will need education on the issues of import to school and retiree leaders.
- The recent court mandated reorganization setting new boundaries for a legislative district in the Yakima Valley has changed a number of boundaries and affected current legislators. It pushes GOP Sen. Nikki Torres of Pasco, the chamber’s lone Republican Latina, out of the 15th District into the neighboring 16th. State law will allow her to finish her term—which runs through 2026—even though she does not live within the boundaries.

However, she would need to move into the redrawn 15th to seek re-election. Or she could move into the newly drawn 14th district and run this year. A third

option is she could challenge fellow Republican Sen. Perry Dozier of Waitsburg who is up for reelection in the 16th district this year.

The new map splits Wenatchee and East Wenatchee. That means Sen. Brad Hawkins, R-East Wenatchee, who represents the 12th District, finds himself in the 7th District now served by Sen. Shelly Short, R-Addy.

- The election may well see a turnout of a more moderate, conservative voter influencing a number of races.
- The ‘progressive’ wing of the Democrat Party (based in King County) will continue to advocate for socially liberal policies. This has led to the fracturing of unanimity within the caucus as the more moderate Democrats object. The recent scuffles over housing, allowing strikers to receive unemployment payments and even the move to eliminate natural gas are just a few examples of the D’s losing unanimity. This internal conflict is exploited by the R’s whose positions often are supported by the more moderate D’s. Stay tuned.
- Some bills that did not pass in 2024 are likely to reappear. (Opinion) These include:

- SB 5978 Re: Authorizing the office of the superintendent of public instruction to function as a guarantor for a county when the county provides a loan to a school district.**

This bill would authorize the Office of the Superintendent of Public Instruction (OSPI) to serve as guarantor for a county that has agreed to provide a loan to a school district that is on binding conditions.

As more and more districts experience fiscal challenges, there could be more districts than the current four (4) who are having to take out loans to meet their financial obligations. This bill really is a signal of how serious the problem could become. It did not advance during the 2024 session but was introduced by the Chair of the Senate Ways and Means Committee who clearly sees a potential need for such a vehicle.

- **SB 5059 Re: Prejudgment Interest.**

Of concern is that interest in judgments for tortious conduct of public agencies, individuals, and other entities is modified to run from the date on which the cause of action accrues. Interest in judgments for tortious conduct that occurred while a plaintiff was a minor begins to run from the date the action commenced, or the date the minor turns 18 years old, whichever is earlier, at the same rates as currently provided in statute.

# Alliance of Educational Associations (AEA)

Mitch Denning, Ph.D., AEA Consultant—AEA is an affiliate of WASA

AEA was somewhat positive about the 68th Legislature's response to our 2024 priorities during this supplemental session.

This report will review (1) a statistical view of WAMOA's and WSNA's involvement in the 2024 legislative session; (2) ESSB 5950, 2024–25 supplemental operating budget; (3) ESSB 5949, 2024–25 supplemental capital budget; (4) bills that AEA supported or watched which passed and didn't pass, and (5) WAMOA's and WSNA's interim plans.

## A Statistical View of AEA's Involvement in the 2024 Session

- WAMOA: 32 individual meetings were held with legislators or their assistants re: WAMOA's 2024 priorities.
- 68 WAMOA members participated in some aspect of legislation on sending emails to legislators, attending meetings, meeting with their own legislators, emailing and/or meeting with legislative staff.
- 23 bills were testified on re: AEA's 2024 priorities.
- WSNA: 27 individual meetings were held with legislators or their assistants re: WSNA's 2024 priorities.
- 26 WSNA members participated in some aspect of legislation on sending emails to legislators, attending meetings, meeting with their own legislators, emailing and/or meeting with legislative staff.
- 23 bills were testified on re: AEA's 2024 priorities

## ESSB 5950 2024–25 Supplemental Operating Budget

### General Elements of Operating Budget (\$69.8 billion)

- Increases by \$2.14 billion from 2023–25, about 3.1 percent to a total of \$71.95 billion for the biennium.
- Proposes \$3.6 billion in reserve as of June 30, 2025.

## K–12 Budget

### General Observations

- K–12 operating is increased \$525.5 million, with \$190.5 million in the Maintenance Level, and \$335 million in policy increases.
- In 2019, K–12 was 52 percent of the operating budget, now it's 43 percent.

## K–12 Expenditures (Selected)

### Pupil Transportation (\$76.9 million) (AEA Priority)

- Funds OSPI with \$76.9M to account for a "transportation correction" in the allocation of transportation funding to school districts. However, this is not new funding, it simply funds districts transportation expenses based on their report to OSPI per the current STARS funding.

### Prototypical School Staffing (\$71.8 million) (AEA Priority)

- Funding is provided to implement SSB 5882, which modifies the Prototypical School Funding Model (PSFM), by increasing staff allocations for paraeducators, office support and non-instructional aides by 0.076 per FTE.
- As required in SSB 5882, staffing ratios will be increased beginning with the current 2023–24 school year. It's projected that the increased allocations will be provided in July and August apportionment payments.

### Community Eligibility Provision (\$45 million) (AEA Priority)

- Additional funding is provided for reimbursement to school districts for schools or groups of schools required to participate in the federal Community Eligibility Provision (CEP) for meals not reimbursed at the federal free meal rate.

### MSOC Adjustment (\$43.6 million) (AEA Priority)

- Funding is increased by Materials, Supplies and Operating Costs (MSOC) as required in SHB 2494. Per student funding for all general education students is increased by \$21 in the current 2023–24 school year. Per student allocations are increased from a total of \$1,482.44 in the 2023–25 operating budget to \$1,504.44. The bill specifically increases the following components: (1) Utilities and Insurance; Instructional Professional Development for Certificated and Classified Staff; and Security and Central Office Administration.
- Also, MSOC allocations must be adjusted annually for inflation.

### Special Education Enrollment Cap (\$19.6 million) (AEA Priority)

- Beginning in SY 2024–25, funding to increase the enrollment cap from 15 percent to 16 percent is provided, as required by SHB 2180.
- Office of the State Auditor is provided with \$800,000 for a special education review audit. As required in SHB 2180, the Auditor must review the prevalence of disabilities and whether the provisions and funding

for evaluating students and providing services reflects the prevalence of disabilities, including whether any population are disparately under evaluated or underserved. The Auditor must consult with OSPI and report its findings and recommendations for the Governor and Legislature by Nov. 30, 2025.

#### **Inclusionary Practices (\$5 million)**

- Continues to fund professional development for classroom teachers to promote the inclusion of special education within the general education classroom.

#### **Special Education Recruitment (\$3.5 million)**

- Funding is provided to OSPI to contract with an approved educator preparation program run by a statewide labor organization representing educators. The monies fund cohorts of spec ed teacher residents who will complete a year-long program that enables the participants to attain a teaching certificate with an endorsement in special education.

#### **Special Education Safety Net (\$581,000)**

- Implements SSB 5852, which requires safety net awards to only be adjusted for errors in applications or Individualized Education Programs that materially affect the demonstration of need.

#### **Special Education Non-Public (\$411,000)**

- Additional funding is provided to implement E2SSB 5315 (2023) which expands OSPI's duties regrading non-public agencies to contract with school districts to provide special ed programs for students with disabilities.

#### **Special Education Funding Review (\$25,000)**

- Funding is provided to OSPI to provide a report on the utilization of special education funding.

#### **Experience Factor \$1.8 million (AEA Priority)**

- Funds are allocated in the K–12 staff experience factor mix rebase. Districts that dropped two percent due to losing the experience factor in 2023–24 will receive one percent rather than zero in SY 2024–25.

#### **Access to Skills Centers (\$1.4 million)**

- Funding is provided for grant to small school districts with less than 750 students to access regional Skills Centers for Career and Technical Education.

#### **Food Insecurity Support (\$300,000)**

- Funding is provided for OSPI to contract with All Kids Win, an organization with provides bags of food for students in Thurston County school who are impacted

by food insecurity. These students do not have adequate access to food in the evenings, on weekends, during holiday breaks, and during the summer months.

#### **Tribal School Support (\$210,000)**

- Funding is provided Tribal compact schools with 800 or fewer FTEs, which are located in urban or suburban areas, and who budgeted for less than \$20,000 per pupil in general expenditures in SY 2022–23.
- For eligible schools, OSPI must allocate an amount equal to the less of \$1,550 or \$20,000 minus the school districts budgeted expenditures in SY 2022–23.

Signed by the Governor on March 29; effective date 6/6/24.

#### **ESSB 5949 2024–25 Supplemental Capital Budget**

- Increases the 2023–25 capital budget by \$1.34 billion, or 15.4 percent.

### **School Construction Assistance Program (SCAP) (\$294.5 million)**

#### **SCAP Enhancement (\$79.2 million) (AEA Priority)**

- Funding is provided to increase the Construction Cost Allowance (CCA) in the SCAP formula from \$271.61 to \$375 per SF in fiscal 2025.
- The Legislature intends to increase this CCA by the OFM's inflation rate in subsequent years.
- Note: this is the first increase in the SCAP drivers in two decades!

#### **School Construction Assistance Program Revision (SCAPR) Planning (\$1 million)**

- Funding is provided to OSPI to develop a proposal to modify and improve efficiencies within, and access to SCAP.
- Also, OSPI's proposal would identify cost-saving measures for awarding state grants for the construction and modernizations of school facilities.
- OSPI is to contract with a consultant to develop the proposal and facilitate a stakeholder process through a work group.
- WAMOA will be represented on the work group by Devlin Piplic Northshore SD and WAMOA vice-president, and Mitch Denning, AEA consultant.

#### **Healthy Kids/Healthy Schools Grant (\$1.5 million) (AEA) Priority)**

- Funding is increased by \$1.5 million for \$13 million for 2023–25.



- Projects must be consistent with healthiest next generation priorities.
- No single district may receive more than \$200,000 for total grants.
- Districts receiving funding must demonstrate a consistent commitment to addressing school facilities' needs.
- Applicants with a high percentage of free/reduced price students may be prioritized.
- Purchase equipment or make necessary repairs to (a) playground or physical education equipment or covered play areas equipment or renovation; and
- (b) Child nutrition, including school gardens, greenhouses and kitchen equipment or upgrades (Total \$10 million).
- (c.) Replacement of lead-contaminated pipes, drinking water fixtures, and purchase of water filters, including labor costs of remediation design, installation, and construction (\$1.5 million).
- WAMOA consults with OSPI and the Department of Health on the administration of this grant.

#### **Small District and Tribal Compact Schools Modernization Grants (\$114.8 million) (AEA Priority)**

- Modernization grants for small districts less than 1,000 FTE with significant building system deficiencies and limited financial capacity as approved by OSPI's small district modernization grant advisory committee (\$86 million), not to exceed \$6 million per grant.
- Modernization and planning grants for state-tribal compact schools with same criteria (\$12 million).
- School district planning grant funding is increased by \$811,000, and said grants are not to exceed \$50,000 per grant.
- Energy assessment grants for instructional buildings (\$1.8 million).
- OSPI is required to submit an alternative list with OSPI's 2025–27 capital budget request that includes small districts with 3,000 FTE or less, with a state funding level not to exceed \$12 million per grant.
- WAMOA is a member of the grant advisory committee which submits a prioritized list of the small district modernization projects to the Legislative and the Governor by 10/15/24.

#### **Skills Centers Minor Works (\$5.134 million)**

- Cascadia Tech Academy, Vancouver, (\$1.15 million); New Market Skills Center, Tumwater, (\$1.03 million); Puget Sound Skills Center, Burien, (\$169,000); Sno-Isle Tech Skills Center, Everett, (\$1.93 million);

Northwest Center & Tech Academy, Mt. Vernon, (\$135,000); Tri-Tech Skills Center, Kennewick, (\$54,000); and WA Network for Innovative Careers, Kirkland, (\$674,000).

#### **Skills Centers Minor Works (\$5.134 million)**

- Bill died in Senate Rules on April 23, and was NOT funded in this budget.
- *Note: Governor also vetoed this funding as the bill did not pass.*

#### **School District Health and Safety (\$8.1 million) (AEA Priority)**

- An addition \$8.1 million increases these grants to \$28.1 million for 2023–25.
- School District Emergency Repair Grants due to unexpected and imminent health and safety hazards for emergency only, as declared by the district board of directors (\$5 million + \$6 million = \$11 million).
- Urgent Small Repair Grants to address nonrecurring urgent building repair needs (\$11.6 million + \$1.1 million = \$12.7 million).
- OSPI consults with WAMOA on develop criteria for the grants, which include (a) grants up to \$100,000 per three-year period; (b) grants prioritized based on limited financial resources; and (c) districts which demonstrate a consistent commitment to addressing school facilities' needs.
- Equal access grants for facility repairs, including skill centers, to improve compliance with ADA and IDEA requirements (\$3.6 million + \$1 million = \$4.6 million).

#### **Indoor Air Quality & Energy Efficiency Grants (\$45 million) (AEA Priority)**

- Grants to districts with enrollments exceeding 3,000 students (\$11.3 million)
- Grants for districts with enrollments under 3,000 students for assessment, installation, repair or replacement of HVAC, air filtration enhancements, and general air quality improvements that improve student health and safety.
- *Note: Doug Vanderleest's language with working with Rep. Callan was including in the final budget proviso language of this grant.*

#### **Career and Technical Education Projects (\$68.2 million)**

- Cascadia Tech Natural Resources Outdoor Learning Collaboration (\$1.2 million)

- Sequim SD CTE Center of Excellence–Phase I (\$5 million)
- Tri-Tech Skills Center, Kennewick SD (\$45.5 million)
- Wenatchee Valley Technical Skills Center (\$14.5 million)
- Whatcom County Skills Center Preconstruction (\$2.1million)

**Distressed Schools (\$21.7million) + (\$8.1 million) = (\$29.8 million)**

- Cascadia Technical Academy (Vancouver SD) (\$250,000).
- Ingraham HS Construction Trades Skills Center (Seattle PS) (\$527,000).
- Maritime 253: South Puget Sound Maritime Schools Center (Tacoma PS) (\$8 million).
- Rainier Beach HS Campus Skills Center (Seattle PS) (\$9.915 million).
- Seattle Skills Center (Seattle PS) (\$2.2 million).
- Stevenson-Carson HS (Stevenson–Carson SD) (\$750,000).
- Washington MS (Seattle PS) (\$98,000).

**Additional funding is provided for:**

- Marysville SD (\$3.6 million)
- Quilcene Elementary School (\$175,000)
- Whittier Elementary School (\$5.6 million)
- Wishram SD Portables (\$975,000)

**Energy Assessment Grants (\$5 million)**

- Grants are available to districts who have buildings that exceed 220 gross SF pursuant to compliance with the State's energy-related building standards.

**School-Based Health and Behavioral Health Clinics (\$2.1 million)**

- Cascade HS, Snohomish SD (\$244,000)
- Everett HS, Everett SD (\$244,000)
- Evergreen HS, HealthPoint, Highline SD (\$490,000)
- Tyee HS, HealthPoint, Highline SD (\$490,000)
- Nova HS, Country Doctor CHC, Seattle PS (\$80,000)
- Options HS, Bellingham SD (\$300,000)
- Blue Herron Middle School, Port Townsend SD & Jefferson County Public Health (\$135,000)
- Meany Middle School, Country Doctor CHC, Seattle PS (\$80,000)

**Dept. of Commerce—Energy Retrofits and Solar Power for Public Buildings (\$14.5million)**

- Grants are available to local governments, public higher education institutions, school districts, tribal governments, and state agencies for improvements to facilities that result in energy and operational cost savings.

Signed by the Governor on March 29; effective date 6/6/24.

**AEA Policy Bills which AEA Supported or Watched which Passed**

**SHB 2180 Special Education Funding Cap (AEA Priority)**

- Increases the spec ed funding cap from 15 percent to 16 percent.

**ESHB 1248 Pupil Transportation Health Benefits**

- Requires that district contract for pupil transportation services must include sufficient funding to provide employees of the contract employer with health benefits and pension contributions equivalent to those districts classified employees in SY 2025–26. \$425,000 is provided in this budget.
- Affects 11 school districts and would be an unfunded mandate if not fully funded in the 2025–27 operating budget.

**SHB 2494 Increasing State Funding for Operating Costs in Schools (AEA Priority)**

- Increases in SY 2023–24, MSOC funding by \$21 per student in Utilities and Insurance, Instructional Professional Development for Certificated and Classified Staff, and Security and Central Administration in SY 2023–24.

**SHB 1368 Zero Emission School Buses**

- Requires OSPI, in consultation with Dept of Ecology, to develop preliminary guidance regarding the formula factors used to calculate Total Cost of Ownership for Zero Emission Buses and diesel school buses, and to adopt rules to establish such formulas.

**SSB 5882 Increasing Prototypical School Funding Model (AEA Priority)**

- Increases the staff allocations for paraeducators, office support staff and non-instructional aides in the PSFM for SY 2023–24 on 6/6/24 rather than 9/1/24.

**SHB 1295 Early Learning Facilities Grant and Loan Program**

- Revises criteria and provides resources to the Ruth LeCocq Kagi early learning facilities development account.
- Prioritizes applications Early Learning Facilities construction, renovation or repair grants or loans that are ready for construction.

#### **SHB 2301 Waste Material Management Systems**

- Beginning in 2026, Waste Not WA grants to schools are increased from \$5,000 to \$10,000.

### **AEA Policy Bills which AEA Supported or Watched which Did Not Pass**

#### **SHB 1044 Capital Financial Assistance to Small School Districts with Demonstrated Financial Challenges (AEA Priority)**

- Creates a new capital construction and planning grant program for the modernization and replacement of instructional facilities in financially distressed school districts.
- Requires a district to provide a financial share equal to 50 percent of its remaining debt capacity for capital purposes, capped at an estimated property tax rate of \$1.75 per \$1,000 AV.
- Died in House Rules.

#### **HB 2458 Experience Factor Adjustments for Certificated Instructional Staff (AEA Priority)**

- Died in House Rules but funded in SSB 5950.

#### **SB 5823 Simple Majority for School Bonds (AEA Priority)**

- Authorizes a simple majority to pass school bonds as long as the validation requirement is met.
- Died in Senate Ways & Means.

#### **SJR 8207 Simple Majority for School Bonds (AEA Priority)**

- Amends the Constitution to allow bonds to be passed at a simple majority.
- Died in Senate Ways & Means.

#### **SB 6045 School Consolidation**

- Establishes a Commission on School District Efficiencies and Consolidation to develop a comprehensive plan for school consolidation by 12/1/29.
- Died in Senate Early Learning & K-12.

#### **SHB 2411 School District Indebtedness for School Construction**

- Establishes criteria for districts contract non-voted indebtedness if the district has not been on binding conditions for the last three years.
- Died in Senate Early Learning & K-12.

#### **SB 5789 Exempting School Construction from Sales Tax**

- Changes the SCAP program so that the State pays the sales tax on school construction.
- Died in House Capital Budget.

#### **HB 2297 Solar Energy Systems in New School Buildings**

- Requires all school buildings greater than 50K SF to install solar energy systems that begin construction on or after 6/1/27.
- Died in House Capital Budget.

#### **HB 2017 School Districts with Aging Buildings and Inability to Pass Bonds**

- Creates a capital funding program for districts with aging buildings that meet certain criteria.
- Died in House Capital Budget.

#### **SHB 2058 Increasing Student Access to Free Meals (AEA Priority)**

- Requires all districts, charter schools and tribal-compact schools to provide breakfast and lunch without charge to all students who request them, beginning in SY 2024-25.
- Died in House Appropriations.

#### **SB 5964 Increasing Student Access to Free Meals (AEA Priority)**

- Requires all districts, charter schools and tribal-compact schools to provide breakfast and lunch without charge to all students who request them, beginning in SY 2024-25.
- Died in Senate Early Learning & K-12.

#### **SB 5344 Public School Revolving Fund**

- Establishes the Public-School Revolving Fund in the State Treasury for issuing low-interest or interest-free loans to qualifying districts for capital projects.
- Died in House Capital Budget.

#### **SB 5345 Exempting Certain Public-School Buildings from the State Energy Performance Standard**

- A public-school building is exempt from the State Energy Performance Standard if it meets one of three criteria.
- Died in Senate Environment, Energy, and Technology.

**AEA 2023 Interim Plans—WAMOA**

- Participate in OSPI School Facilities and Organization Capital Budget grant selection committees, including Healthy Kids/Healthy Schools, Urgent School Repair, ADA, and Small District and Tribal Compact Schools Modernization Grants.
- John Boatman, Clover Park SD, served on the Healthy Kids & Healthy Schools committee. Serving on the committees for Urgent School Repair and ADA were Cisco Gomez, Mukilteo SD; Jeff Hosler, Richland SD; Boatman; Marina Tanay, Sumner/Bonney Lake SD, and Travis Bown, Mead SD.
- Membership on the Small District and Tribal Compact Schools Modernization Grants committee is yet to be determined.
- Facilitate requested school visits during the fall with the following legislators: Sen. Ron Muzzall (R-Oak Harbor); Sen. Mark Mullet (D-Issaquah); Sen. Chris Gildon (R-Puyallup); Sen. Ann Rivers (R-La Center); Sen. Matt Boehnke (R-Kennewick); Sen. Nikki Torres (R-Pasco); Sen. Keith Wagoner (R-Sedro Woolley); and Sen. Mark Schoesler (R-Ritzville). (8 Senators).
- Rep. Carolyn Eslick (R-Sultan); Rep. Mari Levitt (D-University Place); Rep. Lisa Callan (D-Issaquah); Rep. David Hackney (D-Tukwila); Rep. Peter Abbarno (R-Centralia); Rep. Shelley Kloba (D-Kirkland); Rep. Strom Peterson (D-Edmonds); Rep. Mary Dye (R-Pomeroy); Rep. Joel McEntire (R-Cathlamet); Rep. Mike Steele (R-Chelan); Rep. Alicia Rule (D-Blaine); Rep. Jim Walsh (R-Aberdeen); Rep. Leonard Christian (R-Spokane); Rep. Tina Orwall (D-Des Moines); Rep. Greg Cheney (R-Battle Ground); Rep. Mary Fosse (D-Everett); Rep. Stephanie McClintock (R-Battle Ground); Rep. Melanie Morgan; (D-Parkland); Rep. Clyde Shavers (D-Oak Harbor); Rep. Gina Mosbrucker (R-Goldendale); Rep. Joel Kretz (R-Wauconda) and Rep. Jacquelin Maycumber (R-Republic). (22 Representatives).
- On May 16, Rep. Chris Stearns (D-Auburn) will visit Auburn SD, with Geoff Lawson, Auburn SD, representing WAMOA.
- On May 20, Reps. Kevin Waters (R-Stevenson) and Paul Harris (R-Vancouver) will visit Washougal SD, with Jessica Beehner, Washougal SD, representing WAMOA.
- Each school visit will include a representative from OSPI school facilities and organization, WAMOA, Association for Learning Environment (A4LE) and American Institute of Architects-WA Chapter (AIAWA).
- Participate in OSPI's SCAP work group; Devlin Piplic, Northshore SD, and Mitch Denning are members; meetings are scheduled on May 17, June 6 and throughout the interim.

- Participate in AIAWA monthly meetings on school construction; Devlin Piplic, Travis Bown, Mitch Denning.

**Dept of Commerce—2023–25 Clean Energy Fund Program (\$500,000)**

- For the purpose of planning, predevelopment work of clean energy projects that contribute to the state's greenhouse gas emissions limits.
- As part of the planning activities, DOC must convene a work group to analyze the financial investments required by owners of Tier 1 covered buildings to comply with the State Energy Performance Standard and submit the analysis of financial investments by 12/15/23 and recommendations to the Legislature by 7/1/24.
- Travis Bown is WAMOA's rep on the work group. Other members include one rep from OSPI, one rep from each of the state's public four-year institutions; one rep from the state community and technical colleges; one rep from each of the following: DSHS, DOC (corrections), DES; health care organization, local government, organization representing privately owned tier 1 covered buildings; a business specializing in performance contracting for energy services, a nonprofit specializing in clean energy, and two reps from a national association for industrial and office parks.
- The financial analysis conducted is limited to the costs and benefits for each energy measure. The analysis results provide a baseline estimate for the financial investments required to comply with the Clean Building Performance Standard.
- Highlights from the qualitative analysis include (1) a majority of buildings already meet the target; (2) lifetime benefits exceed costs; and (3) benefits found across size cohorts. This analysis was limited to the City of Seattle.

**AEA 2024 Interim Plans—WSNA**

- WSNA will facilitate a nutrition school visit to Lake WA SD for Rep. Roger Goodman (D-Kirkland) in the fall.
- WSNA work group regarding State funding for health benefits for nutrition staff will be working with legislators and legislative staff in preparation for submittal to budget writers in the 2025–27 operating budget.
- Four retiring WSNA Meals for Kids Champion legislators will be presented with a thank you for their support if approved by the WSNA board.





## 2023–24 LEGISLATION AND FINANCE COMMITTEE

Region 101.....	Kim Headrick, Medical Lake Travis Hanson, Mead
Region 105.....	Curt Guaglianone, Mount Adams Robert Bowman, Naches Valley
Region 108.....	James Everett, Meridian
Region 109.....	Karin Manns, Granite Falls Patty Dowd, Mukilteo
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Region 114.....	Dana Rosenbach, North Mason Jason Rhoads, OESD 114
Region 123.....	Traci Pierce, Kennewick
Region 171.....	Tim Payne, Ephrata
BPAC.....	Sarah Thornton, Pasco
ESDs .....	Michelle Price, North Central ESD 171
IPAC .....	Linda McKay, North Central ESD 171
Principals.....	Matt Yarkosky, Bethel
Small Schools .....	Tabatha Mires, Mason
Special Education .....	John Sander, Franklin Pierce
Superintendents.....	Mary Templeton, Washougal
Federal Liaison.....	Ron Banner, Clover Park Michelle Price, North Central ESD 171 Wade Smith, Walla Walla Krestin Bahr, Peninsula
At-Large .....	Jim Kowalkowski, Rural Education Center/NEWESD 101
WASA.....	Joel Aune, Executive Director Dan Steele, Assistant Executive Director Mike Villarreal (President) Heather Chard, Administrative Assistant
Consultants.....	Mitch Denning (AEA) Fred Yancey (Pension/Health Benefits) Melissa Gombosky (AESD)

School administrators are committed to ensuring each and every student is provided with equitable learning environments where they can learn and achieve their educational goals and aspirations. In pursuit of this commitment, WASA urges the 2024 Legislature to positively act upon the following priorities:

## **Advance Equity**

WASA urges the Legislature to provide school districts with the necessary resources, tools, and flexibility to ensure fair treatment and opportunity for each student to achieve successful outcomes. Students of color and economically disadvantaged students were disproportionately impacted during the pandemic. However, all students need access to learning recovery options, including tutoring and extended learning, as well as equitable access to attend Skills Centers. Similarly, additional resources and flexibility are necessary to recruit, support, and retain effective district and building staff who reflect the diversity of our student populations.

## **Fully Fund Special Education**

The 2024 Legislature must fully fund the cost of special education services. Administrators acknowledge the special education funding enhancements the Legislature has made in the last five years. Even with these increases, however, school district expenditures for special education and related services substantially exceed special education funding. This gap requires districts to continue to use local funding sources, including local levies, to cover the excess costs.

## **Fix Pupil Transportation**

The 2024 Legislature must promptly fulfill its obligation to comprehensively fix the pupil transportation formula to ensure it is more transparent, predictable, and adequately funded. In 2022 and 2023, the Legislature provided additional funding for excess costs to transport special passengers. Even so, under the current pupil transportation funding model (STARS), most school districts do not receive sufficient funding for student transportation, forcing districts to use local levy funds to supplant the underfunding.

## **Provide Consistent and Equitable Education Resources**

WASA urges the 2024 Legislature to immediately revamp the methodology of regionalization and experience factors to ensure school districts receive more consistent and equitable resources. The current regionalization methodology of using housing costs is flawed and the implementation of experience factors is unfair. The current calculation of these factors has exacerbated inequities between districts and must be updated swiftly.

## **Update Staffing Allocations**

WASA urges the Legislature to continue to provide for more realistic staffing ratios in the Prototypical School Funding Model (PSFM). The first priority must be the implementation of Phase I of the recommendations from the Staffing Enrichment Workgroup (2019): improving staffing allocations for critically needed school principals; providing additional professional development to close achievement gaps; and adding continuous improvement coaches as an enhancement to the PSFM.

## **Support Capital Facilities**

WASA urges the Legislature to provide robust and reliable funding for school facilities, including funding for school districts that have difficulty passing local bonds or have limited debt capacity to support necessary new construction or modernization. The Legislature must enhance the state's investment in K–12 construction by updating the antiquated, pre-1980 funding formulas to ensure funding more closely reflects actual construction costs and educational space needs. Additionally, the Legislature must finally give Washington's citizens the opportunity to decide whether school district bond issues should be approved with a simple majority vote.