

2025 LEGISLATIVE REPORT

A PUBLICATION OF THE WASHINGTON ASSOCIATION OF SCHOOL ADMINISTRATORS

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2025 Session Overview

Dan Steele, Assistant Executive Director, Government Relations, WASA

The 2025 Session—the first year of the 69th Biennial Legislature—adjourned within its constitutionally allotted 105 days. Most long-time advocates and Olympia observers agreed that this was one of the most difficult sessions in recent memory. Why? There are many reasons; however, topping the list are: over-the-top partisanship, an unprecedented budget shortfall, and a major turnover in the Legislature with 33 new members, along with a new governor. And, in the human element, the 2025 Session saw tragedy: the death of former House Speaker Frank Chopp (who just retired from the Legislature), an untimely death of a sitting member, and the death of a member's spouse. At least it was a reminder that there are things more important than petty squabbles over legislation.

For K–12 education, specifically, it was a difficult session because the trend away from support for the state's paramount duty continued. Historically, many conservative Republicans have been obstacles to needed funding and beneficial education policy, while Democratic members were outspoken advocates for K–12 education. Recent elections, however, have brought a large number of progressive members to the Legislature—especially in the House Democratic Caucus. In the past, these kinds of members led the charge as strong proponents for education funding and constructive policy. In 2025, however, most of those members focused on issues well-beyond K–12 education and often fought against their colleagues who were attempting to support K–12 education. And, for the record, many of the Republicans in the Legislature prioritized education issues. Sometimes it felt like we were in Bizarro World.

As is so often the case, K–12 education came out of this session with a mixed bag: a few positives, a bunch of missed opportunities, and a handful of major disappointments. To say we saw “The Good, The Bad, and The Ugly” in the 2025 Legislative Session is perhaps an overused phrase; however, it seems to be an appropriate way to describe the Legislature's action (and inaction) this year. So, with apologies to Sergio Leone, below is a review of this past session:

The Good

Member Alignment. When WASA's Legislation & Finance Committee recommended and the WASA Board adopted the 2025 Legislative Platform, with a singular focus on the “Big Three”—Special Education, MSOC, and Pupil Transportation—the plan was to have our members (and our colleagues) speak with one voice. And in that same vein, make sure our efforts supported all 295 districts. Any successful movement on the Big Three would positively impact every school district and wipe away the frequent divisions we face in the K–12 system. There was no Big vs Small; East vs West; Rural vs Urban; or Rich vs Poor. Instead, it was “All for one and one for all.”

In meetings with legislators and in public testimony, school administrators consistently supported the Big Three, using common talking points. There was even strong alignment from some districts that would not even benefit from all three of the issues. There was a true team effort and a strong belief that a high tide raises all boats. And, in large part, members were not distracted by other issues, some of which were intended

to draw attention away from the Big Three. Unfortunately, a few issues were also intended (or at least appeared to be intended) to force a division between districts. Legislators' ultimately strategy is to divide and conquer—and our solid alignment frustrated those efforts.

Even when a “side” issue was being discussed, the Big Three had a heavy presence. Countless times, especially in public testimony, a member would say they supported the issue at hand, but what was really needed was support for the Big Three. Truly, many legislators were upset that we injected the Big Three into just about every conversation.

Member Engagement. Having school administrators and their colleagues on the same page is fantastic—but it would be all for naught if they only talked amongst ourselves or simply sat on their hands. Instead, school administrators and their colleagues showed up in force, especially in public testimony on key issues, whether it be in person or virtually.

WASA also made a concerted effort to activate members on key issues at key times. We limited our use of those “calls to action” because if everything is important, nothing is important, and we dilute our influence. But when it came time, school administrators stepped up. Sometimes simply having people sign in their support or opposition to legislation does not have much impact; however, when you overwhelm the system (and swamp the opposition), it makes an impression and can have an influence.

As an example, in the second week of the session, the Senate Early Learning & K–12 Education Committee held a public hearing on four bills addressing the Big Three. We had heard there would be strong opposition, and we wanted to not only show that we had more support than critics had opposition, but we also wanted to send a message to legislators that educators were serious about advancing the Big Three. Senator Lisa Wellman (D-Mercer Island), Chair of the Senate Early Learning & K–12 Education Committee, wanted to make the same statement and urged us to set a goal of getting 1,000 “Pro” sign-ups for each bill. We blew past the requested goal:

- SB 5187 (Pupil Transportation): 2,450 people registered their position. Of that total, 2,407 were “Pro,” 43 were “Con,” and 2 registered as “Other”
- SB 5192 (MSOC): 3,637 people registered. 2,539 were “Pro,” 1,094 were “Con,” and 4 were “Other”
- SB 5263 (Special Education—Pedersen): 2,939 registered. 2,668 were “Pro,” 262 were “Con,” and 9 registered as “Other”
- SB 5307 (Special Education—Wellman): 1,602 registered. 1,368 were “Pro,” 233 were “Con,” and 1 was “Other.”

As another example, mid-session, we sent a Call to Action as SB 5192 (MSOC) and SB 5263 (Special Education) and were being acted upon in the House Appropriations Committee. Again, administrators stepped up. Almost 4,700 people signed in on MSOC, with about three-fourths (over 3,500) supporting. A smaller number signed in for Special Education; however, the number was still impressive. Almost 2,600 people signed in, with only ten people taking the time to oppose.

Just one more example, as SB 5192 (MSOC) was moving through the House it stalled in the House Rules Committee, and we feared we may lose the bill. Then we received word that legislators were not hearing enough from us about MSOC. This was patently false, but sometimes you have to play the game. So, we sent word to school administrators and our Big Three Coalition members and legislators were flooded with e-mails, texts, and phone calls in support of the bill. It moved shortly thereafter.

Prior to the advent of hybrid Legislative Committee hearings, it was difficult to testify and even more difficult to sign in on bills. And even if you brought a large group of people to town to testify and/or sign in on bills, normally the numbers were just not large enough to impact. Now, with easy online access major issues can garner

thousands of sign-ins. Some question whether this means anything; however, it is very clear that if the opposition has more energy and puts in more effort than us, legislators will take note.

Visibility. This is closely aligned with engagement; however, it is more “big picture” with WASA and Big Three Coalition efforts to connect with legislators and the governor’s office prior to session; engaging with the media to carry our story; and connect with the public. We—and our members—shared our “core funding” website (www.waschoolfunding.org) broadly.

In the six months between WASA’s adoption of the Big Three legislative platform and the start of session, the campaign (little “c”) was widely known. We approached the media—and they often reached out to us. The general public were being informed by local school administrators. Agencies and advocates from other associations were watching us. And legislators were inundated with messages from the on-the-ground lobbyists and educators back home.

Many legislators in recent years have focused on issues besides the state’s paramount duty and they could make excuses about not knowing or understanding our needs and requests. In 2025, they may not have agreed with us, but they could not plead ignorance.

The Big Three. You are likely very aware of the success—and failures—of the Big Three campaign. (If for some reason you’re not aware, please read on. The story is captured in this Report.) Given the ultimate results, this could easily fall in “The Bad” category (and, in reality, it straddles between The Good and The Bad).

Certainly, we did not have complete success with the Big Three; however, we were seeking about \$2.5 Billion in additional basic education funding, and it would have been a bit unrealistic to believe we would have full success, even if there were no state budget difficulties. But for the last several sessions, WASA has changed our attitude about our Legislative Platforms. Too often advocates try to determine what they think they might be able to achieve and build their platform from there. We have decided to be bold—and honest—and adopt a Legislative Platform with issues we NEED to support students, staff, and schools.

In very simple terms, our stance is that if we do not ask for what we need, we will NEVER get what we need. What we need, however, can be somewhat unrealistic, at least in the short-term, so we are also prepared to be strategic and willing to compromise where necessary. Starting the game in a position of asking for what we truly need, however, is honest. Honest about what we stand for; honest to our members; honest to the public; and, perhaps the most important, honest to legislators and other policy-makers. We can be accused of being too bold, but we cannot be accused of being short-sighted.

Another part about our bold asks and whether that is unrealistic or not is that we are prepared to play the long game, understanding that we may not get what we need immediately; however, if we stay true, we will build momentum, and legislators will receive a consist message about our needs.

So, perhaps the key for the Big Three this year—and the piece considered to be “The Good” is that we caught legislators ear. As noted above, they may not have agreed; however, they could not say they did not hear our message. In our \$2.5 billion ask, we received less than \$400 million (\$310 million, Special Ed; \$80 million, MSOC).

For all of our efforts and momentum, we received less than 20 percent of our ask. That is frustration and disappointing. Think, however, about what we would have achieved if we did not put forth the effort. We will never know, but you can bet it would have been significantly less than the \$400 million we received.

Retire/Rehire. The ability for retired educators to return to the workforce is not

Editor's Note:

My thanks to Joel Aune, Shawn Batstone, Kim Fry, Tim Garchow, Mary Templeton (Legislation & Finance Committee Chair), Bob Maxwell (WASA President), Shaun Carey (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 90) 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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an earthshaking policy; however, for the districts that have shortages and for the educators who still have some gas in the tank, this is an important issue.

In 2022, legislation was adopted allowing school districts to hire retired administrators under specific conditions. This authorization was set to sunset on July 1, 2025.

Providing reauthorization—or extending the sunset—was a non-issue early on; however, a group of advocates and retirees worked hard to get on legislators' radar. The issue became visible enough that eventually three separate bills were introduced and each began to move. Ultimately, HB 1936 was the bill that crossed the finish line. It extends the current sunset for retire/rehire educators to January 1, 2030.

This issue does not impact a large number of school districts or educators; however, for districts that have a shortage, this allowance is very much a part of “The Good.”

Capital Facilities. The 2025 Session was hyper-partisan; however, once again both parties and all four caucuses worked well together to craft a 2025–27 Capital Budget that was beneficial to school districts. (For specific details, see Capital Budget review later in this Report.)

The Small District Modernization Grant Program received a significant boost, and the School Construction Assistance Program grants were “fully funded” (that is, all requests were funded).

The Bad

The Big Three. Let's just start out with the Big Three. As noted, we worked hard, got noticed, built momentum, but left the session with about 15 percent of what we asked (or said another way, what we NEEDED). Of course, the ready excuse was the state's budget shortfall.

We continue to argue, the state—shortfall or no shortfall—has more than enough revenue to amply fund basic education; it is simply a matter of priorities. K–12 education is the state's paramount duty. Period. And although legislators like to prioritize other issues ahead of K–12, this is an illegitimate exercise. One of the first actions of the Supreme Court in the *McCleary* funding lawsuit was to define the constitutional terms. The paramount duty, as described by the Supreme Court is “having the highest rank that is superior to all others; having the rank that is preeminent, supreme, and more important to all others.” Many legislators ignored this reality (even though one of the first actions of the session is to have 147 legislators be sworn in, which includes swearing an oath to uphold the state constitution).

Special Education and MSOC funding fell well-short of our ask and of our need, but at least the issues were acted upon. The other Big Three issue is Pupil Transportation. For the third year in a row, legislation was introduced to address Transportation underfunding, as well as policy changes to “fix” the current funding formula. The Senate bill was heard in and adopted by the Senate Early Learning & K–12 Education Committee but did not move much further. The House companion bill was introduced late and was never even heard.

The continued lack of real action on Pupil Transportation falls under “The Bad” heading.

Taxes. I will not make a value judgment about whether new taxes or tax increases were needed or whether the “right” taxes were addressed (that is a debate beyond this venue). Taxes fall into “The Bad” category here because of how most of the tax measures were sold this year. Most of the tax bills introduced this session, included “intent” statements. Those intent statements argued why the particular bill needed to be adopted and most of those bills included boilerplate language:

“These revenues help the state meet its paramount duty to amply provide

every child in the state with an education, including children who qualify for special education services, creating the opportunity for each child to succeed in school and achieve success in life.”

Wonderful. But then you read the details and the proceeds from the taxes being proposed are to be deposited into the State’s General Fund. So let me reiterate. Most of the taxes on the table this session argued they were needed to support the states’ paramount duty, yet the proceeds were directed to the General Fund. Certainly, most of the appropriations for K–12 come from the General Fund; however, in Olympia we often say, “all dollars are green.” If tax proceeds are intended to support K–12, they should be dedicated to K–12, otherwise they will be dropped in the big General Fund bucket and K–12 likely will not receive any positive benefit.

In simple terms, legislators are “using” K–12 to garner support for the tax measure because polls have consistently shown that a majority of people would support additional or higher taxes to support public education. But writing an intent statement saying the taxes are needed to support K–12, then send the proceeds to the General Fund is disingenuous. (By the way, “disingenuous” is the polite way to say this; it really falls closer to “deceitful.”)

It should be noted that one tax does collect additional revenue specifically for education. SB 5813’s intent statement notes:

“The legislature finds that it is the paramount duty of the state to amply provide every child in the state with an education, creating the opportunity for the child to succeed in school and thrive in life.”

It goes on to say:

“The legislature further finds that high quality early learning and childcare is critical to a child’s success in school and life, as it supports the development of the child’s social-emotional, physical, cognitive, and language skills. The legislature further finds that the state’s higher education system ensures Washington residents have the opportunity to succeed in a competitive global economy.”

SB 5813 increases the rates on the Capital Gains Tax and the Estate Tax and proceeds are deposited into the Education Legacy Trust Account (ELTA). ELTA funds DO support education; however, if this is a bit shaky. When the average person on the street hears “education,” they interpret that to mean “public schools” or “K–12 education.” The ELTA supports education in a broad sense; that is, K–12 education, but also Early Learning, and Higher Education. The vast majority of the ELTA funds are directed to Early Learning, so even with new revenue to the ELTA, it is likely K–12 education will not receive much in the way of additional funds.

Simple Majority. The pursuit of the simple majority approval of school district bonds has been 40-year quest. In recent years, there has been sporadic movement on the issue, with a public hearing or two, and maybe even executive action in Committee, but each time the issue loses momentum or gets bottled up through lack of necessary support.

Remember, simple majority for bonds is a constitutional amendment, so it has a higher hill to climb. For a constitutional amendment to be adopted, it must receive a two-thirds vote by both houses—which is 33 votes in the Senate and 66 votes in the House—then approval (by a simple majority) of voters at the next General Election.

Once again, this year, Joint Resolutions were introduced in both houses and there is a buzz around the issue that we have not seen since an aborted movement in 2019. (This is not “Bad.” What drops this into “The Bad” column is the Resolution’s ultimate fate.) Early on, we heard there were conversations occurring behind-the-scenes in an effort to determine how to adopt the simple majority for bonds. This has been mostly a partisan issue and while Democrats have overwhelming majorities in both houses,

their membership still falls below the two-thirds majority necessary.

There were two Resolutions at play. The first was a House Resolution that would have authorized a “clean” simple majority, 50 percent plus one. This was heard in the House but never moved from Committee. The real action was in the Senate on a 55 percent approval, although the real conversation did not occur until the resolution was amended to 50 percent plus one. This change to the “clean” simple majority was not what boosted the issue, however.

Again, a two-thirds majority in each house is necessary to adopt a constitutional amendment. Even the supermajority Democrats hold is not enough for a constitutional amendment: Senate Democrats hold 30 votes but need 33 to pass the amendment; House Democrats hold 59 seats but need 66 votes to adopt. Assuming all Democrats supported, there still needed to be 3 Senate Republicans and 7 House Republicans to adopt.

Traditionally, Republicans have resisted supporting the simple majority (or 55 percent) because they view it as a tax issue—simple majority would simply make it easier to increase taxes. But there was a compromise afoot. The Building Industry Association of Washington (BIAW, the “homebuilders”) approached us and said they would help us secure the necessary Republican votes (they play on the R-side in campaigns and support conservative issues)—for a price. The compromise they proposed was to repeal school district impact fees, something most Republicans detest.

WASA and other key education associations met with BIAW and other business groups to negotiate language and strategy; however, the discussions were difficult because we informed them, we could not support a straight repeal of impact fees because they provide crucial funds to a number of school districts. We tried to find a compromise that would secure some other protections or funding for these districts.

Unfortunately, the decision was taken out of our hands because the potential (and necessary) Republican votes back out. They, again, were wary of supporting a “tax increase,” but were willing to discuss the trade on the table, until it was clear Democrats were going to be moving a series of tax proposals. Republicans decided they could not support this particular tax increase in the face of a forthcoming package of taxes from Democratic budget-writers.

It was positive the issue gained so much momentum, but it was disappointing to see a deal fall so quickly. It does provide at least a bit of hope that there may be an avenue to get the needed Republican support in the future.

AI Bargaining. There are probably a bunch of bills and actions this session that could fall into “The Bad” category, but one issue that was troubling was bargaining over the use of Artificial Intelligence. WASA has been a leader in the discussion of AI and how it can be beneficial to educators—and this issue would have been problematic for districts that want to make use of this new technology.

There were a set of bills that would have required bargaining over the use of AI and both bills moved far through the process but ultimately failed. This was just one of the many “employee protection” bills that were introduced this session—and most of those fall in “The Ugly” column.

The Ugly

K–12 Budget. It all begins and ends with the Budget. As noted earlier, legislators (once again) had some difficulty with prioritization. The 2025–27 Operating Budget appropriates just under \$78 Billion (an almost \$6 billion increase over the current budget). Of that total, K–12 education increases by \$2.46 billion. At first blush, this seems very positive, and this issue should be moved to “The Good” section. Not so fast, however. That \$2.46 billion is comprised of \$2.09 billion in REQUIRED

Maintenance Level spending (mostly for compensation) and \$376.9 million in Policy Level increases—that is, discretionary choices made by the Legislature. There are also significant K–12 programs and grants throughout the Budget that are eliminated or reduced—including zeroing out OSPI grants (almost \$140 million), which will impact school districts and the students they serve. ESDs also had their “core” funding reduced by six percent; however, as a practical matter, the real cut is closer to 14 percent given the OSPI reductions that are implemented by ESDs. This will negatively impact services that are provided to regional school districts, which will in turn impact the students they serve.

I also have a bone to pick with Governor Ferguson. Throughout his campaign for governor, he professed to support K–12 education. He stated his support for increased investments in K–12 and called for the share of the K–12 investment to grow, specifically mentioning education should occupy at least 50 percent of the overall Operating Budget. After he was sworn in, he said little about K–12 education, save his crusade for universal meals (which went nowhere). On *Sine Die* night, Governor Ferguson finally mentioned K–12 again. In an end of session press conference, he reviewed accomplishments of the Legislature and for K–12 education he noted, “When I campaigned for governor, I promised to increase the percent of our General Fund devoted to our K–12 system. This operating budget meets that goal.” Unfortunately, this is incorrect. K–12’s share of the Operating Budget went DOWN from 43.4 percent to 43.2 percent.

UI for striking workers. The Legislature has become more and more friendly to the labor community to the point it often looks like the Democratic Caucuses are simply shills for labor. SB 5041, providing Unemployment Insurance for striking workers is perhaps the worst bill of the session. Unemployment Insurance was established to assist employees who lose their jobs. When someone voluntarily refuses to work as a bargaining tactic, they should not be rewarded.

This moves from the absurd to the simply stupid when it comes to K–12. Teachers work a 180-day contract (unless adjusted by a Collective Bargaining Agreement) and if they go out on strike, they will still work 180 days because school districts are legally bound to provide 180 days of instruction. So, teachers will get their full pay (and probably more) regardless of how long they strike. Providing Unemployment Insurance just provides an incentive to strike and likely will prolong strikes. (And, by the way teacher strikes are illegal, but that’s a whole other issue.)

Taxes. Taxes are mentioned in “The Bad” section; however, there are two issues that fall in “The Ugly” column. First is SB 5814, implementing a tax on services. The bill/tax is fairly broad; however, school districts have on a specific concern. Under the bill, temporary staff are subject to a ten percent tax. We are still trying to unpack this bill and fully understand who is impacted.

At this point, we understand school districts ARE subject to the tax. What we do not know yet is how “temporary staff” are defined. There is some thinking that temporary staff would only be taxed if they were placed by a temp agency; there are others that believe all “temporary staff,” including contractors, may be taxed.

We have been working with the governor’s office and the Department of Revenue (which will be undergoing rulemaking) to clarify the definition of “temporary staff.” More to come.

The second tax, actually a set of tax proposals, deal with Property Taxes. All three bills, implemented in slightly different ways were on the table and fortunately none of the bills were adopted, even though there was significant conversation and movement. The bills would increase the current one percent growth factor on property taxes. The main concern is that property taxes already cause many homeowners to reject school district levies and bonds. If property taxes were allowed to grow at a greater rate, this would put even more pressure on homeowners and, therefore, could more negatively impact school ballot issues.

While none of these bills passed, other local government have been pressing for this change for several years. The bills will be revived in 2026 and potentially could catch fire again.

Local Effort Assistance. Well-before the 2025 Session began, it was highly likely there was going to be an increase in the local school district levy lid. Because our membership is split on the issue, we largely stayed out of the fight; however, we were fully engaged in the conversation of Local Effort Assistance (LEA or “levy equalization”). In public testimony and private conversations with legislators, we firmly stated, “IF the Legislature chooses to increase the levy lid, there needs to be at least a commensurate increase in LEA to ensure the current gap between districts is not exacerbated.

There was a lot of talk about levies and LEA throughout the course of the session and our “linking” message was getting through. (And credit goes to many of the levy-supporting districts for publicly acknowledging that LEA was a crucial piece of the puzzle.) So, our message was resonating. Until it wasn’t. Ultimately, there is a phased in significant increase in the levy lid. There are two troubling things about LEA. First, increases in the LEA threshold were included in the levy lid bill (HB 2049), but were stripped out in the waning days of the session. Similar increases are provided for in the 2025–27 Operating Budget. This is positive; however, the concern is (while the levy lid increases for the next seven years), LEA increases over two years—and the provisions expire June 30, 2027, along with the two-year Budget. To maintain funding the 2027 Legislature must include the funding in the 2027–29 Operating Budget.

The second issue is probably more concerning. The maximum levy and the LEA threshold annually increase by inflation, based on the Seattle Consumer Price Index. HB 2049, however, change LEA’s inflationary factor to the Implicit Price Deflator (IPD), which is historically less than CPI.

So, there are two issues. The levy lid is statutorily set to increase over the next seven years, then automatically increase annually CPI, while LEA districts have to fight for the LEA Threshold every two years and the threshold will increase at a slower rate than CPI.

There is another Ugly issue with levies and LEA. Most legislators assume there are two classes of districts: one set of districts that can increase their levy lid if they are allowed to do so; and a second set of districts that are property poor and can access LEA.

The Ugly fact is there is a forgotten third set of districts. These districts cannot increase their levies regardless of the lid, because they are already at their “political cap” (what the voters will accept) and they are not eligible for LEA.

And another Ugly LEA issue? HB 2050 which reduces LEA for districts that have “excess” ALE enrollment. This issue only impacts 10–12 districts; however, they are small/rural districts that will be disproportionately impacted. And this unfair plan is being implemented to “save” \$17 million.

Next Steps

Given the Legislature’s action—or more accurately their lack of positive action--WASA’s Legislation & Finance Committee recommended the Association reaffirm our support for the Big Three in 2026. At the end of May, WASA’s Board of Directors agreed and adopted the 2026 Legislative Platform, which maintains the focus of WASA’s 2025 Platform. The [2026 Legislative Platform](#) continues to emphasize three specific budget issues: Materials, Supplies, and Operating Costs (MSOC), Special Education, and Pupil Transportation. Why did we focus on these issues in 2025? First, achieving significant funding for these programs will positively impact ALL 295 school districts—whether they be big or small, east or west, urban or rural,

rich or poor. Second, each of the issues are Basic Education programs which are constitutionally required to be fully funded; however, we have documented evidence that each are is woefully underfunded.

The reasons for our focus in 2025 continue in 2026. In addition, the Legislature clearly failed to fulfill our requests—which are really school districts’ NEEDS—so reiterating the same focus maintains important consistency. Aligning school administrators and other education stakeholders to focus on a limited set of issues sent a powerful message to legislators last session and continuing the same focus will help us to maintain our coalition. And last year we built a tremendous amount of momentum; we are in this for the “long haul” and continuing to focus on the Big Three will allow us to build on that momentum.

Looking toward long-term financial stability for K–12 education, a fourth priority is also elevated by the 2026 Platform. The new plank urges the Legislature to establish a formal K–12 Ample and Equitable Finance System Workgroup to examine structural flaws and inequities in how education is funded. Discussion about overhauling K–12 funding continues to grow and school administrators need to be at the table—if not leading the conversation.

Understanding there are multiple other education issues we have been advocating for that remain unresolved, the L&F Committee recommended and the Board adopted a set of what we call [Legislative Priorities](#) (page two of the document). This second set of issues clearly notes school administrators will focus their advocacy efforts in the 2026 Legislative Session on the ample funding of basic education; however, school administrators have ongoing concerns about Washington’s K–12 funding structure that must be addressed. In addition to the priority issues from 2025 (Updating Staff Allocations, Modifying Regionalization/Experience Factor, Reforming Levies and Local Effort Assistance, and Supporting Capital Facilities), we have added Full Funding of Substitute Costs.

There were many disappointments (“The Ugly”) in the 2025 Session—and many educators are rightly frustrated. Many of you want to throw your hands up and say, “What’s the point?” or “Is it worth it?” Please understand that your advocacy—contact with legislators, public testimony, signing in on priority legislation—DID have an impact. Legislators provided modest investments (clearly not enough) to support K–12; however, without the consistent and insistent engagement by school administrators and other educators, we likely would not have even seen what little legislators did provide.

We strongly encourage you to stay engaged and continue to build relationships with legislators. WASA will continue to provide you tools and resources to help your advocacy efforts, such as the school funding website (www.waschoolfunding.org) to assist you in communicating our message with the public and our [Tool Kit](#), complete with key messages, talking points, issue briefings, fiscal data, and other resources to help us speak with one voice. We are already in-process of updating and overhauling those two resources to assist in your advocacy efforts. Be on the lookout for new and updated resources later this summer.

Finally, remember that advocacy is not a one-time thing, or even a some-time thing. It 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 2026 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.

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!

A Personal Note—

This is my last WASA report, and I wanted to take a moment to say Thank You. You have heard me say many times “I can’t do this job by myself,” so I want to give a shout out to the many people who have traveled this road with me: Joel Aune and my WASA Staff colleagues; the WASA Board of Directors; WASA’s Legislation & Finance Committee; the ESD Superintendents and CFOs; and members of Olympia’s K–12 Education Posse: Marissa Rathbone, Melissa Gombosky, Charlie Brown, Troy Nichols, Roz Thompson, Marie Sullivan, Cliff Traisman, Nora Burnes, Devin Gombosky, Katherine Mahoney, Levon Williams, Tyler Muench, Jenny Plaja, Margaret Brown, and Casey Brown

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2025–27 Operating Budget: ESSB 5167

The 2025–27 Operating Budget will appropriate \$77.9 billion. This is an increase of \$5.93 billion over the previous 2023–25 Operating Budget (including new appropriations in the 2025 Supplemental Operating Budget totaling \$752 million). Of this increase, required Maintenance Level spending totals \$4.89 billion, while discretionary Policy Level spending totals \$1.04 billion.

For K–12 education, appropriations increase by \$2.46 billion. Unfortunately, as expected, REQUIRED Maintenance Level spending totals \$2.09 billion (mostly for compensation), far outstripping discretionary Policy Level appropriations of \$376.9 million. In the 2023–25 Biennium, K–12 education spending comprised 43.4 percent of the overall Operating Budget. Even with the significant increase in Maintenance Level spending (which is required), the percentage of K–12 spending in the new two-year Operating Budget DROPS to 43.2 percent.

As a side note, Governor Ferguson—throughout his campaign, in his “Budget Priorities” released after he was elected, in meetings with reporters before session, and in his Inaugural Address—touted his support for K–12 education. He consistently stated, “I intend to increase the percentage of the budget going to support our K–12 students.” He also regularly called for the share of the investment to grow, specifically mentioning education should occupy at least 50 percent of the overall Operating Budget. Unfortunately, between his Inaugural Address through the adjournment of this session, I do not recall anytime he publicly mentioned K–12 education (other than a note or two about his support of universal meal, which was a nonstarter for legislators). Absent in the K–12 discussion for 102 days of this session, he again touted his support upon adjournment. Shortly after the Legislature adjourned, Governor Ferguson issued a statement, wherein he reviewed accomplishments of the Legislature (taking credit for much of those actions). For K–12 education he noted, “When I campaigned for governor, I promised to increase the percent of our General Fund devoted to our K–12 system. **This operating budget meets that goal.**” [Emphasis added] Unfortunately, this is simply not accurate.

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 and signed by the governor. For additional budget information, please use the following links:

- 2025–27 Operating Budget: [ESSB 5167](#)
 - Governor’s [Partial Veto Letter](#)
- [Washington State Fiscal Information](#):
 - [Budget Overview](#)
 - Budget Agency Detail: [Senate/House](#)
- OSPI Budget Updates: [School Apportionment](#):
 - Budget Driver Summary: [John Jenft Rate Sheet](#)

- [Multi-Year Budget Comparison Tool](#) (formerly “Pivot Tables”)

- [Economic & Revenue Forecast Council](#):

- [Forecasts](#)
- [Four-year Outlook](#)

BUDGET DETAILS: K–12 ENHANCEMENTS

Special Education—\$309.6 million

Funding is provided to implement E2SSB 5263, funding special education. The increased funding comes from changes in the excess cost multipliers (\$192.9 million); the elimination of the 16.0 percent enrollment cap (\$81.7 million); and a reduction in the threshold for the Safety Net (\$35.0 million).

Excess cost multipliers. Under current law, there are two multiplier tiers for K–12 students:

- Tier 1 is for students receiving special education services and reported to be in the general education setting for less than 80 percent of the school day; the multiplier is 1.06
- Tier 2 is for students receiving special education services and reported to be in the general education setting for 80 percent or more of the school day; the multiplier is 1.12

E2SSB 5263 eliminates the tiered funding mechanism and increases the single multiplier to 1.16.

Enrollment cap. Special education is funded on an excess cost formula; however, under current law, funding is only provided for up to 16.0 percent of a district’s students.

E2SSB 5263 eliminates the current 16.0 enrollment funding cap for all districts, beginning in the 2025–26 School Year.

Safety Net threshold. Under current law the Safety Net Oversight Committee may award Safety Net funding 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. A high-need individual is eligible for a Safety Net award if the student’s Individualized Education Program costs exceed 2.2 times the average per-pupil expenditure. If the school district has fewer than 1,000 students, the threshold is reduced to 2.0 times the average per-pupil expenditure.

E2SSB 5263 reduces the Safety Net threshold beginning in the 2025–26 School Year. The Safety Net eligibility threshold is reduced to 1.8 times the average per-pupil expenditure for the following school districts:

- school districts that have fewer than 1,000 full-time equivalent students;

- school districts that have at least 60 percent of students directly certified or categorically eligible for free school meals; and
- school districts that have at least 60 percent of students enrolled in the Transitional Bilingual Instruction Program

Beginning in the 2025–26 School Year, the Safety Net eligibility threshold is reduced to 2.0 times the average per-pupil expenditure for all other districts.

The 2025–27 Operating Budget provides for additional increases beyond the increased funding for the “core” components of special education discussed above:

Quarterly Safety Net payments. Under current law Safety Net awards are provided to districts once a year. **\$11.8 million** in additional funding is provided for quarterly Safety Net payments to certain districts.

Under provisions of E2SSB 5263, beginning in the 2026–27 School Year, OSPI must distribute Safety Net awards to school districts on a quarterly basis if the school district is a second-class school district (under 2,000 students) or if the following criteria are met:

- the Safety Net award is provided for a high-cost student that receives special education services from an authorized entity located outside of Washington;
- the school district successfully applied for and received a Safety Net award for the high-cost student in a prior school year, and the student's placement has not changed since that Safety Net award was granted; and
- the school district meets all other Safety Net award eligibility requirements as determined by the Safety Net Oversight Committee made to non-public providers and small school districts

ESIT Multiplier. Under current law, for students ages three and four and five year olds not yet enrolled in kindergarten who are eligible for and receiving special education, the excess cost multiplier is 1.2. The Early Support for Infants and Toddlers (ESIT) program provides early intervention services to all eligible children with disabilities from birth to three years of age. The current ESIT multiplier is 1.15.

Under provisions of E2SSB 5263, the ESIT funding multiplier is changed to align with the multiplier for Pre-K students, increasing from 1.15 to 1.2. The Operating Budget provides the Department of Children, Youth, and Families—which administers the ESIT program—\$17.4 million to increase the ESIT multiplier.

Inclusionary Practice pilots. \$12.8 million is provided to OSPI to support 20 pilot sites establishing School-wide Centers of Excellence for Inclusionary Practices under E2SSB 5263. The selected pilot schools will receive a grant amount equivalent to having a special education multiplier of 1.5 for all students eligible for and receiving special education services in the school over a four-year period.

Age 22. \$12.4 million is provided to OSPI for implementation of SSB 5253, which requires that special education and related services for students with disabilities be provided through the end of the school year in which a student turns age 22. An additional \$3.2 million is provided to the Department of Social & Health Services to implement SSB 5253 by extending client services to students through the school year students turn 22.

Charter schools. \$1.0 million (from the Washington Opportunity Pathways Account) is provided for charter schools to increase the special education excess cost multipliers.

Local Effort Assistance—\$113.6 million

The 2025–27 Operating Budget provides \$137.0 million (\$31.6 million, FY26; \$105.4 million, FY 27) to increase the current Local Effort Assistance (LEA or “levy equalization”) threshold by \$150 per pupil in Calendar Year 2026 and another \$250 per pupil in Calendar Year 2027.

The LEA threshold increases annually by inflation; however, ESHB 2049, adopted this session, changed the current inflation factor of the Consumer Price Index (CPI) to the Implicit Price Deflator (IPD). Historically, CPI has been higher than IPD. This continues to be true in the current year, causing a reduction in LEA funding of \$6.4 million. (It should be noted that ESHB 2049 provides a significant increase in the levy lid, while also maintaining CPI as the inflationary factor for levy lids, which will serve to increase the gap between levy lids and LEA funding.)

Another \$17.0 million reduction further erodes the increased funding for the LEA threshold. HB 2050, adopted this session, reduces the amount of a district’s LEA funding if the district’s Alternative Learning Experience (ALE) enrollment is more than 33 percent than average annual full-time equivalent (AAFTE) student enrollment. In other words, for districts that have more than 33 percent of the AAFTE students enrolled in ALE courses, the student enrollment used to calculate LEA is reduced. The reduction is equal to the school district’s FTE students enrolled in ALE courses, minus 33 percent of the AAFTE.

HB 2050 and the resulting reduction in LEA only hits a small handful of districts; however, these small, rural districts will be disproportionately impacted to secure about \$17 million in state “savings” (out of a \$78 Billion budget).

MSOC Adjustment—\$78.9 million

Funding is increased for Materials, Supplies, and Operating Costs (MSOC). Under ESSB 5192, individual MSOC categories are merged into a “lump sum” allocation for general education students and a “lump sum” enhancement for students in grades 9–12. As funded in the 2025–27 Operating Budget, total allocations for MSOC are:

- 2025–26 school year: \$1,614.28 per general education student in grades K–12 and \$214.84 per student in grades 9–12; and
- 2026–27 school year: \$1,656.25 per general education student in grades K–12 and \$220.43 per student in grades 9–12

These are increases from \$1,533.02 per K–12 student and \$204.03 per 9–12 student provided in the 2024–25 school year. Total (2025–26) increases are \$81.26 per K–12 student and \$10.81 per 9–12 student.

Understand, however, these total increases include proposed (and required) Maintenance Level increases. Although legislators proudly advertise MSOC per student increases of \$92.07 (\$81.26, K–12; \$10.81, 9–12), ESSB 5192 provides per student increases of \$35.27 per K–12 student and \$4.69 per 9–12 student. (Legislators should not be taking credit for funding increases they are obligated to provide.)

Additionally, note that the 2026–27 school year funding is a placeholder, as ESSB 5192 requires MSOC to annually increase by inflation. A required inflationary increase has long been a part of the law; however, “inflation” had never been defined, causing the factor to be arbitrarily (and politically) calculated. Under the new law, MSOC allocations must be increased by the Implicit Price Deflator (IPD) for the previous calendar year. At the time the Budget was adopted, IPD was projected to be 2.6 percent; however, this factor for 2026–27 allocations will not be official until next January.

The 2025–26 Operating Budget provides additional funding to implement ESSB 5192:

- \$12.7 million to support Special Education programs;
- \$418,000 (from the Opportunity Pathways Account) to support Charter Schools; and
- \$50,000 to support OSPI

Community Eligibility Provision (CEP)—\$17.9 million

Increased funding is provided for additional reimbursements to school districts participating in the federal Community Eligibility Provision (CEP) for meals not reimbursed at the federal free meal rate.

Charter School Enrichment—\$7.7 million

Charter schools are provided with \$1,500 per pupil (from the Opportunity Pathways Account) for enrichment in Fiscal Year 2026.

Inclusive Teaching Sites—\$4.0 million

OSPI is provided funding for six demonstration sites to support inclusive teaching practices and student behavior management practices and 16 pilot sites committed to adopting best practices. (Similar provisions were embedded in E2SSB 5263—addressing special education funding—however, the language was stripped before being adopted. Instead, budget-writers included funding with necessary proviso language in the Operating Budget.)

Funding will support demonstration projects showcasing the processes and outcomes of building school-wide systems to support students in distress and prevent crisis escalation cycles that may result in restraint or isolation.

OSPI is required to provide grants to school districts for:

- six demonstration sites to showcase best practices and

serve as learning communities and examples that allow other school districts to observe positive practices in real-world settings; and

- increasing the number of pilot sites to engage in targeted professional development through learning experiences offered by the demonstration sites and contracted providers

The pilot sites are required to:

- build school-level and district-level systems that incorporate positive, trauma-informed behavior support practices to prevent crisis escalation and reduce the use of restraint and isolation; and
- improve data collection and reporting systems and complete other tasks to achieve the project goal

By November 15, 2026, OSPI must provide the Legislature with a report on the demonstration projects. The report must, to the extent possible, quantify the impact of the demonstration projects in terms of student outcomes, such as changes in disruptive student behavior, increases in the amount of time students with disabilities spend in the general education setting, or increases in assessment scores. The report must include an estimate of the fiscal impact that use of the practices identified might have on school district budgets if adopted statewide. The report must also address key implementation challenges and findings, as well as include recommendations for statewide policy changes.

School District Financial Health—\$2.8 million

Funding is provided for additional staff and resources at OSPI to provide proactive and solutions-oriented regional and local technical and financial assistance to support improved school district financial health statewide.

\$2.0 million of the overall appropriation is provided for school districts that have been removed from their insurance risk pool due to district financial trouble to fund the difference between the previous cost of insurance provided through the Washington Schools Risk Management Pool and the cost of purchasing private insurance. Priority must be given to the school district that has been in binding conditions for the longest period.

MBL Demonstration Projects—\$2.0 million

The State Board of Education is provided with additional funding to support the existing Mastery-based Learning (MBL) program and implement Mastery-based Learning in school district demonstration sites.

Funds must be used for: grants to school districts, charter schools or State-Tribal Education Compact Schools; professional development of educators; development of a resource suite for school districts statewide; evaluation of the demonstration project; and implementation and policy support provided by the State Board of Education and other partners. Grants for Mastery-based Learning may be made in partnership with private matching funds.

The State Board must require grant recipients to report on impacts and participate in a collaborative to share best practices.

Dual Language Grants—\$1.5 million

Funding is provided in Fiscal Year 2026 to support school district dual language grants to grow capacity for high quality dual language learning. Grant funding may be used for new and existing dual language programs, heritage language programs for immigrant and refugee students, and indigenous language programs for native students. \$300,000 of the overall appropriation is provided for tribal language grants.

Each grant recipient is required to convene an Advisory Board to guide the development and continuous improvement of its dual language program, including but not limited to:

- determining which schools and languages will be prioritized;
- conducting outreach to the community; and
- addressing enrollment considerations and the hiring of staff

At least half the members of the Advisory Board must be parents of English learner students or current or former English learner students. The other members of the Board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support English learners.

Ninth Grade Success—\$1.5 million

Funding is provided in Fiscal Year 2026 for grants to school districts for the Ninth Grade Success program, which helps ninth grade students stay on track to graduate high school. Within the amount appropriated, funding is provided for OSPI to contract with an evaluator to conduct a yearly evaluation of the program's success.

IT Academy—\$1.5 million

Funding is provided to continue the Microsoft Information Technology (IT) Academy program in Fiscal Year 2026. 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.

Public Education System—\$1.4 million

Funding is provided to OSPI to implement ESHB 1296, which, among other provisions, requires policies and procedures of school districts, charter schools, and State-Tribal Education Compact Schools to prioritize the protection of every student's safety, access to a free public education, and privacy.

Homeless Student Support—\$1.2 million

Funding is provided in Fiscal Year 2026 for the Homeless Student Stability Education Program (HSSEP).

***N.D. v Reykdal*—\$660,000**

Funding is provided for costs resulting from *N.D. v Reykdal* litigation.

NOTE: In *N.D. v Reykdal*, a group of disabled students sued the Superintendent of Public Instruction and OSPI. The students claimed that the state's practice of discontinuing special education services at the end of the school year in which a student turns 21 violated the Individuals with Disabilities

Education Act (IDEA). IDEA generally requires states to provide special education to disabled students until their 22nd birthday but allows states to discontinue services as early as age 18 if providing special education to older students would be inconsistent with state law or practice. The students argued that because Washington offers certain adult-education programs to 21-year-olds, it should also be required to provide special education to disabled 21-year-olds.

The plaintiffs were successful in their suit and resulted in the introduction and adoption of SSB 5253, which extends special education services to students with disabilities until the end of the school year in which the student turns 22.

The funding in the 2025–27 Operating Budget is provided to cover remaining costs of the litigation.

Equity and Civil Rights Monitoring—\$642,000

Funding is provided to increase staff at the OSPI Office of Equity and Civil Rights to investigate discrimination complaints.

Competency-based Education—\$574,000

Funding is provided to implement SB 5189, which makes changes regarding implementation of Competency-based Education (CBE).

OSPI is provided with \$350,000 and the State Board of Education is provided with \$224,000 to support the implementation of SB 5189.

OSPI is required to adopt rules to authorize full-time enrollment funding for students enrolled in CBE programs identified by the State Board, in accordance with certain criteria. The rules must permit school districts to report full-time equivalent students in CBE programs for general apportionment funding. Using guidance from the Mastery-based Learning collaborative, OSPI, along with the State Board are directed to recommend a process for OSPI to create competencies aligned with the state learning standards, and identify costs associated with this process.

The State Board of Education must design and recommend, by December 2025, a process to identify and designate schools and school districts implementing CBE in accordance with SB 5189 and identify the costs associated with this process.

Additional funding outside of Part V (Education) of the Operating Budget is appropriated to implement SB 5189:

The State Board for Community & Technical Colleges is provided with \$7,000 (from the Workforce Education Investment Account) and the Workforce Training & Education Coordinating Board is provided with \$21,000 (from the Workforce Education Investment Account). Both entities are charged with collaborating with the State Board of Education, OSPI and other institutions to develop or identify and recommend to OSPI a format for a Competency-based Education high school transcript that can be used by all public school districts as part of, or as an alternative to, the standardized high school transcript (which must be developed under additional provisions of SB 5189).

Holocaust and Genocide Education—\$500,000

OSPI is provided with funding to contract with a nonprofit organization that supports Washington teachers in implementing lessons on the Holocaust for the purpose of expanding comprehensive Holocaust and genocide awareness education.

Science on Wheels—\$500,000

Funding is provided for a grant to the Pacific Science Center to increase hands-on learning opportunities for low income K–5 students statewide by increasing access to Science on Wheels and Digital Discovery Workshops.

ESD SEBB Adjustment—\$487,000

The monthly employer funding rate for the School Employees' Benefits Board program is adjusted to \$1,307 for Fiscal Year 2026 and \$1,341 for Fiscal Year 2027. These rates assume the implementation of E2SSB 5083 (Health carrier reimbursement); and several other changes including the cessation of the Uniform Medical Plan Plus on January 1, 2026; and a reduction in the premium stabilization reserve for self-insured medical claims from 7.0 percent to 5.0 percent.

Summer EBT State Match—\$299,000

Funding is provided for a 50 percent state match for OSPI to serve as a partnering Electronic Benefits Transfer (EBT) Program agency with the Department of Social and Health Services, which coordinates the program in the state. The program provides funding to students and families without access to Free and Reduced-Price Meals during the summer months.

Alternative Pupil Transportation Vehicles—\$236,000

Funding is provided to implement ESSB 5009, which encourages school districts to use a vehicle type deemed by a district to be a safe and cost-effective manner of transporting its students. Provisions of the bill allow school districts to use pupil transportation allocations for this purpose.

Additionally, the school bus purchase and reimbursement statute is expanded to apply to student transportation vehicles rather than only school buses. The terms student transportation vehicle and vehicle, as used within the school bus purchase and reimbursement statute, are defined as a school bus or other vehicle used in lieu of a school bus.

Charter School Technical Assistance—\$204,000

Additional funding (from the Charter School Oversight Account State, not the General Fund) is provided for responsibilities created in ESHB 1744 (2023), including development of an online complaint system for students and parents, and technical assistance to charter schools and their boards upon request.

Latino Students Community Supports—\$200,000

Funding is provided in Fiscal Year 2026 for OSPI to contract with a non-profit organization to develop and provide a Latino youth-on-youth gang violence prevention program for students and may offer a parent coaching program. The program must target Latino students ages 11 through 17 who are either involved in or at risk of becoming involved in a gang or in gang activities, and parents of the students. The non-profit organization must have at least 15 years of experience serving

Latino communities and promoting advocacy and must provide kindergarten through 12th grade social emotional learning, mental health wraparound services, and parent engagement programs in Washington.

Muslim & Arab Community Organization—\$200,000

Funding is provided for the Puget Sound ESD 121 to contract with a Washington-based Muslim educational organization, with expertise in curriculum about Muslim and Arab history, to develop curriculum that supports Washington teachers in implementing and incorporating lessons on Islamophobia. If a Washington-based organization cannot be found, OSPI may seek proposals from organizations incorporated outside of Washington. Of the total appropriation, \$5,000 for Fiscal Year 2026 is provided for the Puget Sound ESD to administer the contract.

Aviation Academy—\$179,000

Funding is provided to the Peninsula School District Aviation Academy, designed to prepare students for diverse careers in the aviation industry.

CTE Careers Work Group—\$176,000

Funding is provided to implement ESHB 1414, which, among other provisions, expands and directs the statewide Career and Technical Education Task Force to recommend changes to laws and practices affecting the training, certification, and employment of 16- and 17-year-olds enrolled in or who completed Career and Technical Education programs.

Educational Interpreters—\$138,000

Funding is provided to the Professional Educator Standard Board (PESB) (\$64,000) and OSPI (\$74,000) to implement SSB 5025. The bill:

- requires PESB to adopt separate standards for deaf and deaf-blind educational interpreters;
- creates a two-tiered certificate system for educational interpreters, where limited certificates are granted to educational interpreters who have met the limited performance assessment standard and full certificates are granted to educational interpreters who have met the full performance assessment standard; and
- authorizes PESB to adopt rules limiting the number of times an educational interpreter may take an educational interpreter assessment for qualifying for a certificate

School Emergency Response—\$60,000

Funding is provided to implement ESSB 5004, which requires OSPI to compile and report to the Legislature on school district's implementation of emergency response systems.

Cannabis Revenue Distributions—\$54,000

Appropriations from the Dedicated Cannabis Account (not the General Fund) are adjusted pursuant to current law and the March 2025 revenue forecast.

Funding from the Dedicated Cannabis Account is used exclusively to support the Building Bridges statewide program

and for grants to districts for life skills training for children and youth in K–12.

Remote Testing—\$49,000

Funding is provided to implement SHB 1079, which: allows school districts with online school programs to provide students in those programs the ability to complete statewide assessments remotely; and directs OSPI to develop, or review and update, assessment administration and security policies by April 1, 2027, to support remote implement and support remote testing.

Teacher Residency & Apprenticeship—\$28,000

Funding is provided to the Professional Educator Standards Board to implement ESHB 1651, which, among other provisions, describes and establishes requirements for a teacher residency, which is a teacher preparation model, and describes a teacher apprenticeship model and establishes requirements for the content and approval of a teacher apprenticeship model.

Interfund Loans—\$21,000

Funding is provided to implement SSB 5412, which allows a school district that is in binding conditions or under enhanced financial oversight to take a temporary interfund loan from its capital projects fund, subject to specific conditions. Funding will be used by OSPI for required rule-making activities.

Vital Record Access—\$20,000

Funding is provided to implement SSB 5030, which prohibits fees from being charged to obtain a vital record of the birth of a child, if requested by a parent or guardian who has a child who is eligible for or receiving food benefits. Funding will be used by OSPI to adopt required rules regarding the acceptance of birth certificates, passports, and alternative documents to show a child's age or date of birth for the purposes of enrollment in public schools.

An additional \$63,000 is provided to the Department of Children, Youth, and Families, and an additional \$76,000 is provided to the Department of Health (DOH) which are directed to adopt rules to accept birth certificates, passports, and alternative documents to show a child's age or date of birth for the purposes of enrollment in the Early Childhood Education and Assistance Program.

DOH will also use the provided funding to contract with a third-party to update its vital record data system (Washington Health and Life Event System) to assist in the implementation of the new law.

BUDGET DETAILS: K–12 "SAVINGS"

Grant Programs—(\$138.1 million)

The final 2025–27 Operating Budget removes funding for ALL OSPI grant programs, beginning in Fiscal Year 2026. However, about \$7.0 million is provided for a small handful of grant programs (a total of 8) that are retained. By way of comparison, the 2023–25 Operating Budget provided over \$80 million (per Fiscal Year) for over 130 individual programs.

Transition to Kindergarten—(\$74.6 million)

The 2025–27 Operating Budget provides funding for the

Transition to Kindergarten program to support 7,266 annual average full-time equivalent eligible children per school year. However, total funding is reduced to implement ESB 5769, which “caps” enrollment for the Transition to Kindergarten program at the 2024–25 School Year enrollment level.

Persistently Low-achieving Schools—(\$28.7 million)

Savings are achieved by eliminating funding to implement programs relating to transforming persistently failing schools. The funding supported the creation and operation of a differentiated system of school improvement activities, as well as operation of the Required Action District program.

Federal Forest Deductible Revenue—(\$12.4 million)

Historically, federal forest revenues received by school districts were deducted from those districts’ general apportionment payments. In the last several years, however, federal forest revenues have not been an apportionment deduction, meaning federal forest districts received their full apportionment AND retained their forest revenues.

In order to find “savings,” the 2025–27 Operating Budget resumes the deduction of federal forest revenues from school districts’ general apportionment payments, beginning in the 2025–26 School Year.

Career Connected Learning—(\$11.2 million)

Funding for Career Connect Learning programs are reduced. Savings include reduced coordinators at ESDs and reduced program funding at OSPI.

Paraeducator Training Underspend—(\$9.0 million)

Savings are achieved in the Budget by reducing paraeducator training grants to align with actual spending.

ESD Reduction—(\$8.4 million)

Like most state agencies, Educational Service District staffing and administrative funding is reduced by six percent. However, given additional reductions to ESD programs and significant cuts to OSPI programs that are implemented by ESDs, the actual cuts are closer to 14 percent or more, and as high as 40 percent in some of our ESDs—which will have a direct impact on ESDs’ ability to support students and school districts.

TPEP Training—(\$4.0 million)

Funding is reduced by half for the training of teachers, principals, and principal evaluators in the Performance-based Teacher Principal Evaluation Program (TPEP).

OSPI Administrative Reduction—(\$2.1 million)

Like most state agencies, OSPI administrative funding is reduced by six percent.

Statewide Programs—(\$1.5 million)

Funding for statewide programs at OSPI is reduced by six percent.

Social Workers in Schools—(\$1.3 million)

Funding is removed for the coordination of social worker associates that agree to work in schools and for supervisors working with local mental health agencies and schools.

PESB Reduction—(\$313,000)

The Professional Educator Standards Board administrative funding is reduced by six percent.

SBE Reduction—(\$237,000)

The State Board of Education administrative funding is reduced by six percent.

BUDGET DETAILS: K–12 COMPENSATION**Inflationary Factor—Salary Allocations**

Legislation adopted in 2023 (ESB 5650) specifically defines the inflationary factor: the Implicit Price Deflator (IPD) for the prior calendar year. In late January, the US Bureau of Labor Statistics pegged the 2024 IPD as 2.5 percent and in early February, Washington’s Economic & Revenue Forecast Council (ERFC) confirmed the IPD for the 2025–26 school year as 2.5 percent. The 2025–27 Operating Budget also adopted the IPD for the 2026–27 school year as 2.6; however, this a projection and will not be official until next January.

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

- 2025: 2.6 percent
- 2026: 2.9 percent
- 2027: 2.1 percent
- 2028: 1.9 percent
- 2029: 2.0 percent

State Minimum Salary Allocations

It is important to remember that the new Inflationary Factor (2.5 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. These allocations are also adjusted in the Budget. For the 2024–25 school year, statewide minimum salary allocations for Certificated Instructional Staff, Certificated Administrative Staff, and Classified Staff were: \$78,209, \$116,092, and \$56,105 respectively.

The minimum salary allocations in the 2025–27 Operating Budget will increase for the 2025–26 school year by 2.5 percent. Salary allocations provided for CIS, CAS, and CLS are: \$80,164, \$118,994, and \$57,507, respectively.

PROJECTED minimum salary allocations for the 2026–27 school year for CIS, CAS, and CLS are: \$82,248, \$122,088, and \$59,002, respectively. Remember, these figures are current projections and will not be determined until January.

National Board Bonus

Although there was significant conversation about suspending bonuses for teachers that achieve certification from the National Board for Professional Teaching Standards, ultimately, the Legislature relented. The 2025–27 Operating Budget provides CPI inflationary increases of 3.0 percent for bonuses. First year bonuses increase from \$3,794 in the 2024–25 school year to \$3,908 in the 2025–26 school year. Similarly, National Board

bonuses for subsequent years also increase, from the previously funded \$6,324 in the 2024–25 school year and to \$6,514 in the 2025–26 school year.

The additional \$5,000 annual bonus for National Board certified teachers who teach in challenging schools is unchanged. To receive this additional bonus, National Board certified teachers must teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal Free or Reduced-Price Lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal Free or Reduced-Price Lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal Free or Reduced-Price Lunch.

Substitute Teachers

Once again, the Legislature made no changes to address substitute costs—neither substitute funded days or substitute rates were adjusted. For the 2025–26 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 2024–25 school year.

NOTE: State funding for substitutes has not changed in over ten years, while the cost and need for substitutes continues to grow. This year for the first time in several years, there was a serious conversation about making adjustments. HB 1356 would have based substitute costs for classroom teachers on five funded substitute days per classroom teacher unit at a daily substitute rate of \$200 adjusted for inflation; and substitute costs for classified staff would have been based on two funded substitute days per classified staff unit at a daily substitute rate of \$150 adjusted for inflation.

SEBB Rate Adjustment

The 2025–27 Operating Budget funds a School Employees’ Benefit Board (SEBB) rate adjustment. For the 2025–26 school year, the per employee per month rate is increased from \$1,178 to \$1,307 and \$1,341 in 2026–27.

For each full-time employee, the retiree remittance is \$67.61 per month beginning September 1, 2025.

ADDITIONAL DETAILS**Per Pupil Enhancement**

School districts are required to maintain a staffing ratio of 17 students per teacher in grades K–3; however, many districts are unable to comply with this requirement, due to staffing or facilities issues. Rather than penalize districts for lack of compliance, appropriated funding is “reverted” to the State. Normally, these reverted funds are put in the State-General Fund and are lost to K–12 education. This year, in a rare move, budget-writers took the K–3 Class Size “savings” and returned the funding to all school districts in the form of a ONE-TIME per pupil allocation of \$50.00 in the 2025 Supplemental Operating Budget (which is embedded in the 2025–27 Operating Budget).

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 was in the underlying 2023–25 Operating Budget; however, new language was added in the 2024 Supplemental Operating Budget requiring a process to “review and update the rules for school environmental health and safety.”

Specifically, \$750,000 was provided to the Department of Health (DOH) to review and update the rules for school environmental health and safety. Since last summer, a required Technical Advisory Committee has been meeting to review and update the 2009 rules. This spring, the Committee forwarded their recommendations to the Board of Health.

While there were efforts to remove the prohibitive budget proviso, it ultimately remained in the 2025–27 Operating Budget.

On April 9, 2025, the Board of Health accepted the Committee's recommendations for the new rule and on June 4, 2025, they held a public hearing to repeal WAC 246-366A (the suspended school rule developed in 2009). The Board also reviewed the Committee's report, which outlines the proposed rule and the fiscal analysis, along with implementation recommendations and other considerations about the rule.

The Board will forward the report to the Legislature on June 30, 2025.

Now, it is up to the Legislature to determine whether to provide the necessary funding to implement the rules. This will be an important issue to watch in the 2026 Session.

Retirement Plans

Proviso language in the 2025–27 Operating Budget requires the Select Committee on Pension Policy (SCPP) to study and report on the tax, legal, actuarial, pension policy, and administrative implications of: merging the legacy pension systems (i.e., retirement plans that are closed: Law Enforcement Officers' and Firefighters' Retirement System Plan 1 (LEOFF Plan 1), Public Employees' Retirement System Plan 1 (PERS Plan 1), and

Teachers' Retirement System Plan 1 (TRS Plan 1)), as would have been required in SSB 5085; and terminating LEOFF Plan 1, as would have been required by SHB 2034.

The language also requires the Department of Retirement Systems, the Attorney General's Office, the Office of the State Treasurer, the Washington State Investment Board, and the Office of the State Actuary to provide the Select Committee on Pension Policy with assistance as requested. The Select Committee on Pension Policy is required to submit a report to include key findings to the Legislature by January 9, 2026.

NOTE: During the session, there was heavy conversation about merging closed retirement systems into a new “Legacy Retirement System” (SSB 5085) or terminate LEOFF Plan 1 (SHB 2034). LEOFF Plan 1 has a \$2.0 Billion surplus and is 149 percent funded. PERS Plan 1 and TRS Plan 1 have unfunded liabilities (\$2.1 Billion and \$1.1 Billion, respectively) and are funded 80 percent and 86 percent, respectively. By merging the three closed plans (SSB 5085), LEOFF's surplus could have helped erase, or at least reduce the PERS/TRS unfunded liability (which is being funded by current Plan 2 and Plan 3 members).

The other option would be to eliminate LEOFF Plan 1 (SHB 2034) and create a new (“Restated”) Plan. The beauty of this plan is that as members (and assets) were transferred to the new Plan, LEOFF's current surplus would go to the Pension Funding Stabilization Account—which could be transferred to the State-General Fund.

Neither bill had enough traction to be adopted, so a compromise between the houses was to fully review the two options. With the stability of the state budget still in question SCPP's report will be closely watched.

UI/Striking Workers

The Employment Security Department is provided \$852,000 for additional staff and to implement ESSB 5041, which allows eligible individuals unemployed due to a strike to receive Unemployment Insurance.

Truancy

The Administrator for the Courts is provided with \$4.0 million for distribution to county juvenile court administrators for the costs associated with processing and case management of truancy, children in need of services, and at-risk youth referrals. The Administrator for the Courts, in conjunction with juvenile court administrators, must develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition/referral processing costs nor shall it penalize counties with lower than average per-petition/referral processing costs.

Each fiscal year during the 2025–27 fiscal biennium, each county must report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the Administrator for the Courts no later than 45 days after the end of the fiscal year. The Administrator for the Courts is required to electronically transmit this information to the

Legislature no later than 60 days after a fiscal year ends. These reports are informational in nature and are not for the purpose of distributing funds.

Electronics Repair

The Consumer Protection Division of the Office of the Attorney General is provided with \$139,000 to conduct enforcement activities related to ESHB 1483, which provides that original manufacturers must make parts, tools, and documentation regarding repairing or maintaining digital equipment available to independent repair providers for certain products and requires repair providers to provide notice to customers.

PFML Job Protections

The Employment Security Department is provided with \$4.9 million to implement E2SHB 1213, which expands job protections for individuals contributing to the Paid Family & Medical Leave program and reduces the number of days an individual must be working for their current employer from 12 months to 6 months to be eligible for paid leave.

Additionally, to assist in the implementation of E2SHB 1213, the Attorney General's Office is provided \$29,000 for legal services to the Employment Security Department and the Office of Administrative Hearings is provided with \$56,000 in anticipation of additional hearings to address enforcement actions.

Working Minors

The Department of Labor & Industries (L&I) is provided with \$1.2 million to implement ESHB 1644, which, among other provisions, requires L&I to revoke an employer's minor work permit if the employer committed a serious, willful, or ongoing safety, health, or child labor violation, that caused death or serious physical harm to a minor, or that required an order of immediate restraint.

Additionally, to assist in the implementation of ESHB 1644, the Attorney General's Office is provided \$40,000 for legal services to the Department of Labor & Industries and the Office of Administrative Hearings is provided with \$39,000 in anticipation of additional hearings to address enforcement actions.

Mental/Behavioral Health

The Department of Commerce, Community Services Division, is provided with \$250,000 for a grant to a Community-based Organization to provide youth mental and behavioral health education and support services. Services may include, but are not limited to, employment, mental health, counseling, tutoring, and mentoring. The grant recipient must be a Community-based Organization located in Granger operating a Spanish language public radio station with the mission of addressing the social, educational, and health needs of Spanish-speaking residents of Central and Eastern Washington.

Opioid Prevention/Treatment

The Department of Commerce, Community Services Division, is provided with \$200,000 for a grant to a statewide association representing the full system of Washington public health, including public health professionals, public health students, and

community-based health, to coordinate work related to opioid use prevention, harm reduction, and treatment statewide—at the state level, the local level, and within schools.

Energy Audits

The Department of Commerce, Energy & Innovation, is provided with \$20.6 million—which is a \$7.5 million reduction from previous appropriations—to administer a grant program to assist owners of public buildings in covering the costs of conducting an investment grade energy audit for those buildings. Public buildings include those owned by state and local governments, tribes, and school districts.

Public Employee Bargaining

The Public Employee Relations Commission has provided \$102,000 for implementation of SSB 5503, which changes procedures related to representation petitions, hearings, and the merging of bargaining units under the Public Employees' Collective Bargaining Act.

Child Care Centers

The Department of Enterprise Services is provided \$15,000 and the Washington State Patrol \$5,000 to implement SSB 5655, which requires childcare center occupancy load calculations to be based only on the areas of a building being used for childcare.

Rural Behavioral Health

The Health Care Authority has provided \$300,000 maintain support for the Rural Behavioral Health pilot program to improve behavioral health outcomes for young people in Island County. In administering the pilot program, Island County must coordinate with school districts, community groups, and healthcare providers to increase access to behavioral health programs for children and youth aged birth to 24 years of age. The grant funds shall be used to coordinate and expand behavioral health services. Grant funding must not be used to supplant funding from existing programs. No more than 10 percent of the funds may be used for administrative costs incurred by Island County in administering the program. Services that may be provided with the grant funding include, but are not limited to:

- support for children and youth with significant behavioral health needs to address learning loss caused by COVID-19 and remote learning;
- school based behavioral health education, assessment, and brief treatment;
- screening and referral of children and youth to long-term treatment services;
- behavioral health supports provided by community agencies serving youth year-round;
- expansion of Mental Health First Aid, a program designed to prepare adults who regularly interact with youth for how to help people in both crisis and noncrisis mental health situations;
- peer support services; and
- compensation for the incurred costs of clinical supervisors and internships

Immigration Status Coercion

The Department of Labor & Industries (L&I) has provided \$749,000 to implement the provisions of SSB 5104, which requires L&I to investigate complaints of coercion related to an employee's immigration status. The Human Rights Commission has also provided \$5,000 to assist.

Leave Accommodations

To implement SSB 5101, which expands access to leave and safety accommodations to include victims of hate crimes, the Department of Labor & Industries is provided with \$150,000.

Isolated Employees

The Department of Labor & Industries (L&I) is provided \$796,000 to implement 2SHB 1524, which, among other provisions, requires L&I to enforce requirements for employers of isolated employees. The Attorney General's Office has also provided \$33,000 to provide legal services to L&I related to the implementation of 2SHB 1524.

Child Fatalities

SSB 5163 allows the Department of Health (DOH) and local health jurisdictions to use data to determine trends and develop statewide prevention strategies regarding child fatalities. The Department of Health, Epidemiology, Health Statistics, and Public Health Division, is provided \$72,000, and DOH, Prevention and Community Health Division, is provided \$52,000 to implement the bill.

The Department of Children, Youth, and Families is also provided with \$170,000 (and \$29,000 in federal funds) to provide data and records related to child fatalities to DOH and local health jurisdictions upon request.

Secondary Career Education

Funding is provided to the Department of Health (DOH), Health Systems Quality Assurance, \$25,000 to implement HB 1722, which requires DOH, the State Fire Marshal's Office, and the Department of Labor & Industries to modify their processes to permit certain minors to begin professional, volunteer, and training opportunities in certain industries.

School-based Health Centers

\$7.7 million is provided to the Department of Health (DOH), Prevention and Community Health Division, to provide grants to support school-based health centers and behavioral health services. DOH must develop a plan for the school-based health centers to become financially self-sufficient.

Career Bridge

The Workforce Training & Education Coordinating Board is provided with \$505,000 to maintain two information technology FTE positions for ongoing support of the updated Career Bridge website, an interactive career and education exploration platform used by middle and high school students, unemployed workers seeking training, and the public.

Native Youth Sports Programs

\$369,000 is provided to the Department of Health (DOH), Prevention and Community Health Division, for a Native-led organization to provide culturally relevant sports-based

prevention programs for indigenous children and adolescents, aimed at keeping at-risk youth out of the juvenile justice system.

Teacher Preparation

Operation Budget proviso language requires higher education teacher preparation programs to meet statutory requirements to incorporate information on the culture, history, and government of American Indian people in this state by integrating the curriculum developed and made available free of charge by OSPI into existing programs or courses and may modify that curriculum in order to incorporate elements that have a regionally specific focus.

CTE Dual Credit Pilot

The State Board for Community & Technical Colleges is provided funding (\$616,000) to implement 2SHB 1273, which continues a Career and Technical Education (CTE) Dual Credit Pilot program. A preliminary report is due by December 10, 2026, and a final report is due by August 10, 2027.

Amateur Radio Lease Revenue

\$40,000 (reduced funding) is provided to the Department of Natural Resources (DNR) to supplement trust revenue from amateur radio leases on (DNR) communication sites. Funding provides compensation to trust beneficiaries and DNR for lost revenue from leases to amateur radio operators who use space on the Department-managed radio towers for their equipment. DNR is authorized to lease sites at the rate of up to \$100 per year, per site, per lessee. The Legislature makes this appropriation to fulfill the remaining costs of the leases at market rate as required by statute.

2025–27 Capital Budget: SSB 5195

FINAL 2025–27 CAPITAL BUDGET

The final 2025–27 Capital Construction Budget, SSB 5195, is a \$7.5 billion package (including \$4.5 billion in new debt limit bond spending, via SSB 5194—which authorizes \$4.7 billion in bonds) funds construction and infrastructure projects across Washington. Public comments from budget-writers emphasized the Capital Budget makes “major investments in affordable housing, public school construction, and protection of the state’s fish, water, and natural resources.”

Major spending in the Capital Budget include: significant investments in K–12 construction, consisting of almost \$1.0 billion (\$975.0 million); \$827 million for natural resources, and \$772 million for housing and homelessness. For full details, including text of the final Budget bill (along with the bond bill), a summary, a list of funded projects, and the appropriate LEAP documents, go to the Legislature’s [“fiscal information” website](#). Below are the funded K–12 programs and projects.

K–12 EDUCATION DETAILS

School Construction Assistance Program (SCAP)—\$429.6 million

Funding is provided for state assistance to qualifying school districts for construction, renovation, and modernization of K–12 school facilities. Funding is also allowed to be used for study and survey grants to enable districts to qualify for school construction grant assistance.

- \$425.1 million of the State Building Construction Account is provided for School Construction Assistance Program grants for qualifying public school construction projects;
- \$3.0 million of the Common School Construction Account; and
- \$1.5 million of the Common School Construction Account (federal) is provided Study and Survey grants and for completing inventory and building condition assessments for public school districts every six years, and for the acquisition of art pursuant to current law

Small District and Tribal Compact Schools Modernization—\$202.4 million

Funding is provided for modernization grants for small school districts and state tribal education compact schools with total enrollments of 1,000 students or less with significant building system deficiencies and limited financial capacity as approved by OSPI’s Small District Modernization Grant Advisory Committee.

The funding provided is subject to the following:

- \$174.5 million from the State Building Construction Account is provided for modernization grants for small school districts; and

- \$530,000 of the Common School Construction Account is provided for planning grants for small school districts. Planning grants may not exceed \$50,000 per district and planning grants may only be awarded to school districts with an estimated total project cost of \$6,000,000 or less. In awarding planning grants OSPI is required to follow the list of planning grants submitted to the governor and the Legislature for the 2025–27 fiscal biennium, except that OSPI must review the planning grant list for project redundancies and may not award planning grants for any project receiving design or construction funding appropriated in other sections of the Capital Budget

\$27.4 million State Building Construction Account is provided for planning grants and modernization grants to State-Tribal Compact Schools. OSPI may prioritize planning grants for State-Tribal Compact Schools with the most serious building deficiencies and the most limited financial capacity.

OSPI must submit a list of Small School District Modernization Projects, as prioritized by the Advisory Committee, to the Legislature and the governor by September 15, 2026. The list must include:

- a description of the project;
- the proposed state funding level, not to exceed \$6,000,000 per project, adjusted for inflation based on the Office of Financial Management’s C-100 form;
- estimated total project costs; and
- local funding resources

The appropriations in this section may be awarded only to projects approved by the Legislature, as identified in [LEAP Capital Document No. OSPI-1-2025, developed April 26, 2025](#).

In the 2025–27 fiscal biennium, school districts receiving a Small District Modernization Grant may not combine this grant funding either with a School Construction Assistance Program grant to fund a single project or with other grants awarded under these provisions to fund a single project. This same language is included in the 2025 Supplemental Capital Budget (which was embedded in the biennial Capital Budget). The appropriation list is found in [LEAP capital document No. OSPI-1.1-2023, 28 developed March 31, 2025](#).

VETO: Several sections in the 2025 Supplemental Capital Budget regarding the Small District and Tribal Compact Schools Modernization program reduced appropriations and amended the lists of grantees. The governor vetoed these sections (Sections 7072(1), 7072(4), 7072(6), and 7072(7)) prior to signing the Capital Budget. He noted, “These funding reductions and project list changes would disallow spending that needs to occur for ongoing projects in Fiscal Year 2025,” but continued saying, “I am directing the Office of Financial Management, in consultation with OSPI, to move

the overlapping amounts between Sections 5014 and 7072, as well as the corrected Climate Commitment Act amount, into unallotted status. In addition, the 2025–27 funding amounts will be adjusted in my proposed 2026 Supplemental Capital Budget.”

Ultimately, this language was vetoed because it would have removed funding for the three districts receiving funding as “SCAPR Transition Projects” (noted below). Inchelium, Pe-ell, and Bridgeport school districts are currently using Small District Modernization grants to pay for services to get them in line for the July 2025 release of SCAP funds. If the funds were reduced in the 2025 Supplemental Capital Budget, as proposed, these projects would have been stopped, and they would not meet the July 2025 release requirements.

School Seismic Safety Grant Program—\$151.5 million

Funding is provided solely for seismic planning, remediation and relocation project grants to school districts and State-Tribal Education Compact Schools, as authorized under the School Seismic Safety Grant Program. The Capital Budget provides grants for the following projects: Cape Flattery—Neah Bay K–12 Campus Relocation project (\$92.3 million); Taholah—K–12 School Relocation project (\$42.8 million); North Beach—Ocean Shores—Vertical Evacuation Tower project (\$8.2 million); and North Beach—Pacific Beach Elementary Relocation project (\$8.2 million). See the [Seismic Safety Grant Program](#).

West Sound Technical Skills Center Modernization—\$42.0 million

Funding is provided for modernization of the West Sound Technical Skills Center. Proviso language in the Capital Budget states that reappropriations are subject to conditions and limitations as previously adopted (specifically, Section 5003, C296 L22). This language states:

- (1) The appropriations in this section are provided solely for grant funding to the Bremerton School District to complete design and begin construction of a new Career and Technical Education facility at the West Sound Technical Skills Center in Bremerton.
- (2) In coordination with OSPI, the Bremerton School District's West Sound Technical Skills Center must:
 - ensure the Career and Technical programs planned for in the design of the Skills Center support high-demand and high-wage sector program needs;
 - ensure that space needs are reasonable and appropriate for the programs planned and enrollment projections;
 - evaluate the proposed project budget using value engineering and life-cycle cost analysis techniques; and
 - use this information to inform the proposed design.
- (3) OSPI is required to approve the Skills Center programs, design, and budget before requesting allotment of construction phase funding

Additional proviso language clarifies it is the intent of the Legislature to appropriate a total of \$94,761,000 for this project and no additional state funding will be appropriated. Additionally, any costs exceeding this amount must be covered by the West Sound Technical Skills Center.

School District Health & Safety—\$31.0 million

Funding is provided for grants to address school facility health and safety projects, prioritizing districts that lack local funding. This continuing project provides three grant subprograms to address urgent repair requests, equal access, and emergency repairs.

(1) \$11.0 million of the appropriation 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.

(2) \$20.0 million of the appropriation is provided solely for **health and safety and equal access grants**.

(a) \$15.0 million is provided solely 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, shall 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:

- limiting school districts to one grant, not to exceed \$600,000, per three-year period;
- prioritizing applications based on limited school district financial resources for the project; and
- requiring any district receiving this grant funding 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.

(b) \$5.0 million of the appropriation 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 is required to 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:

- limiting districts to one grant, not to exceed \$150,000, per three-year period;
- prioritizing applications based on limited school district financial resources for the project; and
- requiring recipient districts to demonstrate a consistent commitment to addressing school facility needs

The grant applications must include a description of the ADA or 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.

OSPI must notify the Office of Financial Management, the Legislative Evaluation and Accountability Program Committee, the House of Representatives Capital Budget Committee, and the Senate Ways and Means Committee as emergency repair grant projects are approved for funding.

SCAPR Transitional Projects—\$24.1 million

The 2024 Supplemental Capital Budget included funding for School Construction Assistance Program Revision (SCAPR) Planning, with the objective of modifying and improving the current School Construction Assistance Program. Funding was provided to OSPI too:

- 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

OSPI submitted an interim progress report to the Legislature on March 15, 2025, and is required to submit a final report with a proposal developed by September 30, 2025.

OSPI and stakeholders continue to review the current School Construction Assistance Program (SCAP) as a part of the School Construction Assistance Program Revision (SCAPR) Planning, and there is recognition that some school district projects will be ready to proceed to construction during this planning and revision period. The Capital Budget provides funding for three transitional projects: Inchelium School District K–12 Modernization project (\$10.0 million); Pe Ell

School District K–12 Modernization project (\$8.1 million); and Bridgeport School District Elementary Modernization project (\$6.0 million). See [SCAPR Transitional Projects](#).

Classroom Indoor Air Quality Projects—\$17.5 million

Funding is provided for grants to school districts for indoor air quality assessments. Proviso language in the Capital Budget outlines how the funds are to be spent: \$7.8 million (\$5.6 million, Climate Commitment Account; \$2.3 million, State Building Construction Account) is provided solely for grants to school districts with enrollments exceeding 3,000 students; and \$9.7 million (\$6.9 million, Climate Commitment Account; \$2.7 million, State Building Construction Account) is provided for grants to school districts with enrollments that are less than or equal to 3,000 students for indoor air quality 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

If applications for assessment grants exceed available funding, OSPI must first prioritize grants for school districts:

- without existing HVAC systems;
- that have documented proof of indoor air quality performance that does not meet current state energy code;
- with outdated or underperforming HVAC systems; and
- that have the most limited financial capacity

Assessments funded for districts with greater than 3,000 students must include professional cost estimates for mitigating the indoor air quality deficiencies identified.

OSPI is required to first allocate, to the maximum extent feasible, the funding appropriated to grants prioritized as outlined in the language. However, as necessary to award grants using funding from the Climate Commitment Account, OSPI may also prioritize grants that will improve compliance with the state's energy-related building standards by reducing energy use intensity.

Distressed Schools—\$15.0 million

Funding is provided to address student capacity needs, safety, and inadequate building systems in school and Skills Center facilities. Funding in the Capital Budget supports these projects:

- Lawton Elementary School project (\$6.2 million);
- Maritime 253: South Puget Sound Maritime Skills Center (\$5.0 million);
- TOPS K–8 School project (\$3.5 million); and
- Acme Elementary Modernization project (\$237,000)

See [Distressed Schools](#).

Healthy Kids-Healthy Schools—\$13.0 million

Funding is provided for Healthy Kids-Healthy Schools Program for: grants to school districts for the purchase of equipment or to make repairs to existing equipment that is related to improving children's physical health and nutrition; and grants to school districts, charter schools, and State-Tribal Education Compact Schools, for the replacement of lead-contaminated pipes and drinking water fixtures.

\$12.0 million of the overall appropriation is provided for Healthy Kids and Healthy Schools Grants for projects that are consistent with the Healthiest Next Generation Priorities. The appropriation provided for grant funding to school districts 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

OSPI is required to develop criteria for grant funding 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 of the appropriation for grants awarded;
- any district receiving funding provided 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 million of the overall appropriation is provided for grants to school districts, charter schools, and State-Tribal Education Compact Schools for the replacement of lead-contaminated pipes, drinking water fixtures, and the purchase of water filters, including the labor costs of remediation design, installation, and construction.

OSPI Capital Programs Administration—\$6.3 million

Funding is provided to administer the School Construction Assistance Program and other K–12 capital grant programs at OSPI.

Proviso language in the Capital Budget states: It is the intent of the Legislature that OSPI use a portion of this funding for

additional full-time positions for administration of capital grant programs in the 2025–27 fiscal biennium as follows: (1) two additional, temporary positions related to an anticipated personnel transition during the 2025–27 fiscal biennium; and (2) one additional, ongoing position related to publication of data analysis.

School Security and Preparedness and Infrastructure Grants—\$6.0 million

Funding is provided for a competitive grant program to increase the physical security of K–12 public school facilities and campuses. Public school districts are eligible to apply for the grants. Eligible projects include:

- Entrance and door security including panic buttons;
- Fencing;
- Perimeter security infrastructure;
- Construction or infrastructure projects designed to direct the public entering school grounds through as few entrances as possible, such as through the main entrance of a school administrative office;
- Repair or upgrades of existing physical security infrastructure;
- Infrastructure designed to assist with or expedite law enforcement response to a threat or emergency within the school grounds; and
- Planning grants for improved security on campuses

No more than three percent of each grant may be expended by the grant recipients for management and administration of the grant. OSPI must develop an application process and project evaluation criteria to evaluate applications. Priority for awards must be based on physical security needs and resulting improved safety. No award per school district may exceed \$500,000 in a biennium; by December 1, 2025, OSPI must provide a progress report to the Legislature. The report must include:

- the total number of applications and amount of funding requested; and
- a list and description of projects approved for funding

Skills Centers Minor Works—\$5.8 million

Funding is provided for minor capital projects to preserve and extend the useful life of existing Skills Center facilities and supporting infrastructure systems.

Agricultural Science in Schools Grant to FFA Foundation—\$5.2 million

Funding is provided for a grant to the Future Farmers of America (FFA) Foundation to furnish equipment for agricultural science instruction.

Career Preparation and Launch Grants—\$4.0 million

Funding is appropriated for OSPI to provide competitive grants to school districts to purchase and install Career and Technical Education equipment that expands Career-connected Learning and work-integrated learning opportunities.

OSPI, after consulting with school districts, Career Connect

Washington, and the Workforce Training and Education Coordinating Board, is required to develop criteria and assurances for providing funding and outcomes for specific projects through a competitive grant program to stay within the appropriation level provided, consistent with the following priorities; the criteria must include, but are not limited to, the following:

- districts or schools must demonstrate that the request provides necessary equipment to deliver Career and Technical Education; and
- applicants with a high percentage of students who are eligible and enrolled in the Free and Reduced-Price Meals program must be prioritized

No single district may receive more than \$200,000 of the appropriation.

School Inventory & Condition Data Collection—\$1.4 million

Funding is provided to OSPI to support data collection for the Information and Condition of Schools (ICOS) tracking system.

OTHER DETAILS

Grant Deadlines

New proviso language (Section 8018) is added to the Capital Budget stating the Legislature’s intent that appropriations for grant programs and community projects “be spent in a timely manner in order to accomplish the goal for which they were appropriated.” The proviso clarifies the Legislature does not intend to reappropriate moneys for projects for which a contract has not been executed within four years from the date of appropriation or for which appropriations have not been spent within six years of appropriation. Each of the K–12 Education sections which include grant programs are subject to this new proviso.

VETO: Grant appropriations that are not awarded and under contract by June 30th of the fourth year following initial appropriation shall lapse. By January 31st of each odd-numbered year, the contracting agency must provide to the governor and the Legislature a report of lapsed appropriations from the previous fiscal biennium.

Grant appropriations that are unspent on June 30th of the sixth year following initial appropriation shall lapse.

The second part of this new proviso was vetoed by the governor before he signed the Capital Budget. In his veto message, Governor Ferguson said he agreed “with the intent expressed in Section 8018(1) that funding for the state’s capital projects must be spent in a timely manner, including an expectation that projects are contracted within four years of appropriation and completed within six years.”

Regarding the remaining parts of the Section, which he vetoed, he stated: “However, Sections 8018(2) and 8018(3) are constructed in a way that would be extremely difficult to implement. I also encourage the Legislature to consider the

timelines of the Governor’s budget when determining agency due dates.”

Early Learning Facilities

The Department of Commerce is provided \$12.1 million from the Ruth LeCocq Kagi Early Learning Facilities Development Account for school district projects, as follows:

- Orting School District Early Learning Center—\$4.6 million
- Medical Lake School District Early Learning Center 8 Project—\$1.1 million
- Prosser School District Prosser ECEAP Expansion—\$1.1 million
- Valley School District Valley Early Learning Center—\$1.1 million
- Meridian School District Whatcom Early Learning Center—\$1.1 million
- West Valley School District Early Learning Center—\$1.0 million
- Cle Elum School District Roslyn Early Learning—\$978,000
- Lind-Ritzville Cooperative Schools Subsidized Care—\$823,000
- Walla Walla School District #140 Center for Children & Families—\$285,000

See [Early Learning Facilities—School Districts](#)

The projects are subject to the deadlines established in Section 8018, described above.

Energy Retrofits

The Department of Commerce is provided with \$11.0 million for Energy Retrofits for Public Buildings Grants. Grants are available to local governments, public higher education institutions, school districts, tribal governments, and state agencies for facility improvements and related projects that result in energy and operational cost savings.

EV Charging

The Department of Commerce is provided with \$23.0 million for grants for the development of community electric vehicle charging infrastructure.

Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.

In providing grants, the Department of Commerce is required to prioritize funding for projects in the following order:

- Multifamily housing;
- Publicly available charging at any location;
- Schools and school districts;
- State and local government buildings and public hospitals;
- All other eligible projects

Solar and Energy Storage

The Department of Commerce is provided with \$20.0 million for grants to increase the deployment of distributed solar and battery energy storage systems to enhance grid resilience, provide backup power for critical needs, and reduce energy costs. Projects may be solar energy systems, battery energy storage, or solar paired with battery energy storage. Funding may also be used to enable electric utility demand response programs that include customer-sited solar and battery energy storage systems. Eligible uses of the amounts provided include, but are not limited to, planning and predevelopment work with communities.

Entities eligible for grant funding include public higher education institutions, school districts, tribal governments and tribal entities, state and local governments, nonprofit organizations, and entities participating in federally funded solar programs administered by the Department of Commerce.

Local/Community Projects

The Department of Commerce is provided with \$201.4 million to support a series of Local and Community Projects. Of these funds, one school district, Battle Ground Public Schools will receive \$278,000 for a culinary upgrade.

See [Local and Community Projects](#).

School-Based Health and Behavioral Health Clinics

\$2.6 million is provided to the Department of Commerce to fund School-Based Health and Behavioral Health Clinics:

- Clarkston School District—\$777,000
- Mount Baker School District—\$670,000
- CHC of Snohomish County (Granite Falls High School)—\$563,000
- CHC of Snohomish County (Lynnwood High School)—\$419,000
- Neighborcare—\$175,000

Seismic Safety Assessments

The Department of Natural Resources is provided with \$663,000 for School Seismic Safety Site Class Assessments

Art Work

Ongoing boiler-plate language was included in the Capital Budget, which reiterates current law regarding art in public facilities. One-half of one percent of the moneys appropriated in the K–12 section of the Capital Budget for original construction of school plant facilities is for artwork, as required by current law (RCW 28A.335.210).

Firearms Range Facilities

Adopted in the 2023–25 Capital Budget, the Firearms Range Account was created. Funds in the Account are subject to legislative appropriation and must be used for purchase and development of land, construction or improvement of range facilities, including fixed structure construction or remodeling, equipment purchase, safety or environmental improvements, noise abatement, and liability protection for public and nonprofit firearm range training and practice facilities.

The funds will be available to nonprofit shooting organizations, school districts, and state, county, or local governments on a match basis. All entities receiving matching funds must be open on a regular basis and useable by law enforcement personnel or the general public who possess Washington concealed pistol licenses or Washington hunting licenses or who are enrolled in a firearm safety class.

Government units or school districts applying for grants must open their range facility on a regular basis for hunter safety education classes and firearm safety classes.

During the 2023–25 biennium, the Legislature was authorized to appropriate moneys in the Firearms Range Account to the Department of Natural Resources for recreational target shooting pilot sites. This allowance is extended to the 2025–27 biennium.

Education-Related Bills That Passed—Titles

During the 2025 Legislative Session, almost 2,000 bills, resolutions, and memorials were introduced. Of those, 423 were adopted by the Legislature; however, the governor vetoed one of them, leaving a total of 422 bills becoming law. WASA actively tracked almost 600 pieces of legislation that had direct or potentially indirect impacts on K–12 education. Ultimately, 59 education-related bills of importance were adopted. 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). *

SHB 1079	Remote Testing	ESSB 5041	UI/Striking Workers
SHB 1121	Work Restrictions/Age 16,17	SSB 5101	Leave Accommodations
SHB 1167	CTE/Maritime Careers	SB 5102.....	Public Risk Pool Records
E2SHB 1213.....	PFML Protections	SSB 5104	Employee Coercion/Immigration
2SHB 1273	Dual Credit Programs	ESSB 5142.....	Eminent Domain
ESHB 1296.....	Safe/Supportive Education	ESB 5161	2025–27 Transportation Budget
SHB 1308	Personnel Record Access	SSB 5163	Child Fatalities
HB 1314	Early Learning Facilities	SB 5167.....	2025–27 Operating Budget
SHB 1351	ECEAP Age Requirement	SB 5189.....	Competency-Based Education
EHB 1393.....	Cultural Expression	ESSB 5192.....	MSOC
EHB 1414.....	CTE Task Force	SB 5194.....	Capital Construction Bonds
ESHB 1483.....	Electronics Repair	SB 5195.....	2025–27 Capital Budget
2SHB 1497	Waste Management	SSB 5253	Special Education/Age 22
SHB 1543	Clean Buildings Standards	E2SSB 5263.....	Special Education Funding
HB 1556	HS Completers/CTC Tuition	ESSB 5357.....	Actuarial Pension Funding
EHB 1609.....	DNT Board/SPI	2SSB 5358	CTE/Sixth Grade
ESHB 1644.....	Working minors	SSB 5412	Interfund Loans
ESHB 1651.....	Teacher Residency/Apprentices	SB 5435.....	Collective Bargaining Statutes
SHB 1709	Adrenal Insufficiency Care	SB 5463.....	Self-Insured Employers
HB 1722	Secondary CTE	SSB 5503	Public Employee Bargaining
SHB 1827	Justice-Involved Students	SB 5641.....	Blood Donation Awareness
ESHB 1878.....	Young Driver Safety	SSB 5655	Child Care Centers
HB 1936	Postretirement Employment	ESSB 5752.....	ECEAP Entitlement
ESHB 2049.....	K–12 Education Funding	ESB 5769.....	Transition to Kindergarten
HB 2050	K–12 Savings and Efficiencies	ESSB 5794.....	Tax Preferences
ESHB 2081.....	B&O Taxes	2SSB 5802	Transportation Revenue
ESSB 5004.....	Alyssa’s Law	SB 5807.....	Wellness Incentives
ESSB 5009	Alternate Vehicles	ESSB 5813	Capital Gains/Excise Tax
SSB 5025	Educational Interpreters	ESSB 5814.....	Exise Tax on Services
SSB 5030	Vital Records Access		

*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

SHB 1079—Remote Testing

(Representative Ortiz-Self)

C251 L25

Under current law, students enrolled in online school programs are required to travel to designated testing sites for state assessments, often imposing significant burdens on students and families. This can include requiring parents or guardians to take time off from work, travel long distances, and incur costs for accommodations and meals. As a result, some parents have chosen to excuse their students from taking state assessments—which impacts the ability of educators and the state to measure the academic progress of these students.

SHB 1079 expressly permits school districts to offer remote testing options for students enrolled in online education programs to reduce barriers to assessment participation, and maintain fairness, equity, and security in the assessment process.

Under provisions of the bill, beginning in the 2027–28 school year, school districts with online school programs may provide all students in those programs the ability to complete statewide assessments remotely. OSPI is required to develop, or review and update, assessment administration and security policies by April 1, 2027, to support remote testing. The policies must address, at a minimum:

- required qualifications for testing personnel;
- the maximum student-to-proctor ratio;
- device and network requirements; and
- parental consent and agreement forms

OSPI must also adopt and revise agency rules as necessary to implement the remote testing provisions and is encouraged to consider utilizing pilot rule making as provided by current law.

SHB 1121—Work Restrictions/Age 16, 17

(Representative McClintock)

C79 L25

Both federal and state laws impose restrictions on the employment of minors. In recent years, the Department of Labor and Industries (L&I) has established requirements and restrictions on the wages, working hours, and other conditions for the employment of minors in nonagricultural trades and occupations. Specifically, in order to employ a minor, an employer must:

- obtain a minor work permit;
- obtain parental and school authorization;
- verify the minor's age and comply with any applicable restrictions; and
- limit the hours worked by the minor

The restrictions on the working hours for minors vary based on the age group and whether school is in session. The work week for minors is Sunday through Saturday, and the school week is

Monday through Friday. Any week with any amount of school time is considered a school week. Minors cannot work during school hours, defined as the hours that the minor's applicable neighborhood public school is in session, which apply even in instances where the minor is not enrolled in school.

There are some exceptions to the hours restrictions. For example, 16- or 17-year olds may work the same hours during a school week as would be permitted during a non-school week if the minor: is married; is a parent; or has a high school diploma or equivalent. Additionally, L&I rules permit a minor enrolled in a college program, like Running Start, to work non-school week hours during school weeks.

SHB 1121 amends restrictions on the working conditions and hours of 16- and 17-year olds. L&I rules must allow a 16- or 17-year old minor to work the same number of hours and days during the school year as would be permitted during school vacations or holidays (i.e., non-school week hours) if:

- the minor is enrolled in a bona fide college program; or
- the minor is enrolled in a Career and Technical Education program and the work is performed for an employer approved by the program

The bill's provisions are effective July 1, 2026.

HB 1167—CTE/Maritime Careers

(Representative Shavers)

C252 L25

Legislation enacted in 2024 established a temporary statewide Career and Technical Education Task Force within OSPI. The Task Force was charged with developing recommendations for:

- expanding and strengthening the accessibility, stability, and uniformity of secondary work-integrated learning opportunities;
- the successful administration and operation of Core Plus programs through appropriate collaboration with industry sector leadership from program areas; and
- a Core Plus model framework that can be used to guide the expansion, establishment, and operation of Core Plus programs

The Task Force is required to report its findings and recommendations to the Legislature by November 15, 2025.

HB 1167 expands the charge of the temporary statewide Career and Technical Education Task Force. In addition to the previous requirements, the Task Force must consider expanding and strengthening educational opportunities for careers in maritime professions. Specifically, the bill requires the Task Force's findings and recommendations to include recommendations for opportunities that lead or articulate to public and private postsecondary education programs approved by the United States Coast Guard for awarding the standards of training, certification, and watchkeeping credentials.

NOTE: Additional legislation adopted this session increases the size of the Career and Technical Education Task Force and adds additional requirements (see ESHB 1414, Bills Passed, later in this Report).

E2SHB 1213—PFML Protections

(Representative Berry)

C304 L25

The Washington Paid Family and Medical Leave (PFML) Program is administered by the Employment Security Department (“the Department”), providing partial wage replacement benefits to employees on leave for specified family and medical reasons.

An eligible employee may access PFML benefits for a qualifying event if the employee worked at least 820 hours for one or more employers during a qualifying year. An eligible employee may access up to 12 weeks of medical leave or family leave benefits, or up to 16 to 18 weeks of combined medical and family leave benefits in a year. An eligible employee may receive benefits up to 90 percent of the employee's wages, subject to a weekly maximum, which is \$1,542 in 2025. Eligible employees' use of paid leave benefits is based on need. Depending on the circumstances, an eligible employee may use paid leave benefits in a single continuous period (possibly reaching the maximum allowable benefit period) or may use it intermittently.

Under current law, an employer with 50 or more employees is required to restore an eligible employee to an equivalent position with equivalent pay and benefits upon returning from leave in the PFML Program, often referred to as "employment protection" or "employment restoration." To qualify for employment protection, the employee must meet the eligibility criteria for receiving benefits in addition to a separate minimum hours threshold aligning with the federal Family and Medical Leave Act (FMLA). The employee must have worked for the employer for at least 12 months and for 1,250 hours in the year before the first day of paid leave benefits. However, if the employer has opted to use an approved employer-managed voluntary plan for paid family and medical leave, then employment protection must be given to any employee who has worked for the employer for at least nine months and for at least 965 hours in the previous year. An employer may deny employment protection to any salaried employee who is among the highest paid 10 percent of the employees employed by the employer within 75 miles of the facility at which the employee is employed if certain conditions are satisfied.

The federal FMLA allows an eligible employee to take up to 12 weeks of job-protected, unpaid leave in a 12-month period for a qualifying reason. Eligible employees are also entitled to continuing health care benefits. The FMLA applies to employees who have worked for a private employer with 50 or more employees or for a public employer, and have worked for the employer for at least 12 months and for at least 1,250 hours during the previous 12 months. Upon return from leave, the employee is entitled to be returned to the same or an equivalent position.

State law provides that PFML Program benefits must be used

concurrently with leave under the FMLA, unless an employer permits otherwise. But if an employee uses leave under the FMLA before using PFML benefits in the same year, there is no mechanism for reducing PFML benefits or employment protection. This is commonly referred to as stacking.

E2SHB 1213 modifies and expands various protections for workers in the state Paid Family and Medical Leave program.

Benefits. The minimum claim period to qualify for benefits is reduced from eight to four consecutive hours.

Premiums. The method by which the Department calculates the size of an employer for purposes of premium requirements and grant eligibility is modified. On September 30 of each year, the Department must average the number of employees reported by an employer on the last day of each quarter over the last four completed calendar quarters.

The Employment Security Department Office of Actuarial Services is required to submit a report within 10 business days to the PFML Advisory Committee and the Legislature if it projects that a deficit in the Family and Medical Leave Insurance Account will not be recovered through the next quarterly premium collections.

Employment Protection. The standards for employment protection are modified. The employer size threshold is decreased over a three-year period, providing an eligible employee with protection if the employer has:

- 25 or more employees from January 1, 2026, to December 31, 2026;
- 15 or more employees from January 1, 2027, to December 31, 2027; and
- 8 or more employees on or after January 1, 2028

The minimum hours threshold for qualifying for employment protection is removed. Instead, to qualify for protection, an employee must have begun employment with his or her current employer for at least 180 calendar days before taking leave. This applies to both to employers participating in the PFML Program and to those opting to use approved voluntary plans.

A mechanism for addressing stacking of certain employment protection benefits is established. Employment protection is extended to any period of unpaid leave protected by the FMLA where the employee was eligible for PFML Program benefits but did not apply for and receive those benefits, so long as the employer provides certain written notices to the employee. The written notices must include certain elements identified in the bill, including that the leave is counting against any permitted period of employment protection under the PFML Program and the FMLA, and that the use of unpaid leave does not affect the employee's eligibility for benefits in the PFML Program.

Maximum periods of employment protection are established. Except by written agreement between the employer and employee or a bargaining unit, the employee forfeits the right to employment restoration if the employee does not exercise it upon the earlier of the:

- first scheduled work day following the period of leave; or
- first scheduled work day following a continuous period of, or combined intermittent periods of a total of, 16 typical workweeks of leave taken during a period of 52 consecutive calendar weeks, except this period is extended to 18 typical workweeks of leave during a period of 52 consecutive calendar weeks if any of the leave was taken as a result of a serious health condition with a pregnancy resulting in incapacity

Health Care Coverage. The requirement for employers to maintain health care coverage is expanded. Employers must maintain an employee's health care coverage during any period of leave in the PFML Program in which the employee is also entitled to employment protection.

Small Business Grants. Employers with 150 or fewer employees may apply for a grant through the Department to assist with the loss of an employee for an extended amount of time. The bill modifies eligibility criteria and requirements for the small business grant to apply only to employers with 50 to 150 employees. The bill establishes a new \$3,000 grant for employers with fewer than 50 employees. The grant may be used for covering the costs of hiring a temporary worker to replace an employee on leave for a period of seven days or more or for significant additional wage related costs due to the employee's leave, which may be documented through an attestation submitted by the employer.

NOTE: Legislation (SB 5378/HB 1626) was introduced to make small school districts eligible for these grants. Unfortunately, neither bill—or proposed amendments to E2SHB 1213—were adopted, leaving small school districts to bear the weight of PFML impacts without the support that private business may receive.

Outreach. The Department must conduct regular outreach to employers regarding their responsibilities in the PFML Program. The written statement of employee rights and posters distributed and posted by employers must include specific elements outlined in the bill.

Enforcement. The Department may conduct periodic audits of employer files and records for the purposes of assisting with and otherwise enforcing compliance and may require the employer to collect and report information on the exercise of employment protection rights.

These new provisions are effective January 1, 2026.

2SHB 1273—Dual Credit Programs

(Representative Paul)

C104 L25

The Legislature has found that that students who participate in dual credit programs have higher rates of college enrollment, persistence, and completion. Additionally, they know dual credit programs are an important economic development for Washington because they equip students with the skills needed for high-skill, high-wage employment and continued education in high-demand sectors.

Through the 2023–25 Operating Budget, the Legislature provided \$700,000 to the State Board for Community and Technical Colleges (SBCTC) to administer a two-year pilot program to increase Career and Technical Education (CTE) dual credit participation and credential attainment in professional technical programs. The SBCTC, with OSPI, was required to select up to three Community and Technical Colleges in the same ESD to participate in the pilot program. Grant funding was allowed to be used for student cost subsidies, outreach, curriculum alignment, and necessary equipment and supplies.

A preliminary report of the pilot program was published in December 2024; a final report is due by December 10, 2025. The report must include recommendations on the following topics:

- Course articulation and development of model articulation agreements;
- Data collection and reporting;
- Credit transcription and transfer;
- Student advising and career guidance supports;
- Alignment of Career and Technical Education dual credit programs with credential pathways and in-demand career fields;
- Funding for industry-recognized credentials;
- Identification of priority courses and programs; and
- Evaluation of the statewide enrollment and data system, and recommendations for improvements to or replacement of the system to reflect articulation agreement data, student data, and transcription information to support data validity, credit portability, and program improvement.

2SHB 1273 continues the pilot program embedded in the 2023–25 Operating Budget, as described above. Funding for the pilot would continue for two more years. It may receive grant funding for up to two years.

Community and Technical Colleges, public high schools, and Skills Centers participating in the pilot program may use grant funding to cover expenses for specified activities:

- Developing, and updating annually, a comprehensive catalog of dual credit courses and programs offered to students enrolled in public high schools;
- Aligning Career and Technical Education dual credit programs with postsecondary credential pathways and apprenticeships leading to in-demand career fields;
- Providing technical assistance to public high schools and institutions of higher education to improve the accuracy and speed of awarding dual credits and updating transcripts;
- Providing professional development for staff of public high schools and institutions of higher education to develop, align, and articulate dual credit courses; and
- Supporting public high school staff to:

- Outreach to prospective students and students who have completed Career and Technical Education dual credit courses and are eligible for postsecondary credit about how to receive and where to apply the credit;
- Provide technical assistance in course curriculum alignment for Career and Technical Education dual credit courses;
- Partner with institutions of higher education to develop articulation agreements for Career and Technical Education dual credit courses; and
- Award equipment and supplies grants for Career and Technical Education dual credit courses that meet emerging needs in high-demand, high-paying industries.

The SBCTC, in consultation with OSPI, is required to provide a joint report to the Legislature on the implementation of this Act and with recommendations for additional improvements to state dual credit policies. The preliminary report is due by December 10, 2026, and the final report is due by August 10, 2027. One or both reports must include the following information:

1. Findings regarding the pilot program created for the purpose of increasing Career and Technical Education dual credit participation and credential attainment in professional technical programs; and
2. Recommendations to the Legislature for:
 - (i) Improving Career and Technical Education course articulation and for the development of statewide articulation agreements;
 - (ii) Improving data collection and reporting methods;
 - (iii) Credit transcription and transfer processes;
 - (iv) Ensuring college and career counseling for high school students includes robust and accurate information about dual credit pathways, including Career and Technical Education dual credit, and their alignment to postsecondary credential and apprenticeship opportunities;
 - (v) Further alignment of Career and Technical Education dual credit with career-connected learning, apprenticeship, and credential pathways; and
 - (vi) Identification of additional priority Career and Technical Education dual credit courses for statewide articulation, considering, but not limited to, targeted industry sectors.

The final report must establish recommendations to improve state CTE dual credit policies, create statewide articulation agreements, and improve the uniform transcription of earned credits. These recommendations must include input from a statewide organization representing CTE and other relevant interested parties and report on potential statutory and rule changes that support equitable student access to, and the

effectiveness of, CTE dual credit programs.

ESHB 1296—Safe/Supportive Education (Representative Stonier) **C369 L25**

In 2024, the Legislature adopted Initiative Measure No. 2081 (Parents Bill of Rights), an Initiative to the Legislature. The adopted Initiative declared parents and legal guardians of public school children younger than age 18 to have 15 specified rights. The delineated rights related to: receiving or being notified of academic, medical, campus removal, and law enforcement matters; examining and inspecting certain materials and records; and opting their children out of certain activities.

Citizen Initiatives cannot be amended within two years of voter approval; however, because the Legislature adopted I-2081, they were able to immediately amend the adopted language. ESHB 1296 amends the Initiative.

I. State Policy: Establishing Specified Priorities for Locally Adopted Policies and Procedures.

A policy that expressly sets priorities for locally adopted policies and procedures of school districts and certain public schools is established for Washington. Policies and procedures adopted by school districts, charter schools, and state-tribal education compact schools must, to the fullest extent possible and except as required by state or federal law, prioritize the protection of every student's safety, access to an academic environment free of discrimination, access to the state's statutory program of basic education, and privacy. This state policy is supplemental to existing and future locally adopted policies and procedures and must be considered an integral part of those policies and procedures.

OSPI is required to develop technical assistance and related materials to assist with the implementation of the state policy and its requirements, and may enforce and obtain compliance through a newly required complaint process of the OSPI described below.

II. Parental and Legal Guardian Rights: Modifications and No Private Right of Action.

Additions, modifications, and eliminations are made to the delineated list of rights of parents and legal guardians of children enrolled in public schools. Those rights do not create a private right of action.

Additional Rights. Examples of additionally declared rights include to:

- have their child receive a public education in a setting in which discrimination on the basis of a protected class is prohibited;
- have their child qualify without a legal residence for enrollment in a school district;
- request enrollment for their child in a charter school;
- file a complaint on behalf of their child relating to harassment, intimidation, and bullying;

- have their child qualify for enrollment in a school district if they are transferred to, or pending transfer to, a military installation within the state in accordance with specified requirements;
- receive annual notice of the public school's language access policies and services, the parents' rights to free language access services under federal law, and contact information for any language access services; and
- request information about special education programs and assistance for their child if their child is eligible for, but not receiving, special education services, including due to illness

Modified Rights. Examples of modified rights include to:

- access their child's classroom and school-sponsored activities to observe class procedure, teaching materials, and class conduct, and to examine curriculum, textbooks, instructional materials, and supplemental instructional materials in accordance with locally adopted policies and procedures (rather than examining textbooks, curriculum, and supplemental materials used in their child's classroom);
- inspect and review their child's education records and request and receive a copy of those records within a reasonable period of time, but not more than 45 days, of submitting a request under the federal Family Educational Rights and Privacy Act as in effect on January 1, 2025, and as provided in requirements governing student education records (rather than to inspect their child's public school records and receive a copy within 10 days);
- not have their child removed from school grounds or buildings during school hours without the authorization of a parent or legal guardian and according to statutory provisions governing permitted school campus removals (rather than 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);
- receive immediate notification upon receipt of a report that a criminal action is alleged to have been committed against their child on school property during the school day or a school-sponsored activity, including immediate notification if there has been a shooting on school property, or their child has been detained based on probable cause of involvement in criminal activity on school property during the school day (rather than receiving immediate notification if a criminal action is deemed to have been committed against or by their child);
- receive immediate notification, as required by state law, upon receipt of a report that their child is alleged to be the victim, target, or recipient of physical or sexual abuse, sexual misconduct, or assault by a school employee or school contractor (rather than receiving immediate notification if a criminal action is deemed to have been committed against or by their child); and

- in accordance with the federal Protection of Pupil Rights Amendment (PPRA), receive written notice and opt their child out of any survey, analysis, or evaluation that reveals information concerning certain personal or family information (rather than to receive written notice and the option to opt their child out of any surveys, assignments, questionnaires, role-playing activities, recordings of their child, or other student engagements that include questions about specified personal or family information, and surveys, analyses, and evaluations subject to areas covered by the PPRA)

"Education records" is defined as official records, files, and data directly related to a student and maintained by the public school including, but not limited to, records encompassing all the material kept in the child's cumulative folder, such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, disciplinary status, test protocols, and individualized education programs (rather than specified records and any student-specific files, documents, or other materials that are maintained by the public school).

"Education records" do not include records that are kept in the sole possession of the maker, used only as a personal memory aid, and not accessible or revealed to any other person except a temporary substitute for the maker of the record.

Eliminated Rights. Examples of eliminated rights include to:

- receive prior notification when medical services are being offered to their child, except where emergency medical treatment is required;
- 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 or legal guardian's health insurance payments or copays; and
- receive notification when the school has arranged directly or indirectly for medical treatment that results in follow-up care beyond normal school hours

Nothing in the list of delineated rights of parents and legal guardians changes access and disclosure provisions established in specified state laws related to health care information, or affects specified provisions in state law related to host homes, youth shelters, and children being taken into custody in relation to abuse or neglect allegations.

III. Student Records: Nondisclosure in Certain Child Abuse, Neglect, and Criminal Investigations.

School student record and information disclosure limitations for parents that are related to certain child abuse and neglect investigations of law enforcement or the Department of Children, Youth, and Families are extended to health care, social work, counseling, and disciplinary records (rather than records and information regarding medical or health records or mental health counseling). The disclosure limitations are also extended to apply in criminal proceedings of parents and legal guardians where the student is the named victim.

IV. Complaint Process for Allegations of Willful Noncompliance with State Law.

Establishment of Process and Filing Requirements. By July 1, 2026, OSPI must establish a process to receive, investigate, and secure equitable resolution of complaints alleging willful noncompliance with certain state laws by a school district superintendent, a school district board of directors, or one or more members of a board of directors. The process must address two types of complaints:

- limited complaints that impact an individual student or students; and
- broad complaints that impact an entire: student body, subgroup of students within a student body, school, or school district

OSPI is required to adopt rules that ensure due process regarding the complaint process, timelines, compliance actions plans, and imposed penalty consequences. In adopting the rules, OSPI must satisfy consultation requirements with the State Board of Education and the Office of Education Ombuds.

Complaints may be made about noncompliance with state laws on the following topics:

- civil rights and nondiscrimination;
- harassment, intimidation, and bullying;
- certain curriculum and instructional materials requirements;
- the use of student restraint and isolation; or
- student discipline

Any student who is enrolled in the school district, or any parent or legal guardian who has a student enrolled in the school district, may file a limited or broad complaint with OSPI alleging willful noncompliance with an applicable state law or laws. Anyone residing within the boundaries of the school district may file a broad complaint with OSPI alleging willful noncompliance with an applicable state law or laws.

Before a person may file a complaint, the person must exhaust existing complaint procedures, if such procedures exist. If no complaint procedures are available, the person who intends to file the complaint must provide notice of the complaint to the school district superintendent before filing the complaint with OSPI.

Determinations of Non-Willful Noncompliance. Upon receipt of a complaint, OSPI must make an initial determination as to whether the complaint reasonably contains enough facts to allege noncompliance with an applicable state law or laws and whether other available complaint procedures have been exhausted. If both of those conditions are met, OSPI must conduct a full investigation of the allegations in the complaint. If, following the investigation, OSPI finds noncompliance with state law, but determines the noncompliance is not willful, OSPI must provide the school district with a first notice stating its determination of noncompliance and identifying corrective actions and a timeline that the school district may implement to achieve compliance.

Compliance Action Plans. If the school district fails to comply with the corrective actions identified in the first notice within the prescribed timeline, OSPI must issue a second notice stating that continued failure to comply with corrective actions may result in permitted penalty consequences. Upon receipt of a second notice, the school district superintendent and school district board of directors must adopt and submit a compliance action plan to OSPI for its approval. The plan, which must be developed in accordance with public meeting requirements, must describe how the school district will implement the applicable corrective actions.

Determinations of Willful Noncompliance. If, following the investigation, OSPI finds willful noncompliance with state law, OSPI must provide the school district with a first notice stating its determination of willful noncompliance and identify corrective actions and a timeline that the school district may implement to achieve compliance. Upon receipt of the first notice, the school district board of directors must hold a public meeting to present the finding of willful noncompliance with state law, the identified corrective actions and timeline for those actions, and take public comment on what additional actions the public thinks may be needed to achieve compliance with the law.

If the school district fails to comply with the corrective actions identified in the first notice within the prescribed timeline, OSPI and the school district must generally follow the same compliance action plan requirements that apply when the noncompliance is not willful, except that the plan must be developed in collaboration with OSPI and the school district must satisfy additional public meeting and public input requirements.

Penalties for Noncompliance with State Law. If a school district does not comply with corrective actions identified, OSPI, after the district has received a second notice of noncompliance, may impose certain penalty consequences. OSPI may:

- require the school district to adopt or readopt policies and procedures to achieve compliance with state law;
- find that a local school district superintendent committed an act of unprofessional conduct and may be held accountable for the conduct under rules adopted by the Professional Educator Standards Board; and
- as a last resort, withhold up to 20 percent basic education allocations, with prior written notice, and redirect those funds to support the school district's compliance action plan

OSPI may not take action against a school district or superintendent unless there is evidence that the superintendent, board of directors, or an individual member or members of the board of directors acted in a willful manner, or the school district has received a second notice of noncompliance.

A member of a school district board of directors may be subject to recall and discharge for willful or negligent noncompliance with state law.

Appeals. Any party to a complaint may file a notice of appeal with OSPI within 30 days of OSPI's final decision. An administrative law judge must hear and determine the appeal. An appeal of the judge's determination or order must be to a superior court. The superior court's decision is subject only to discretionary review under the rules of appellate procedure.

Applicability to Charter Schools and State-Tribal Education Compact Schools. The provisions of the complaint process generally apply to the operation and management of charter schools and State-Tribal Education Compact Schools. Additionally, the Washington State Charter School Commission must send qualifying complaints alleging willful noncompliance with an applicable state law or laws to OSPI for action in accordance with OSPI's complaint process requirements.

Availability and Notification of Complaint Processes. The Office of Education Ombuds must link the complaint process to the Ombud's access point for the receipt of complaints involving the elementary and secondary education system.

Effective August 1, 2025, OSPI must include information about the complaint process in the model student handbook language.

School Directors' Oath of Office. In addition to supporting the United States and Washington Constitutions, the school director oath or affirmation of office must include support of the laws of Washington.

Noncompliance with State Law and Unprofessional Conduct. The Professional Educator Standards Board must adopt rules that make a local school district superintendent's or chief administrator's willful noncompliance with state law an act of unprofessional conduct. The rules must also provide that the superintendent or chief administrator, whether certificated or not, may be held accountable for the conduct through the rules.

V. Statement of Student Rights.

The Statement of Student Rights is established for public school students. The Statement provides that public school students are the beneficiaries of the foundational principles of individual liberty and equality, and are entitled to numerous rights and protections under the Constitution of the United States, the Washington Constitution, and federal and state laws and regulations. Example rights specified in the Statement include:

- the right to access an amply funded program of basic education;
- the right to learn in a safe, supportive learning environment free from HIB; and
- the right of students with qualifying disabilities to receive special education and related services that address their individual needs

Each school district, charter school, and State-Tribal Education Compact Schools must develop student-focused materials that incorporate the Statement and share them via websites and other communication channels. Each school district that operates a high school must also include the Statement and the associated materials in a required high school civics course.

Nothing in provisions establishing the Statement of Student Rights creates a private right of action.

VI. Discrimination Prohibitions: Public Schools.

The following protected classes are added to the nondiscrimination provisions that apply to Washington's public schools: ethnicity; homelessness; immigration or citizenship status; and neurodivergence.

The protected class of "sexual orientation including gender expression or identity" is separated into three classes: sexual orientation, gender expression, and gender identity. Definitions are provided for these protected classes that apply to public schools:

- "ethnicity" means a connection to a population group that shares a common cultural heritage or ancestry;
- "gender expression" means the external appearance of one's gender identity, usually expressed through behavior, clothing, body characteristics, or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine;
- "gender identity" means a person's internal sense of being male, female, both, neither, or in-between, independent of how it is expressed or perceived by others;
- "homelessness" means without a fixed, regular, and adequate nighttime residence, including circumstances such as sharing the housing of other persons due to loss of housing, economic hardship, fleeing domestic violence, or a similar reason as set forth in the federal McKinney-Vento Homeless Assistance Act;
- "immigration or citizenship status" means as the status has been established to an individual under the federal Immigration and Nationality Act;
- "neurodivergence" means neurological differences including, but not limited to, autism spectrum disorder, dyslexia, and attention deficit hyperactivity disorder. Neurodivergent individuals may or may not identify as disabled; and
- "sexual orientation" means an individual's enduring pattern of romantic, emotional, or sexual attraction to people of the same gender, a different gender, or multiple genders

VII. Public School Employees: Antiretaliation Protections.

Employees and directors of school districts, charter schools, and State-Tribal Education Compact Schools may not take an adverse employment action against an employee for supporting students in the exercise of their legal rights, including their right to a learning environment with historically and scientifically accurate information, or performing work in a manner consistent with the bill's provisions.

Employees and directors of school districts, charter schools, and State-Tribal Education Compact Schools also may not take an adverse employment action against a teacher for instructing

students in a manner consistent with state learning standards or using approved instructional materials that are culturally and experientially representative.

VIII. Alleged Abuse, Misconduct, or Assault by School Employees: Notification Requirements.

After receiving a report of an allegation that a student is a victim, target, or recipient of physical or sexual abuse, sexual misconduct, or assault by a school employee or school contractor, the school district must immediately notify the parents or legal guardians of that student (rather than at the first opportunity but in all cases within 48 hours of receiving a report of sexual misconduct by a school employee). Additionally, requirements of school districts to notify parents about their public records rights regarding school employee discipline records are explicitly made applicable to legal guardians, and the abuse, misconduct, assault, and public records notification requirements for school districts are made applicable to charter schools and State-Tribal Education Compact Schools.

IX. Abuse, Sexual Misconduct, or Assault by School Employees or Contractors: Reporting Requirements.

School employees or contractors who have knowledge or reasonable cause to believe that a student has been a victim, target, or recipient of physical or sexual abuse, sexual misconduct, or assault by a school employee or contractor, must report the abuse, misconduct, or assault to the appropriate school administrator. The school administrator, in accordance with statutory provisions governing mandatory reporting obligations, must cause a report to be made to the proper law enforcement agency if the administrator has reasonable cause to believe that the abuse, misconduct, or assault occurred. During the process of making a reasonable cause determination, the school administrator must immediately notify the parents or legal guardians.

SHB 1308—Personnel Record Access

(Representative Reed)

C273 L25

The Industrial Welfare Act (IWA) requires an employer to allow an employee to inspect the employee's own personnel file at least once per year. The employer must make the file available locally within a reasonable period of time after the employee's request. The Department of Labor and Industries (L&I) administers the IWA, and interprets the statute to include former employees who retain the right to inspect their personnel records after termination. The Department also interprets "reasonable period of time" to generally mean within ten business days unless good cause is shown that more time is needed.

SHB 1308 modifies the Industrial Welfare Act with respect to the requirements to disclose personnel files to employees.

Personnel Files. A personnel file includes the following records, if the employer creates such records:

- all job application records;
- all performance evaluations;

- all nonactive and closed disciplinary records;
- all leave and reasonable accommodation records;
- all payroll records; and
- all employment agreements

Language clarifies that this new law may not be construed to:

- Create a retention schedule for records;
- Require an employer to create personnel records; or
- Supersede Washington state or federal privacy statutes regarding nondisclosure

Private Employers. An employer not subject to the Public Records Act, also referred to as a private employer, must provide a copy of a personnel file at no cost within 21 calendar days after the employee or former employee requests the file.

Within 21 calendar days of receiving a written request from a former employee, a private employer must provide a signed written statement to the former employee stating the effective date of discharge, whether the employer had a reason for the discharge, and if so, the reasons.

An employee or former employee may enforce the requirement for a private employer to disclose a personnel record and/or provide a written discharge statement through a private cause of action, which may include equitable relief, statutory damages, and reasonable attorneys' fees and costs. Prior to bringing an action, the employee or former employee must give a notice of intent to sue to the private employer. The notice may be provided to the private employer with the initial request for a copy of the personnel file or later. An employee or former employee may not commence a lawsuit until five calendar days have elapsed since sending the notice. The statutory damages for each violation are:

- \$250 if the complete personnel file or the statement is not provided within 21 calendar days of the request;
- \$500 if the complete personnel file or the statement is not provided within 28 calendar days of the request;
- \$1,000 if the complete personnel file or the statement is provided later than 35 calendar days of the request; and
- \$500 for any other violations

Public Employers. An employer subject to the Public Records Act (PRA) must provide a copy of the personnel file when requested by an employee or former employee in accordance with the procedures and requirements set forth in the PRA.

For purposes of this bill, "former employee" means a person who separated from the employer within three years of the date of the person's request.

EHB 1314—Early Learning Facilities

(Representative Callan)

C21 L25

The Department of Commerce administers the Early Learning

Facilities Grant and Loan Program, which provides grants and loans to eligible organizations to plan, renovate, purchase, and construct early learning facilities. Eligible organizations include providers of Working Connections Child Care (WCCC), Early Childhood Education and Assistance Program (ECEAP) contractors, developers of housing and community facilities, Community and Technical Colleges, ESDs, local governments, federally recognized tribes, and religiously affiliated entities. School districts may also receive grants or loans to purchase, construct, or renovate early learning classrooms.

HB 1314 modifies the Early Learning Facilities Grant and Loan Program.

When evaluating projects for competitive grants and loans, the Department of Commerce may not consider the level of project match as a competitive criterion for selecting or recommending projects for funding. The Department of Commerce is encouraged to leverage matching funds when feasible, and may not require match from an applicant experiencing financial hardship.

The Early Learning Facilities program funding eligibility is expanded to include:

- tribal compact schools;
- projects that increase the Early Childhood Education and Assistance Program (ECEAP) capacity by converting slots from part day to full day or extended day, or converting full day to extended day; and
- emergency project grants

Under the bill, the Department of Commerce is directed to contract with one or more nongovernmental private-public partnership to award and administer emergency project grants on an ongoing basis. An emergency project is defined as a project made necessary by a natural disaster or another immediate health or safety threat resulting from unforeseen circumstances. Emergency projects may include improvements to early learning facilities that are necessary to restore a safe and healthy learning environment, preserve existing capacity, or to mitigate situations that obstruct children's access to early learning. The private-public partnership must ensure emergency grants do not duplicate payment from insurance proceeds or any other source and may receive administrative funding for program management and technical assistance.

The Department of Commerce is specifically authorized to adopt rules to implement the Early Learning Facilities program.

SHB 1351—ECEAP Age Requirement

(Representative Bernbaum)

C253 L25

The Early Childhood Education and Assistance Program (ECEAP) is a no-cost preschool and family support program administered by the Department of Children, Youth, and Families (DCYF).

Under current law, children are eligible for ECEAP when they are between the ages of 3 and 5 and are from families with incomes at or below 110 percent of the federal poverty level,

are eligible for special education due to disability, or meet other criteria under rules adopted by the Department of Children, Youth, and Families (DCYF). Current rules and program standards for ECEAP require a child to have turned 3 by August 31 of the school year in order to enroll.

Beginning July 1, 2026, eligibility will expand to include any child who:

- has a family with financial need;
- is experiencing homelessness;
- has participated in Early Head Start or a successor federal program, the Early Support for Infants and Toddlers program or received class C developmental services, the Birth to Three ECEAP, or the Early Childhood Intervention and Prevention Services; or
- is Indian as defined in DCYF rule and has a household income at or below 100 percent of the state median income

Age requirements for accessing ECEAP are adjusted under SHB 1351.

Subject to the availability of program space and funding, the Department of Children, Youth, and Families may allow 3-year-old children who turned 3 after August 31 of the school year to enroll in ECEAP when they meet all other standard eligibility criteria. Children enrolled under this authorization are not included in the population who will be entitled to ECEAP enrollment.

NOTE: Under current law, ECEAP was scheduled to become an entitlement for eligible children beginning in the 2026-27 school year; however, additional legislation adopted this session delays the entitlement to the 2030-31 school year (see ESSB 5752, Bills Passed later in this Report).

Eligibility statutes for ECEAP are amended to reflect current rules and practice standards requiring a child to have turned 3 by August 31 of the school year in order to enroll in the program under standard enrollment criteria.

HB 1393—Cultural Expression

(Representative McEntire)

C88 L25

School districts must set rules for student dress codes, but may not prohibit students from wearing clothing associated with their religion. Additionally, school districts may not prohibit students who are members of a federally recognized tribe from wearing traditional tribal regalia or objects of Native American cultural significance with their gowns at graduation ceremonies or related school events.

EHB 1393 clarifies that school districts, charter schools, and state-tribal education compact schools must permit students to wear an item or object of cultural significance, or multiple items or objects if they are traditionally worn together, with or attached to their gown at high school commencements and other official graduation ceremonies and events. The items or objects must be befitting of the ceremony or event and adhere

to applicable decorum requirements of the school district or school. School districts and schools may prohibit items or objects that are likely to cause substantial disruption of, or material interference with, a commencement or other official graduation ceremony or event.

Current statutory provisions related to the wearing of traditional tribal regalia or objects of Native American cultural significance by students who are members of a federally recognized tribe are not modified or otherwise affected by this bill.

ESHB 1414—CTE Task Force

(Representative Connors)

C61 L25

School districts must set rules for student dress codes but may not prohibit students from wearing clothing associated with their religion. Additionally, school districts may not prohibit students who are members of a federally recognized tribe from wearing traditional tribal regalia or objects of Native American cultural significance with their gowns at graduation ceremonies or related school events.

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Current statutory provisions related to the wearing of traditional tribal regalia or objects of Native American cultural significance by students who are members of a federally recognized tribe are not modified or otherwise affected by this bill.

ESHB 1483—Electronics Repair

(Representative Gregerson)

C353 L25

Often manufacturers of electronics (such as phones, computers, tablets, laptops) require customers (including private businesses and public entities) to use their services—or specifically authorized third-parties—for repairs. The argument is that repairs require specialized tools, difficult-to-obtain parts, or access to proprietary software. Having limited repair options, however, often increases the costs. In recent years there have been significant questions about antitrust behavior.

On the other side, there have been privacy concerns, especially for public entities, if they are allowed to use a third-party for repairs. After several aborted efforts, legislation was finally adopted to solve the issue. ESHB 1483 establishes the Right To Repair Act, providing safeguards for manufacturers and end-users, along with potential cost savings.

Beginning January 1, 2026, an original manufacturer is

required to make available to any independent repair provider or owner on fair and reasonable terms any parts, tools, and documentation intended for the diagnosis, maintenance, or repair of digital electronic products and parts. The requirement applies to digital electronic products and parts that are first manufactured, and first sold or used in Washington, on or after July 1, 2021. An original manufacturer is not required to make available a part or physical tool if it is no longer available to the original manufacturer.

For digital electronic products that are manufactured for the first time, and first sold or used in Washington, after January 1, 2026, an original manufacturer may not use parts pairing in certain ways that affect the ability of a digital electronic product to be repaired. However, this requirement does not prohibit parts pairing for stand-alone biometric components for authentication purposes on digital electronic equipment, which components are not bundled in commonly replaced parts, such as a device's screen, keyboard, ports, or battery.

A digital electronic product is defined as any product or electronic that: (a) depends, in whole or in part, on digital electronics, such as a microprocessor or microcontroller, embedded in or attached to the product in order to function; (b) is tangible personal property; (c) is generally used for personal, family, or household purposes; (d) is sold, used, or supplied in Washington 180 days or more after the product was first manufactured and 180 days or more after the product was first sold or used in Washington; and (e) might be, but is not necessarily, capable of attachment to or installation in real property.

The bill also defines other terms, including: authorized repair provider; authorized third-party provider; diagnosis; documentation; fair and reasonable terms; independent repair provider; maintenance; modifications; original manufacturer; owner; part; parts pairing; repair; tool; trade secret; and video game console.

A written notice with specific information from authorized repair providers and independent repair providers must be provided to customers before accepting digital electronic products for repair. The notice must include:

- the steps taken to ensure the privacy and security of products entrusted for repair;
- recommended steps for the customer to take to safeguard product data;
- a statement about the customer's legal right to privacy and notice that violations of this right may result in criminal prosecution or civil liability; and
- for independent repair providers, whether the repair provider uses any replacement parts that are used or provided by a supplier other than the original manufacturer

The bill clarifies that an original manufacturer or authorized repair provider is not liable for any damage to any digital electronic product caused by an independent repair provider or owner, which occurs during the course of repair, diagnosis, or

maintenance and is not attributable to the original manufacturer or authorized repair provider other than if the failure is attributable to design or manufacturing defects.

An original manufacturer does not warrant any services provided by independent repair providers.

There are exceptions to the specific details of The Repair Act. The Act does not apply if the original manufacturer provides an equivalent or better readily available replacement digital electronic product at no charge to the owner. The Repair Act also does not alter the terms of certain arrangements in force between an original manufacturer and an authorized repair provider. The Repair Act does not require an original manufacturer to:

- divulge a trade secret to an independent repair provider, except as necessary to provide parts, tools, and documentation on fair and reasonable terms; or
- make available special documentation, tools, parts, or other devices or implements that would disable or override, without an owner's authorization, anti-theft or privacy security measures that the owner sets

The Repair Act may not be construed to require an original manufacturer or an authorized repair provider to:

- provide to an owner or independent repair provider access to information, other than documentation, that is provided by the original manufacturer to an authorized repair provider pursuant to an arrangement;
- make available any parts, tools, or documentation for the purposes of modifying digital electronic products;
- make available any parts, tools, or documentation required for the diagnosis, maintenance, or repair of certain public safety communications equipment or video game consoles; or
- make available documentation or tools used exclusively for repairs completed by machines that operate on several products simultaneously, if the original manufacturer makes available sufficient, alternative documentation and tools to repair the product

Several different types of entities and products are exempt from The Repair Act, including but not limited to:

- motor vehicle manufacturers;
- products that generate or store electrical energy from solar radiation;
- products that have never been available for retail sale;
- manufacturers of power generation or storage equipment and certain products that store electrical energy and transmit the energy after storage;
- manufacturers or distributors of medical devices;
- utility, agricultural, construction, and mining equipment;
- off-road equipment, including tractors, farm and yard equipment, outdoor power equipment, marine and

recreational vehicles, and power sources;

- set-top boxes, modems, routers, or all-in-one devices delivering internet, video, and voice systems that are distributed by a video, internet, or voice service provider if the service provider offers equivalent or better, readily available replacement equipment at no charge to the customer; and
- life safety systems, fire alarm systems, intrusion detection devices, and physical access control equipment

Finally, violations of requirements under The Repair Act are deemed to affect public interest and constitute an unfair or deceptive act in trade or commerce for purposes of the Consumer Protection Act. The Repair Act may only be enforced by the Attorney General under the Consumer Protection Act.

2SHB 1497—Waste Management

(Representative Doglio)

C314 L25

This comprehensive bill addresses solid waste and food waste management; however, there are specific impacts to K–12 education which we will focus on here.

Under current law, the Washington State Department of Agriculture (WSDA) implements a Farm-to-School program to increase procurement of Washington grown food by schools. The Farm-to-School program is one of several programs implemented by the WSDA as regional markets programs and is coordinated with OSPI. As part of the Farm-to-School program, the WSDA's duties include assisting schools in connecting with producers regarding the sources and availability of Washington-grown food.

Regarding K–12 impacts, 2SHB 1497 addresses school food waste. Under provisions of the bill, OSPI is required to identify or develop open educational resources for use by schools to integrate specific curricula content standards to help support and prioritize food waste-reduction in schools.

By January 1, 2027, OSPI must leverage existing programs to identify food waste reduction educational best practices for reducing food waste and ways to overcome barriers in schools to reducing food waste.

As part of WSDA's Farm-to-School program, the Department must assist schools in connecting with local producers by informing them specifically of Washington grown food that might be going to waste. Regional markets programs implemented by WSDA that support school districts may include activities to reduce food waste through the purchase of Washington-grown produce.

SHB 1543—Clean Buildings Standard

(Representative Doglio, by request of Department of Commerce)

C265 L25

In 2019, Legislature adopted the Clean Buildings Act (E3SHB 1257—2019). Among other things, the bill required

the Department of Commerce (Commerce) to establish a State Energy Performance Standard for covered commercial buildings. The Act was expanded in 2022 (SSB 5722—2022), requiring Commerce to adopt state energy management and benchmarking requirements for covered buildings, as well as to collect data on compliance, and to report on outcomes. The Act was again amended in 2023 (2SHB 1390—2023) to address campus district energy systems (in simple terms, these are energy systems that provide heating, cooling, or heating and cooling to three or more buildings), decarbonization plans, and compliance with the State Energy Performance Standard. The Department of Commerce is specifically allowed to impose penalties on building owners—including public owners—for failing to demonstrate compliance with the Standard.

SHB 1543 increases compliance pathways for the Clean Buildings Performance Standard. The bill allows Commerce to adopt additional compliance pathways for building owners to comply with the Standard by using alternative metrics. Alternative metrics apply in most instances where energy use intensity targets apply in the Standard.

The owner of a covered building is exempt from meeting the Standard if:

- the building meets a combination of multiple partial exemptions affecting more than 50 percent of the building's area;
- a building meets one of the following new conditions of financial hardship:
 - (1) the building is a kindergarten through grade 12 school or a private school that has financial hardships related to capital construction or improvements including a failed bond and/or levy, limited school district debt capacity, and/or the building is actively correcting a violation of State Board of Health rules; or
 - (2) the building is a public hospital in a public hospital district that lacks the debt capacity to cover the cost of compliance; or
- extenuating conditions exist, as approved by Commerce prior to the reporting date, to include buildings:
 - (1) for which meeting the Standard would impair the historic integrity of the building;
 - (2) for which meeting the Standard would impair national security interests;
 - (3) that have had significant losses in assessed value since the COVID-19 pandemic which prevents owners from securing loans; and
 - (4) with other extenuating circumstances identified by Commerce by rule that may still require benchmarking, operations and maintenance programs, and energy management plan reporting

The exemption for buildings primarily used for manufacturing or industrial purposes includes spaces with nonexempt occupancy classifications that are within the building and does

not include tenant spaces not associated with the primary use of the building.

Covered building owners may apply to Commerce for an extension no earlier than six months before and up to six months after the building's compliance date. Commerce may approve extension requests for conditions including, but not limited to, conditions beyond the control of the building owner. Extensions are valid for two years beyond the building's compliance date, after which the building owner may apply to Commerce for an extension renewal or file for an exemption.

The bill also requires gas and electric utilities to provide consumption data to the EPA or building owners for very large buildings must now also provide that data for Tier 2 buildings (commercial buildings greater than 20,000 square feet but less than 50,000 square feet, and multifamily residential buildings greater than 20,000 square feet).

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.

HB 1556—HS Completers/CTC Tuition

(Representative Entenman, by request of State Board for Community and Technical Colleges)

C42 L25

Under current law, Washington residents 16 years of age or older may receive a high school equivalency certificate if they have been adjudged by a school district as possessing a substantial and warranted reason for leaving the regular high school education system. Otherwise, eligible residents must be 19 years of age or older.

Community and Technical Colleges offer high school diploma and completion programs, as well as Basic Education for Adults classes and programs to prepare students to pass the General Educational Development (GED) exam. After passing the four-part GED exam, an individual receives a certificate showing that they have the same level of knowledge as a high school graduate.

Governing boards of Community and Technical Colleges may waive all or a portion of high school diploma or certificate course tuition and service and activity fees for resident students 19 years of age or older.

HB 1556 eliminates the requirement that a student must be 19 years of age or older for governing boards of Community and Technical Colleges to waive all or a portion of high school diploma or certificate course fees.

EHB 1609—DNR Board/SPI

(Representative Waters, by request of Superintendent of Public Instruction)

C94 L25

Promoting efficient administration of state education agencies. Board of Natural Resources set policies to guide how the Department of Natural Resources (DNR) manages the state's lands and resources, including trust lands.

The Board is composed of six members:

- the Governor or a designee;
- the Superintendent of Public Instruction;
- the Commissioner of Public Lands;
- the Director of the University of Washington School of Forest Resources;
- a county representative; and
- the Dean of the Washington State University College of Agricultural, Human, and Natural Resource Sciences

As a member of the Board, the Superintendent of Public Instruction ensures the K–12 voice is heard, which is crucial given the importance of school trust lands. EHB 1609 relieves the Superintendent of his obligation to participate on the Board and provides the authority to use an OSPI designee instead.

ESHB 1644—Working Minors

(Representative Fosse)

C173 L25

Both federal and state laws impose restrictions on the employment of minors (persons under 18 years of age), and where those standards differ with one another, employers must comply with the more restrictive standards. The Department of Labor and Industries (L&I) must adopt restrictions on the

wages, working hours, and other conditions of working minors. These restrictions vary based on the industry (nonagricultural or agricultural), the age of the minor, and whether school is in session. In order to employ a minor, an employer must:

- obtain a minor work permit;
- obtain parental and school authorization;
- verify the minor's age and comply with any applicable restrictions; and
- limit the hours worked by the minor

Minors may not perform certain hazardous work, including: performing logging or sawmill work; operating power-driven woodworking machines or saws; roofing; handling highly toxic chemicals; working higher than 10 feet off the ground or floor level; operating forklifts or other heavy equipment; operating powered food slicers and grinders; operating or riding cargo elevators, manlifts, hoists, and cranes; handling, mixing, loading or applying dangerous pesticides; or doing any work involving slaughtering and meat processing. Prohibited duties vary depending on the minor's age.

An employer may apply for a variance through L&I, which would allow for a temporary exception to the normal work restrictions for minors based on certain criteria. L&I has a specific process for granting a variance for a 16- or 17-year old minor to perform otherwise prohibited duties for paid worksite learning programs, also referred to as a student-learner variance. To receive a student-learner variance, the work must be done as part of one of the following types of programs:

- a paid, worksite learning program certified and monitored by the Office of Superintendent of Public Instruction;
- a worksite learning program from the student employee's school district;
- a course of study in a substantially similar worksite program at a private school; or
- a program registered by the Washington State Apprenticeship and Training Council

L&I may issue citations and assess penalties if an employer violates a state law or L&I rule on the employment of minors. Certain nonserious violations can be abated by a deadline in lieu of a penalty.

ESHB 1644 addresses changes in the law concerning the safety and health of working minors.

Restrictions on Employing Minors.

Variances. Before granting a student-learner variance allowing a minor to perform work typically prohibited based on the minor's age in either an agricultural or nonagricultural industry, L&I must conduct a safety and health consultation at the worksite, and consult with the employer on the types of tools, equipment, and practices permitted under the variance.

Penalties for Violations. The authority to impose citations with penalty assessments for violations of laws and rules governing

the employment of minors is extended to agricultural industries, thereby creating the same procedures and penalty amounts for both categories. The \$250 penalty for class 1 civil infractions involving agricultural industries does not apply to this category of violations. The criminal penalties for child labor law violations are modified to apply to violations occurring in agricultural industries. L&I is also directed to adopt rules for protecting minors in agricultural industries.

The penalties for both nonagricultural and agricultural industries are modified based on the type of violation as follows:

- No less than \$100 and no more than \$1,000 for each violation involving the failure to obtain a minor work permit or parental or school authorization, for failure to maintain records, or for each other nonserious violation;
- No less than \$150 and no more than \$1,000 for each violation involving failure to comply with hours of work requirements;
- No less than \$300 and no more than \$1,000 for each violation involving failure to comply with meal break or rest break requirements;
- No less than \$1,000 for each violation involving failure to comply with prohibited duty requirements, variance conditions, or minimum wage requirements for minors, or for each other serious violation, except the civil penalty may be no less than \$2,000 for each violation in a second or subsequent citation for any of these violations;
- No less than \$15,000 for any violation resulting in the serious physical harm of a minor, which may be doubled where the violation is a willful violation or a repeated violation; and
- No less than \$71,000 for any violation resulting in the death of a minor, which may be doubled where the violation is a willful violation or a repeated violation

Permit Revocations. L&I must revoke an employer's minor work permit and prohibit the employer from obtaining a minor work permit for no less than 12 months if:

the employer has been issued a safety and health citation for a serious, willful, repeat, or ongoing violation of WISHA or a citation for a violation of a specific law, rule, or order governing the employment of minors, where the violation caused serious physical harm or death to a minor; or

an order has been issued immediately restraining an employer's condition, practice, method, process, or means in the workplace due to a violation of the laws and rules governing the employment of minors

Following a revocation, a minor work permit may not be reissued to an employer unless the employer has not been issued a citation for any applicable violations for at least 12 months. These requirements do not prohibit L&I from revoking, suspending, or modifying a minor work permit for any reason or cause provided for under state law or rules.

Washington Industrial Safety and Health Act. L&I must make a good faith effort to notify an employer within 10 calendar days when L&I immediately identifies a hazard that could cause injury to a minor worker during an inspection conducted under WISHA.

Responsible Bidders for Public Works.

The responsibility criteria for bidding on public works are modified. At the time of submittal, a bidder must not be subject to a revocation of a minor work permit under the bill occurring in a nonagricultural industry. The bidder must confirm this in the signed statement submitted before being awarded the contract.

ESHB 1651—Teacher Residency/Apprentices

(Representative Ortiz-Self)

C309 L25

All teacher preparation programs (TPPs) leading to a Washington teacher certificate must meet minimum state standards established by the Professional Educator Standards Board (PESB). In addition, each teacher preparation program is required to develop, and submit to the PESB, a plan describing how the program will partner with local school districts regarding field placement of student teachers. Additionally, a rule of the PESB allows school districts to request an intern teacher substitute certificate, so that a student teacher can substitute teach in the absence of their preservice mentor. This limited certificate is issued only with approval from the student teacher's preparation program.

There are multiple routes to teacher certification, including:

- **The Traditional Route**—generally offered by an institution of higher education, with one component being at least 450 hours of a student teaching experience in a classroom setting. The experience must relate to specific program outcomes and be designed to integrate educational theory, knowledge, and skills in practice under the direction of a certificated teacher with three years of teaching experience;
- **The Alternative Route**—partnerships between PESB-approved teacher preparation programs, Washington school districts, and other partners as appropriate that focus on teacher shortage areas. In addition to meeting teacher preparation standards, PESB requires alternative route programs to include a one-year mentored internship and 540 hours of student teaching; and
- **The Apprenticeship Route**—apprenticeship program standards are established by the Washington Apprenticeship and Training Council, within the state Department of Labor and Industries. Included requirements are apprentice-related and supplemental instruction, coordination of instruction with job experiences, and instructor qualifications. The standards include 2,000 hours of on-the-job training

ESHB 1651 addresses the teacher residency model and apprenticeships.

Teacher Residency Model. A teacher residency is described as a teacher preparation model that integrates a full year of collaborative hands-on classroom teaching with an experienced preservice mentor with concurrent, targeted academic coursework designed to develop effective, community focused teachers. This collaborative model must be offered by a public elementary or secondary school and a PESB-approved teacher preparation program.

At a minimum, a teacher residency model must meet the following requirements:

- It must be operated as a formal partnership between a school district, charter school, or state-tribal education compact school and a PESB-approved teacher preparation program;
- The partners must collaboratively design the coursework to align with the unique context of each resident's classroom and with the context and priorities of the elementary or secondary school and school district if applicable;
- Each resident must be assigned to at least one preservice mentor, who must co-teach with the resident, throughout the resident's preservice clinical practice;
- Each resident must receive at least 900 hours of preservice clinical practice over the course of one school year;
- Each resident must be grouped into a cohort based on geography, specialty, or other relevant criteria determined by PESB;
- Funding must be provided to each resident;
- A stipend must be provided to each preservice mentor; and
- Any state funds provided for the support of teacher residencies must be used in conformance with the law and must be provided solely for the exclusive support and operations of the teacher residency model

Teacher Apprenticeship Model. A teacher apprenticeship model is a teacher preparation program approved by both the Washington State Apprenticeship and Training Council (WSATC) and PESB. In addition to meeting other requirements, the program must provide the apprentice with 2,000 hours of on-the-job mentored teaching experience under a gradual release method. Up to 540 hours working as a paraeducator may count towards the minimum on-the-job requirement. Any state funds provided for the support of teacher apprenticeships must be used in conformance with the law and must be provided solely for the exclusive support and operations of the registered apprenticeship program.

Beginning September 1, 2025:

- (1) before applying to the WSATC to operate a teacher apprenticeship model, an entity must be approved by PESB as a teacher preparation program; and
- (2) before an entity approved to operate a teacher

apprenticeship model may add or change a school district, charter school, or state-tribal education compact school partner, the entity must receive approval for the change or addition from PESB

SHB 1709—Adrenal Insufficiency Care

(Representative Callan)

C356 L25

Before attending school, a child with a life-threatening condition must provide to the school a medication or treatment order detailing any medical services that may be required to be performed at school.

Public schools may administer oral, topical, nasal, ear, and eye medications to students in their custody, subject to specified conditions. For example, school districts must adopt policies that address:

- the receipt of a written, current request from a parent or a legal guardian to administer the medication to the student;
- the receipt of a written, current request and instructions from a licensed health professional regarding the administration of prescribed medication to the student; and
- the administration of medication by a designated employee in substantial compliance with the prescription and proper medication procedures. A qualified school nurse must be designated by the school to delegate, train, and supervise the employee in proper medication procedures

Unless specifically authorized, public schools may not administer injectable medication.

SHB 1709 addresses adrenal insufficiency, which is a condition in which the body does not produce enough of the hormone cortisol. Cortisol is involved in a wide range of biological functions, including helping regulate the body's response to stress. When stressed, ill, or injured, people with adrenal insufficiency may experience levels of cortisol low enough to present an imminent risk of shock or death. Acute severe adrenal insufficiency is therefore a life-threatening emergency, which can be treated by administering injectable cortisol or a similar oral medication.

The bill requires school districts to provide individual health plans for students with adrenal insufficiency and adopt policies governing the care of these students. The policies adopted by school districts must include specified components, including possession of legal documents for a parent-designated adult to provide care, if needed, and comply with requirements for school district policies related to the administration of noninjectable medication by school employees.

Parents of a child with adrenal insufficiency who assign a parent-designated adult to provide care for the child must authorize the parent-designated adult to perform procedures consistent with the child's individual health plan. The parent-designated adult must be an adult who volunteers for the designation. School

district employees may not be subject to disciplinary action for refusing to serve as a parent-designated adult.

The parent-designated adult must complete training, selected by the parents, in the procedures required to provide care for the child, including the administration of an emergency injection of corticosteroid during an adrenal crisis. The training may be provided by an organization that offers training for school staff or caretakers of children with adrenal insufficiency. School districts, school employees, and parent-designated adult, as well as agents acting in good faith, and in substantial compliance with statutory requirements and procedures when providing care for students with adrenal insufficiency, are not liable in criminal action or for civil damages as a result of the services provided to students with adrenal insufficiency.

Bill language clarifies its provisions are not intended to supersede or modify nurse delegation requirements.

HB 1722—Secondary CTE (Representative Connors)

C98 L25

State law includes multiple restrictions on minors participating in certain professions and the related training, including, certification as an Emergency Medical Technician, a firefighter, and occupations with the risk of exposure to blood borne illness or infectious disease.

HB 1722 addresses state restrictions affecting students participating in secondary Career and Technical Education programs and other state-approved career pathways.

Emergency Medical Technician Training. The Department of Health must develop a process to allow students who are at least 16 years old to begin certain emergency medical service training courses. The courses must be administered by a state-approved Skills Center or other vocational education program approved by OSPI. The program must require continuous training until the student turns 18 years old or graduates from high school, whichever is earlier.

Fire Protection Service Training Programs. The State Fire Marshal must assess the Regional Fire Protection Service authority's policies relating to certain fire service training programs. The assessment's goal is to increase professional and volunteer opportunities in the fire service and must include an assessment of age restrictions for fire service training, examinations, and certification.

By October 1, 2025, the State Fire Marshal must report to the Legislature regarding any changes made to the Regional Fire Protection Service authority's policies and practices and any recommendations on changes to state laws and rules for the purpose of improving professional and volunteer opportunities in the fire service.

Minors Working in Occupations with the Risk of Exposure to Bloodborne Illness or Infectious Disease. If a minor has a valid professional license or certification from the Department of Health that requires competency in procedures for preventing

the transmission of bloodborne pathogens and infectious diseases, the Department of Labor and Industries may not prohibit the minor from participating in an occupation solely because of the risk of exposure to bodily fluids or transmission of infectious agents.

SHB 1827—Justice-Involved Students (Representative Callan)

C70 L25
Washington's program of basic education mandates that instruction and associated state funding be provided for school-aged students in institutional facilities. The institutional facilities are managed and operated by the Department of Children, Youth, and Families (DCYF), the Department of Social and Health Services (DSHS), the Department of Corrections (DOC), counties, and cities, but the basic education services are generally provided by local school districts and regionally based ESDs.

OSPI oversees school districts and ESDs that provide the institutional education services. The OSPI also allocates funding to school districts and ESDs for institutional education services and has separate education duties and responsibilities if inmates who are under the age of 18 are incarcerated in adult facilities of DOC.

Legislation adopted in 2020 (ESHB 2116—2020) established a temporary Task Force on Improving Institutional Education Programs and Outcomes (IIEPO Task Force). The IIEPO Task Force was charged with examining various issues, including:

- goals and strategies for improving the coordination and delivery of education services to youth involved with the juvenile justice system;
- the transmission of student records for students in institutional facilities; and
- goals and strategies for increasing the graduation rate of youth in institutional facilities

In December 2020, the IIEPO Task Force's final report included 17 recommendations in 12 categories. For example:

Examples include:

- creating continuity for youth throughout the institutional education system and in the reentry process through common data, learning, and support systems;
- maximizing students' ability to accrue meaningful and universally recognized credits in institutional education settings; and
- building an equitable, long-term funding model while securing short-term transitional funding to meet the complex needs of students in institutional education

In 2021, additional legislation (E2SHB 1295—2021) was adopted, establishing several new or modified duties for OSPI, DCYF, and the State Board of Education (SBE) related to the provision of public education to youth in or released from

secure facilities. Among other requirements, the bill directed OSPI and DCYF to jointly develop recommendations for the establishment, implementation, and funding of a reformed institutional education system that meets the education and support needs of persons in and released from secure settings.

In December 2021, OSPI and DCYF provided an interim report to the Legislature and a final report in December 2022. The final report included 10 recommendations addressing issues that included:

- increasing resources and structures at OSPI and DCYF to support state-level collaboration, oversight, data collection, and reporting to meet E2SHB 1295 (2021) requirements;
- establishing a state-level, joint Institutional Education Oversight Team to oversee all aspects of education delivery in secure facilities and to provide oversight, accountability, technical assistance, and implementation support; and
- implementing a Prototypical School Funding Model for institutional education during the 2023–25 biennium that includes funding for special education services and categorical program funding for eligible students

As required by SHB 1701 (2023), beginning September 1, 2027, OSPI is responsible for the delivery and oversight of basic education services to justice-involved students who are under the age of 21 and served through institutional education programs in facilities that are not under the jurisdiction of DSHS or DOC.

In preparation for the 2027 responsibilities, OSPI is required to develop a timeline and plan that must consider certain documents and issues, including:

- the findings and recommendations produced by the Joint Select Committee on Governance and Funding for Institutional Education;
- recommendations provided in the 2022 OSPI and DCYF report; and
- staffing transitions for educators and staff that deliver education programming and services to the justice-involved students

OSPI is required to provide an annual report each December through 2026, on its progress made in achieving the timeline and planning requirements. The reports are provided to the Governor and the education and fiscal committees of the Legislature.

SHB 1701 (2023) also established a temporary Joint Select Committee on Governance and Funding for Institutional Education and was directed to examine and evaluate revisions to statutes, funding formulae, funding sources, and operating and capital budget appropriation structures as necessary to assign OSPI with the responsibility for the delivery and oversight of basic education services.

The Joint Select Committee concluded its operations and issued

a final report of findings and recommendations in December of 2024. The final report included a recommendation that OSPI research and analyze two institutional education service delivery and governance options, both with the possibility of expanded roles for ESDs. This recommendation included two options:

- **Option One.** ESDs would deliver education services to students at county juvenile detention centers and the long-term juvenile institutions of DCYF. Under this option, ESDs providing education services to students in the juvenile detention centers would continue doing so, and the delivery of education services to community facilities would remain with school districts.
- **Option Two.** ESDs would deliver education services to students at the juvenile detention centers, but this option should also explore the joint delivery of education services at the juvenile detention centers through partnerships of ESDs and school districts. Under this option, the delivery of education services to long-term juvenile institutions and community facilities would remain with school districts.

The final report also recommended that OSPI's continued research and analysis of both options include other components, including:

- recommendations for a governance model that employs and is guided by best practices for the delivery of education services in secure settings, as identified by previous work of the OSPI, including work directed by E2SHB 1295 (2021);
- the development of a more comprehensive understanding of how proposed governance and funding reforms would affect entities involved in the delivery of education services, the legal and other implications of transferring duties to different entities, and the associated impacts on educators and staff;
- recommendations for a more robust institutional education funding model that accommodates fluctuating enrollments and examines how changes to an institutional education funding model would interact with potential changes to the prototypical school funding model; and
- the identification of systemic issues highlighted by the Task Force on Improving Institutional Education Programs and Outcomes and E2SHB 1295 (2021), including an explanation of how OSPI's recommendations directly address those issues and what outcomes should be expected

SHB 1827 implements several of the recommendations discussed above.

The institutional education duties of OSPI assigned in SHB 1701 (2023) are modified, and the implementation timeline is extended. Beginning September 1, 2028, OSPI is responsible for ensuring the effective delivery and administration of basic education services to justice-involved students and improving the educational outcomes of those students.

OSPI is directed to adopt, and periodically revise as necessary, rules to implement OSPI's institutional education duties that begin on September 1, 2028.

The bill defines "justice-involved students" to mean students who are under the age of 21, or as otherwise required by law, and served through institutional education programs in accordance with basic education requirements in facilities that are not under the jurisdiction of the Department of Social and Health Services or the Department of Corrections.

The timeline and planning duties for OSPI related to its assigned 2028 institutional education duties are correspondingly modified to accommodate the duty and date revisions, and the associated timeline and plan are no longer required to consider staffing transitions for educators and staff. Related consultation duties of OSPI are also revised to require consulting with organizations representing those who deliver, support, and receive education programming and services to justice-involved students.

The timeline and planning duties for OSPI are expanded to require the agency to:

- implement the research and analysis recommendations for two institutional education service delivery and governance options identified in the 2024 final report of the Joint Select Committee on Governance and Funding for Institutional Education;
- examine an additional service delivery and governance option that preserves the role of school districts in providing basic education services to justice-involved youth, but includes additional state direction in furtherance of:
 - recommendations in the 2022 Improving Institutional Education Outcomes report of the OSPI and the Department of Children, Youth, and Families; and
 - the final report of the Task Force on Improving Institutional Education Programs and Outcomes;
- describe how the OSPI will ensure the effective delivery and administration of basic education services to justice-involved students as required by the bill; and
- make recommendations for statutory or other changes needed to ensure proper oversight of the delivery and administration of basic education services to justice-involved students

ESHB 1878—Young Driver Safety (Representative Donaghy) **C299 L25**

ESHB 1878 makes multiple changes to driver training education programs in an effort to improve young driver safety. Most of the changes are beyond K-12 education; however, there are provisions that impact OSPI duties and impact public school driver training programs. Most of the focus in the summary below is on the education-related provisions.

Driver training education requirements that must be completed to obtain a driver's license are expanded to apply to individuals between the ages of 18 and 21 according to the following schedule:

- Beginning January 1, 2027, these requirements apply to individuals 18 years of age
- Beginning January 1, 2028, these requirements apply to individuals 19 years of age
- Beginning January 1, 2029, these requirements apply to individuals 20 years of age
- Beginning January 1, 2030, these requirements apply to individuals 21 years of age

Individuals between the ages of 18 and 21 may fulfill the driver training education requirement by completing one of the following:

- a traffic safety education course offered by a private driver training school; or
- a traffic safety education course offered by a school district

Eligibility for those between the ages of 18 and 21 to enroll in a driver training course offered by a school district or an approved private secondary school is limited to those enrolled in a public school, a private secondary school, or receiving home-based instruction. Behind-the-wheel instruction may be offered for up to four hours on a single day in cases of hardship, such as a student needing to travel a great distance to receive behind-the-wheel instruction.

This bill provides the Department of Licensing (DOL) the authority to approve the use of electronic translation devices to support the driver's license application and issuance process, including for driver training education purposes.

To the extent feasible, private driver training schools are encouraged to include a self-paced, online driver training education course or components of a self-paced, online driver training education course, in driver training education courses, and to focus teaching resources on the behind-the-wheel portion of driver training education. Driver training education courses offered as part of a traffic safety education program authorized by OSPI and certified by DOL may utilize virtual classroom-based student instruction with a live instructor.

DOL is directed to establish a program to expand education opportunities for driver training school instructors through the use of certification training programs. The program must:

- (1) implement a comprehensive traffic safety education program to train instructors;
- (2) establish mentorship programs and offer specialized grant programs or financial incentives to encourage diversity within the driver training school industry;
- (3) collaborate with OSPI to align instructor requirements under DOL and OSPI rules to streamline the process of obtaining an instructor certification; and

- (4) facilitate partnerships between private driver training schools and high schools, vocational-technical schools, colleges, or universities, to enable private driver training school instructors to teach driver training education courses in school facilities

HB 1936—Postretirement Employment

(Representative Chase)

C284 L25

Extending the expiration of certain school employee postretirement employment restrictions.

In 2022, the Legislature adopted legislation allowing school districts to hire retired administrators. Under the provisions of HB 1699 (2022) retirees could receive their pension benefits during the first 1,040 hours of employment in an eligible position each school year. To qualify for the 1,040 hour provision, a retiree must either be working in non-administrative positions; or if retired before January 1, 2022, retirees were allowed to be hired in Class 2 school districts, as either a district superintendent or an in-school administrator, and still receive pension payments. These retirees were allowed to work 1,040 hours in a school year. The bill was introduced and passed to address a critical administrator shortage; however, this retire/rehire allowance for administrators sunsets on July 1, 2025.

HB 1936 was introduced and adopted this session to extend the sunset of these retire/rehire provisions.

Under the provisions of HB 1936 retirees from the Teachers' Retirement System are permitted to collect retirement benefits for the first 1,040 hours per calendar year when either: (1) are employed in a non-administrative position; or (2) having retired before January 1, 2022, are employed in a Class 2 school district as a district superintendent or an in-school administrator position. Additionally, retirees from the School Employees' and Public Employees' Retirement Systems continue to receive retirement benefits for the first 1,040 hours per calendar year while employed in non-administrative positions. Both of these provisions sunset January 1, 2030.

ESHB 2049—K–12 Education Funding

(Representative Berquest)

C404 L25

The original version of this bill (HB 1936, see Bills that Died, later in this Report) would have provided a broad array of funding increases for K–12. This bill narrowed the focus and specifically addresses an increase in local levy lids (while reducing increases of Local Effort Assistance) and a school funding workgroup.

Beginning in the 2026 Calendar Year, a school district's maximum per-pupil limit for enrichment levy purposes is increased as follows:

- The maximum per-pupil limit is increased by an inflation enhancement of \$500 for all school districts in Calendar Year 2026
- The maximum per-pupil limit is increased for school districts with fewer than 40,000 students by an inflation

enhancement of 3.33 percent each year from Calendar Year 2027 to Calendar Year 2030

- Beginning in Calendar Year 2031, the maximum per-pupil limit is \$5,035 for all school districts

NOTE: School district levy lids annually increase by inflation, defined as the Seattle CPI. The additional \$500 per student and 3.33 percent per student in this bill are “inflation enhancements” that are added ON TOP of the annual CPI increases. Beginning in Calendar Year 2031, the maximum per-pupil limit (\$5,035) will continue to increase annually by Seattle CPI.

As introduced, this bill included “inflation enhancements” for both levy lids and Local Effort Assistance (LEA or “levy equalization”). Before being adopted, inflation enhancements for LEA were stripped out of the bill. Additionally, the LEA Threshold, which has annually increased by Seattle CPI since first implemented by the *McCleary* “solution” in 2017, was rolled back and will increase by IPD—which is historically less than CPI.

NOTE: What this means is that the levy lid will increase faster than LEA, which will serve to exacerbate the gap between property rich and property poor districts.

Finally, the bill directs OSPI to convene a K–12 Funding Equity Workgroup. The charge is to analyze options for revising K–12 funding formulas and revenue sources to be responsive to students' needs, including economic, demographic, and geographic differences. OSPI is authorized to contract with higher education and public, nonpartisan research entities to support the workgroup's analysis. OSPI can determine the composition and meeting frequency of the workgroup, provided that it includes representation from education and community partners that are demographically and geographically diverse and groups representing educators, school and district administrators, labor unions, families, students, community partners who support groups disproportionately impacted by inequities, the Department of Revenue, and legislators.

The Workgroup's analysis must address, at a minimum:

- Impacts of changes to per-pupil funding formulas and local revenue;
- Compensation factors;
- Funding distribution trends resulting from the Prototypical School Funding Model formula;
- Impacts of economic disparities on communities' access to resources for schools; and
- Current formulas that benefit specific populations of students including, but not limited to, the Learning Assistance Program, Local Effort Assistance, and small school funding

OSPI is required to use the Workgroup's analysis to consider options for revising school funding formulas. By November 1, 2025, and annually through 2027, OSPI must report progress and any proposed options to the Legislature, which must include options that at least address:

- Options for revisions to the funding formula that address system and resource inequities;
- Options that address state, local, and regional needs;
- The potential adoption of student weights to direct additional funding to students most in need;
- Modifications to state and local tax authority for schools;
- Metrics for monitoring and accountability related to equitable access to resources

NOTE: The Workgroup’s final report is due to the Legislature by November 1, 2027; however, Superintendent Reykdal has clearly stated his intent to accelerate the process and provide recommendations prior to the start of the 2027 Session—wherein the Legislature will be drafting and adopting a new biennial Operating Budget. He has also indicated he plans to look broadly at the K–12 system and not be limited by the specific, minimum points of analysis required by the bill. One of the topics he has publicly stated he wants probe is school district consolidation.

HB 2050—K–12 Savings and Efficiencies

(Representative Ormsby)

C405 L25

School districts that are eligible for Local Effort Assistance (LEA or “levy equalization”) receive a per student allocation based on the district’s average annual full-time equivalent (AAFTE) student enrollment. HB 2050 reduces the amount of a district’s LEA funding if the district’s Alternative Learning Experience (ALE) enrollment is more than 33 percent than AAFTE enrollment.

For districts that have more than 33 percent of the AAFTE enrolled in ALE courses, the student enrollment used to calculate LEA is reduced. The reduction is equal to the school district’s FTE students enrolled in ALE courses, minus 33 percent of the AAFTE.

For example, if a school district has a total enrollment of 100 AAFTE students, and 50 of those students are enrolled in an ALE, then the total enrollment would be reduced to 83 students for purposes of LEA calculations.

NOTE: The title of this bill is “K–12 savings and efficiencies.” With the state’s budget shortfall this session, legislators were looking to save funding wherever they could. HB 2050 only hits a small handful of districts; however, these small, rural districts will be disproportionately impacted to secure about \$17 million in “savings” (out of a \$78 Billion budget).

ESHB 2081—B&O Taxes

(Representative Fitzgibbon)

C420 L25

E2SHB 2081 is a part of the Legislature’s tax package, adopted to help fund the 2025–27 Operating Budget.

In short, the bill would make these adjustments to the Business & Occupation Tax:

- Permanently increase many B&O tax rates (for example, rates for manufacturers and wholesalers would increase from 0.484 percent to 0.5 percent and rates for retailers would increase from 0.471 percent to 0.5 percent);
- Add a third rate tier for the service and other activities category, so that businesses with income of \$5 million or more would pay a rate of 2.1 percent instead of 1.75 percent;
- Add a temporary 0.5 percent surcharge on taxable income over \$250 million, from January 1, 2026, through December 31, 2029;
- Increase the surcharge on certain financial institutions from 1.2 percent to 1.5 percent; and
- Increase the advanced computing surcharge from 1.22 percent to 7.5 percent and increase the annual cap on collections from members of an affiliated group from \$9 million to \$75 million.

New revenues are estimated to be \$2.1 Billion in 2025–27 and \$3.6 Billion in 2027–29.

ESSB 5004—Alyssa's Law

(Senator Torres)

C347 L25

Current law requires school districts to work collaboratively with local law enforcement agencies and school security personnel to develop an emergency response system using evolving technology to expedite the response and arrival of law enforcement when there is a threat or emergency.

ESSB 5004 expands current requirements. The bill echoes current law and requires that school districts to work collaboratively with public safety answering points in addition to local law enforcement agencies and safety and security staff to develop an emergency response system.

For the purpose of the existing school district requirement to develop an emergency response system, these systems include at least one of the following:

- panic or alert buttons that are tied to school administration, school district staff, and emergency response providers;
- live video feed with law enforcement, school district, and school access;
- live audio feed with law enforcement, school district, and school access;
- remote control access to doors;
- live interactive two-way communications; or
- a system that complies with applicable state building code requirements for emergency response systems in education buildings or systems developed as part of a safe school plan required by current law (RCW 28A.320.125)

The current law encouragement for school districts to use model OSPI policies is removed.

By October 1, 2025, school districts must submit a progress report to OSPI on its implementation of an emergency response system as required. By December 1, 2025, OSPI must compile the information submitted by school districts and report to the Legislature on the types of emergency response systems used by school districts.

The bill's requirements are applied to charter schools and state-tribal education compact schools.

This Act is known as "Alyssa's Law," named after a student who was killed in the Parkland, Florida school shooting in 2018.

ESSB 5009—Alternate Vehicles

(Representative Braun)

C372 L25

The state's statutory program of basic education includes transportation to and from school for eligible students, including transportation of students for special education services and between schools and learning centers.

Current law provides for school bus purchases; however, current law is not flexible enough to allow for vehicles, other than a big, yellow school bus," when that may not be the most practical or cost-effective student transportation. ESSB 5009 provides this necessary flexibility.

Under the bill, the transportation distribution formula may not mandate the type of vehicle to be used for pupil transportation, with the exception of existing zero-emission bus requirements. School districts are encouraged to use a vehicle type deemed by a district to be a safe and cost-effective manner of transporting its students, including using school buses and other vehicles, and may use transportation allocations for this purpose.

District-owned passenger cars used in lieu of school buses must be included in the overall determination of the district's annual student transportation allocation rather than generating reimbursement at the private vehicle reimbursement rate.

Students transported in district-owned passenger cars must be included when calculating average distance to school and number of locations served. When reporting the number of miles driven for pupil transportation services in the prior school year, school districts must disaggregate data by vehicle type.

The school bus purchase and reimbursement statute is expanded to apply to student transportation vehicles rather than only school buses. The terms "student transportation vehicle" and "vehicle," as used within the school bus purchase and reimbursement statute, are defined as a school bus or other vehicle used in lieu of a school bus.

By September 1, 2026, OSPI must develop rules for drivers transporting students in Washington State Patrol-inspected school vehicles other than school buses. A driver that exclusively

transports students in such a vehicle must have the appropriate driver's license for that vehicle, and may not be required to hold a Commercial Driver's License.

The definition of school bus under the Uniform Commercial Driver's License Act is modified to exclude a student transportation vehicle with a seating capacity of ten or fewer persons, including the driver. Drivers who operate a student transportation vehicle other than a school bus are excluded from Commercial Driver's License requirements.

SSB 5025—Educational Interpreters

(Representative Lovick)

C255 L25

Educational interpreters provide further explanation of concepts introduced by the teacher for students who are deaf, deaf-blind, or hard of hearing. Educational interpreters may be certificated or classified, and may provide sign language interpretation, transliteration, or both.

Current state law requires educational interpreters employed by school districts to meet the educational interpreter assessment performance standards identified by the Professional Educator Standards Board (PESB). PESB currently offers the following two performance assessment options:

- Educational Interpreter Performance Assessment (EIPA) with a minimum score of 4.0 out of 5, designated advanced intermediate; and the Educational Interpreter Performance Assessment written test with a passing score; or
- National Interpreter Certification from the Registry of Interpreters for the Deaf (RID), and the EIPA written test with a passing score.

Educational interpreters who have not successfully achieved the performance standard, but who demonstrate satisfactory efforts to achieve the required performance standard may provide educational interpreter services for up to 18 months.

Under provisions of SSB 5025, PESB must identify both full and limited performance standards for educational interpreter assessments and must establish certificates for educational interpreters according to those performance standards. A certificate granted to an individual who has met the full performance standard is considered a full certificate with a period of validity determined by PESB. A certificate granted to an individual who has met the limited performance standard and has not met the full performance standard, is considered a limited certificate with a period of validity up to five years.

By the beginning of the 2027–28 school year, educational interpreters must have obtained a full or limited certificate. Educational interpreters who have not obtained a limited certificate but who demonstrate satisfactory efforts to achieve a full certificate may continue providing educational interpreter services up to eighteen months after taking the performance assessment or twelve months after receiving their performance assessment results.

PESB may adopt separate standards for deaf and deaf-blind educational interpreters as necessary. PESB may adopt rules to limit the number of times an educational interpreter may take an educational interpreter assessment for the purposes of qualifying for a certificate.

PESB must consult with an accredited college or university that provides interpreter training in Washington when:

- adopting standards for educational interpreters;
- identifying educational interpreter assessments;
- establishing full and limited performance standards for educational interpreter assessments;
- establishing criteria for educational interpreter certifications; and
- drafting rules to implement educational interpreter requirements

By December 1, 2026, PESB must annually make data relating to educational interpreter certification publicly available.

SSB 5020—Vital Records Access

(Senator Wilson, C.)

C109 L25

Various governmental entities provide services based on age, including the Department of Children, Youth and Families, which has age restrictions for the Early Childhood Education and Assistance Program (ECEAP), and OSPI which has birthdate requirements for admission to kindergarten and first grade programs.

SSB 5030 seeks to reduce barriers to enrollment in early learning programs and public schools by waiving fees to obtain birth certificates for families receiving certain types of public assistance and allowing alternative forms of documentation for enrollment.

Under provisions of the bill, the Department of Health and local registrars are prohibited from charging a fee for issuing a birth certificate when it is requested by a parent or guardian who has a child who is a member of an assistance unit that is eligible for or receiving basic food benefits for the purposes of enrollment in an early learning or public school program. Eligibility for benefits can be proven through a benefits letter or other documentation sufficient to demonstrate eligibility.

The Department of Children, Youth, and Families is required to adopt a rule that requires ECEAP contractors and providers to accept alternative documentation for purposes of enrollment, including birth certificates, passports, and alternative documents to show a child's age or date of birth for the purposes of enrollment. Alternative documents include, but are not limited to, a religious, hospital, or physician's certificate showing the date of birth, an entry in a family bible, an adoption record, an affidavit from a parent, or a previously verified school record.

OSPI is required to adopt the same rule for K–12 enrollment.

ESSB 5041—UI/Striking Workers

(Representative Riccelli)

C352 L25

Under current law, an employee (claimant) must be unemployed for a one-week waiting period before being eligible for Unemployment Insurance (UI). Additionally, an individual is disqualified from UI benefits when the individual's unemployment is:

- due to a strike at the factory, establishment, or other premises where the individual is or was last employed; or
- due to a lockout by the employer who is a member of a multi-employer bargaining unit and who has locked out the employees at the factory, establishment, or other premises where the individual is or was last employed after one member of the multi-employer bargaining unit has been struck by its employees as a result of the multi-employer bargaining process

The disqualification ends when the strike or lockout is terminated.

ESSB 5041 modifies the UI disqualification for striking workers, as follows:

- the disqualification for striking workers ends on the earlier of:
 - (1) the second Sunday following the first date of the strike, provided that the strike is not found to be prohibited by federal or state law in a final judgment, or
 - (2) the date the strike ends;
- if a final judgment finds that a strike is prohibited by state or federal law, any benefits paid must be repaid by the workers;
- if retroactive wages are paid for any weeks the individual received benefits, the Employment Security Department must issue an overpayment assessment to recover the benefits;
- the regular one-week waiting period applies after the disqualification ends; and
- for contribution-paying employers, benefits paid to striking workers are charged only to the experience rating of the separating employer

If an individual is unemployed due to a strike, the individual may receive weekly benefits for no more than six calendar weeks. Any weekly benefits received unrelated to the individual's unemployment due to a strike may not be counted toward the six calendar weeks.

These provisions expire December 31, 2035, after which the provisions disqualifying a worker for the duration of a strike are reinstated.

The disqualification based on a lockout of employees in a multi-employer bargaining unit is removed, thereby allowing those individuals to qualify for UI benefits. These provisions expire December 31, 2035, after which the provisions disqualifying a worker based on a lockout are reinstated.

By December 31, 2026, and continuing annually each year until 2035, the Employment Security Department must submit a report to the Legislature on the prevalence of strikes occurring within Washington and the impact of strikes on the UI Trust Fund. The report must include, at a minimum:

- the total number of strikes occurring that year within Washington, the industry sectors in which strikes occurred, the number of employees that participated in each strike, the number of unemployment claims paid to workers participating in the strike, the total amount of unemployment benefits paid, the number of employers who experienced a rate class increase in the year following a labor strike, including the rate class for each employer without identifying information for the year prior to the strike and for the year following the strike, any increase in the social cost factor rate from the year prior to the strike and the year following the strike, and the benefits paid which are charged to employers who make payments in lieu of contributions;
- the sum totals of all previous years' information required since the effective date of this provision; and
- the sum totals of the information required for each year in the ten prior years prior to the effective date of the report requirements as well as the sum of those ten years

When UI benefits are issued due to a labor strike, the Employment Security Department must notify the separating employer of the mediation services available through the Public Employment Relations Commission (PERC). If referral to publicly supported dispute resolution services through the Federal Mediation and Conciliation Service (FMCS) or other applicable federal agency is impracticable or if those services are unavailable due to federal staffing or funding reductions, PERC may charge private sector employers and labor organizations a fee for covering the costs of services. Fees must be deposited into a nonappropriated account, which may be used for the administration, staffing, and other related expenses of private sector labor dispute resolution services.

If a contribution paying employer is charged benefits due to a strike, the Employment Security Department may evaluate whether the employer is eligible to make a voluntary contribution under this section; and provide notice to eligible employers of the Employment Security Department's determination of the employer's eligibility to make a voluntary contribution. The due date for a timely payment of a voluntary contribution is March 1st of that rate year, instead of March 31st.

NOTE: Most school districts are “reimbursable employers,” rather than “contribution paying employers.” For most districts, the specific provisions described in the paragraph above will not apply. As reimbursable employers, most school districts do not pay regular Unemployment Insurance taxes like private employers. Instead, they reimburse the Employment Security Department dollar-for-dollar for any unemployment benefits paid to their former (or striking) employees.

There are several other important things to know about this bill as it pertains to school districts. First, the provisions of ESSB 5041 impact ALL employers in Washington, including school districts and other public employers. Second, although the new law will impact school districts, the bill's provisions are not effective until January 1, 2026—that is, these provisions will not impact bargaining for the remainder of 2025.

Additionally, public employees generally do not have a legally protected right to strike (for certificated employees, we believe the law is clear; see RCW 41.56.120 and AGO 2006 No. 3). ESSB 5041 clearly states that payment of UI benefits to employees (including certificated staff) is required unless the strike is “found to be prohibited by federal or state law in a final judgment.” The language here is important. Even though we believe the law is clear, and often school districts file injunctions to compel employees to return to work, those court decisions have never been appealed. Because a court decision has never been appealed (and likely never will be), a decision in Superior Court declaring that educator strikes are unlawful is not a “final judgment.”

Finally, you know better than most, teachers' payment schedules are unique when compared to most other employees. Teachers are paid once per month and compensation is based on the number of instructional days (180 days unless there are supplemental days agreed upon in a Collective Bargaining Agreement). If teachers strike, any impacts to school instructional days result in an adjustment to the school calendar; the missed days are made up. Because teacher pay is based on instructional days, they do not typically experience a net loss in compensation. If teachers apply for and receive UI benefits during a strike, they would likely be subject to an “overpayment assessment” and would have to repay those benefits when they return to work.

SSB 5101—Leave Accommodations

(Senator Valdez)

C375 L25

Under provisions of the Domestic Violence Leave Act, an employee has the right to take reasonable leave from work to obtain assistance with respect to domestic violence, sexual assault, or stalking. A family member of a victim may also take reasonable leave. Leave may be taken to:

- address legal or law enforcement needs;
- seek treatment for physical or mental injuries;
- obtain mental health counseling;
- obtain services from a shelter, center, or other social services program; or
- participate in safety planning, relocate, or take other actions to increase safety

An employer may not refuse to make a reasonable safety accommodation requested by a victim of domestic violence, sexual assault, or stalking, unless the accommodation would impose an undue hardship on the employer's business. An accommodation may include a transfer, reassignment, or modified schedule.

An employer may require verification that the employee is a victim of domestic violence, sexual assault, or stalking, and that the leave or safety accommodation was for a permitted purpose.

An employer may not discriminate or retaliate against a person because the person is a victim of domestic violence, sexual assault, or stalking.

SSB 5101 expands access to leave and safety accommodations to include workers who are victims of hate crimes or bias incidents.

An employee may take reasonable leave from work or request a reasonable safety accommodation if the employee or the employee's family member is a victim of a hate crime.

An employer may require verification that the employee or family member is a victim of a hate crime and that the leave or safety accommodation was for a permitted purpose.

An employer may not discriminate or retaliate against a person because the person is a victim of a hate crime.

The bill defines “hate crime” as: an assault, damage or destruction of property, or threat committed because of a person's perception of another person's specified characteristics, including race, gender, or religion. Hate crime includes offenses committed through online communication.

SB 5102—Public Risk Pool Records

(Senator Hasegawa)

C176 L25

State law authorizes local governments to self-insure against property and liability risks; jointly purchase insurance or reinsurance; and contract for risk management, claims, and administrative services. Agreements to form joint self-insurance risk pools must be done through interlocal agreements. The Office of Risk Management within the Department of Enterprise Services is responsible for the regulation of these self-insurance pools.

SB 5102 provides a Public Records Act exemption for public risk pool information. Specifically, formulas and data public risk pools use to calculate rates for pool member contributions or assessments, and actuarial analyses and reports prepared by or for public risk pools are exempt from the Public Records Act.

SSB 5104—Employee Coercion/Immigration

(Senator Hasegawa)

C236 L25

In 2020, the Legislature passed a law to amend the Washington Law Against Discrimination to include citizenship or immigration status as a protected class for discrimination claims. Employers are prohibited from using a worker's national origin, immigration status, or citizenship as a basis for, among other things, hiring and promoting.

SSB 5104 seeks to protect employees from coercion in the workplace based on immigration status.

Under provisions of the law, an employer that coerces an employee in furtherance of the employer committing a violation of wage payment, condition of labor, or agricultural labor requirements is subject to a civil penalty, in addition to any other penalty that may be imposed by the Department of Labor and Industries (L&I) for those violations.

“Coercion” is defined as a threat to compel or induce a person to engage in conduct which the person has a legal right to abstain from, or to abstain from conduct in which the person has a legal right to engage in.

“Threat” is defined as any implicit or explicit communication specifically pertaining to an employee's or an employee's family member's immigration status made by the employer to deter an employee from engaging in protected activities or exercising a right under laws related to wages, labor standards, industrial welfare, and agricultural labor.

If an employer's violation subjects the employer to a penalty under this bill and a separate penalty under a law related to prohibited acts by an employer, L&I must assess the higher amount of the two penalties.

A worker subject to coercion by an employer may file a complaint with L&I within 180 days of the coercive action. L&I must investigate the complaint and issue either a notice of citation assessing a penalty or a closure letter no later than 90 days after L&I receives the complaint. If L&I's investigation finds the employee's allegation cannot be substantiated, L&I must issue a closure letter with detailed findings to the employee and employer.

L&I must assess a civil penalty for each coercive act found to be a violation. The maximum penalties are:

- \$1,000 for the first violation;
- \$5,000 for a second violation; and
- \$10,000 for any subsequent violation

Each act of coercion against each affected employee counts as a separate violation. Beginning July 1, 2028, L&I must adjust the penalties for inflation every three years.

Any personal information about the employee or the employee's family in a complaint or investigation is confidential and may only be disclosed to the employer, unless the employee gives written permission.

If, during an investigation of a separate complaint, L&I discovers information suggesting coercion by the employer, L&I may investigate and take enforcement action without requiring the employee to file a new or separate complaint.

ESSB 5142—Eminent Domain

(Senator Hasegawa)

C224 L25

By statute, school districts may take privately-owned real estate through an action in Superior Court known as condemnation. School districts that take real estate through condemnation must pay the amount of money determined by a judge or jury to

be the fair and full value of the property taken as compensation to the owner of that property.

Instead of bringing a condemnation action, a school district may also agree with an owner to purchase real property.

ESSB 5142 provides owners of real estate taken through eminent domain by school districts, or sold under threat of eminent domain, the opportunity to purchase the real estate back if specific conditions are met.

When a school district acquires real property through a condemnation action in court, or purchases real property after giving the owner written notice that the school district intends to bring such a condemnation action in court, it incurs several obligations.

If the property is acquired without a judgment in a condemnation action, the school district must provide the previous property owner a written statement identifying the use for which the property is being acquired. When acquired through condemnation or threat thereof, if the school district does not put that property to use as a site for school facilities or as additional grounds to existing school facilities, the property cannot be sold, transferred, or used for a different purpose until after the school district offers the previous owner an opportunity to purchase the property back. The written offer to sell the property back must be for the purchase price paid by the school district or, if acquired through a condemnation action, for the amount paid by the school district as compensation per the judgment.

A school district must offer the previous owner an opportunity to purchase back the property in certain circumstances where no progress is made toward the public use within ten years after taking, or the public use is canceled or becomes unnecessary. A school district must also offer the previous owner an opportunity to purchase back the property when all of the following are true:

- no voter or state funding for the school or school facility has been requested or submitted to the voters;
- no applications to the applicable permitting jurisdictions have been submitted;
- no additional parcels of property need to be assembled or acquired;
- no school or school facility on the property is included in the district's six-year capital facilities plan; and
- the property was acquired by the district more than one year ago

Once a property is put to use as a school facility or as additional grounds to existing school facilities, the obligation of the school district to offer to sell back to the previous owner ends. Property owners may waive their rights to receive the offer and purchase back by executing a written waiver. Property owners who voluntarily request that a school district acquire their real estate through a condemnation action are not entitled to notice and an opportunity to purchase back the property.

ESB 5161—2025–27 Transportation Budget

(Senator Liias, by request of Office of Financial Management)

C416 L25—Partial Veto

This is the 2025–27 Transportation Budget. The bill provides appropriations for state transportation agencies, road projects, and programs. 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:

- \$165.1 million is provided for the Pedestrian Safety/Safe Routes to School programs. Of this amount, \$83.4 million is provided specifically for Safe Routes to School projects; and \$81.8 million is provided for Pedestrian and Bicycle Safety Program projects. Proviso language requires the Department of Transportation to submit a report to the Legislature by December 1, 2025, and December 1, 2026, on the status of projects funded as part of the Pedestrian Safety/Safe Routes to School Grant Program.
- \$27.2 million is provided to continue the Statewide School-based Bicycle Education Grant Program.
- \$54.1 million is provided to the Department of Ecology 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. Proviso language requires the Department of Ecology to prioritize school districts serving tribes and vulnerable populations in overburdened communities. Up to five percent of the appropriation may be used for technical assistance and grant administration.
- \$855,000 is provided for a workforce development pilot at the Seattle Maritime Academy. Funding is provided for programs that are a benefit to the Washington state ferries or the prospective workforce pipeline of the Washington state ferries. Before funding can be expended, a memorandum of agreement with Seattle Central Community College must be executed. The memorandum must address:
 - Prioritized use of training and other facilities and implementation of joint training opportunities for Washington state ferries' employees and trainees;
 - Development of a joint recruitment plan with Seattle Central Community College aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing Community and Technical College students, Maritime Skills Center students, high school students from maritime programs, including Maritime Skills Center students, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and
 - Consultation between the parties on the development of the training program,

recruitment plan and operational plan, with an emphasis on increasing enrollment of women and people of color

- \$81,000 is provided to the Washington State Transportation Center to create a recommended action plan to address engineering workforce shortages and to meet the increased demand for services. Among other things, the recommended action plan must include outreach opportunities and interinstitutional partnerships with middle schools, high schools, postsecondary institutions, and postgraduate programs.

SSB 5163—Child Fatalities

(Senator Orwall)

C123 L25

The Legislature encourages child death reviews by local health departments so that preventable causes of child mortality can be identified and addressed in order to reduce the infant and child mortality rate in Washington State. The Department of Health supports local health departments that conduct child mortality reviews.

Child mortality reviews may include:

- a systematic review of medical, clinical, and hospital records;
- home interviews of parents and caretakers of children who have died; and
- analysis of individual case information and review of this information by a team of professionals in order to identify modifiable medical, socioeconomic, public health, behavioral, administrative, educational, and environmental factors associated with each death

SSB 5163 updates the current child fatality statute.

The local health department that is conducting a child fatality review may request and receive data from specific fatalities, including:

- all medical records, autopsy reports, medical examiner reports, and coroner reports;
 - school, criminal justice, law enforcement, and social services records;
 - local health care providers and clinics;
 - the Health Care Authority and its licensees and providers; and
- the Department of Social and Health Services and the Department of Children, Youth, and Families

All requested records and data must be provided upon request by the review team.

Information submitted to the Department of Health or local health departments is not subject to public disclosure, discovery, subpoena, or introduction into evidence in any administrative, criminal, or civil proceeding related to the death of a child reviewed, excluding information that would require a disclosure in conflict with state or federal law.

Local health departments are allowed to retain identifiable information and geographic information on each case for the purpose of determining trends, performing analysis over time, and for quality improvement efforts. Information retained by local health departments that include identification and location of a person is not subject to public disclosure.

A person associated with child fatality reviews is allowed to testify about evidence being introduced in civil, criminal, or administrative actions when it is based on information or personal knowledge obtained independently of the child fatality review, or relies on public information.

Reports may be published by the Department of Health or local health departments so long as all identifiable information is redacted. These reports may be used to help develop and coordinate statewide child fatality prevention strategies and interventions.

The bill increases child fatality reviews to age 19 to capture 18-year-old individuals. Additionally, the existing language of mortality is replaced with fatality, and language that required use of only federal and private funding for child fatality reviews is removed.

SB 5167—2025–27 Operating Budget

(Senator Robinson, by request of Office of Financial Management)

C424 L25—Partial Veto

This is the 2025–27 Operating Budget. For details, see the Operating Budget section earlier in this Report.

SB 5189—Competency-Based Education

(Senator Wellman)

C278 L25

In 2019, the Legislature directed the State Board of Education (SBE) to convene and staff a Mastery-based Learning Work Group to review barriers to mastery-based learning. Mastery-based learning is also known as Competency-based Education (CBE).

For the purpose of the Work Group, mastery-based learning was defined as a program model in which:

- students advance upon demonstrated mastery of content;
- assessments are meaningful, and a positive learning experience for students;
- competencies include explicit, measurable, and transferable learning objectives empowering students;
- students receive rapid, differentiated support based on their individual learning needs; and
- learning outcomes emphasize competencies including application and creation of knowledge, and the development of important skills and dispositions

The Work Group was directed to examine opportunities for increasing student access to relevant and robust mastery-based academic pathways aligned to personal career goals and

postsecondary education. At the direction of the Legislature, the Work Group published recommendations for the Profile of a Graduate in 2022.

In 2021, the Operating Budget appropriated \$1.5 million in the 2022 Fiscal Year and \$3.5 million in the 2023 Fiscal Year to the State Board for the implementation of mastery-based learning in school district demonstration sites. The State Board was directed to require grant recipients to report on impacts and collaborate to share best practices.

SB 5189 was introduced and adopted to support the implementation of competency-based education (CBE).

The bill clarifies “mastery-based learning” has the same meaning as competency-based education. Competencies are defined to mean the rigorous, shared expectations for learning encompassing knowledge, skills, and abilities across grade levels. Competencies are broader than learning standards and may encompass multiple learning standards. Competencies are transparent, measurable, relevant, and transferable to multiple contexts.

CBE means education including the following elements:

- students' progress is based on evidence of mastery, not seat time;
- students learn actively using different pathways and varied pacing;
- students are empowered daily to make important decisions about their learning experiences, how they will create and apply knowledge, and how they will demonstrate their learning;
- the assessment is a meaningful, positive, and empowering learning experience for students yielding timely, relevant, and actionable evidence; students receive timely, differentiated support based on their individual learning needs;
- strategies to ensure equity for all students are embedded in the culture, structure, and pedagogy of schools and education systems; and
- rigorous, common expectations for learning, including knowledge, skills, and dispositions, are explicit, transparent, measurable, and transferable

By September 1, 2025, OSPI is directed to adopt rules to authorize full-time enrollment funding for students enrolled in CBE programs identified by the State Board. These rules must permit school districts to report full-time equivalent students in CBE programs for general apportionment funding.

Using guidance from the Mastery-based Learning Collaborative, OSPI and the State Board are directed to recommend a process for OSPI to create competencies aligned with the state learning standards, and identify costs associated with this process.

The State Board of Education must design and recommend a process to identify and designate schools and school districts implementing CBE according to the definition in

this bill, and identify the costs associated with this process. Recommendations are due in December 2025.

The bill directs the Washington Interscholastic Athletics Association to consider barriers to students participating in CBE as a component of its rule adoption process.

The State Board is directed to work with a range of stakeholders to develop a format for a CBE high school transcript and recommend this format to OSPI before the 2026–27 school year. The stakeholder group must include four-year institutions, the State Board, OSPI, the Washington Student Achievement Council, and the Workforce Training and Education Coordinating Board. Before the 2026–27 school year, OSPI is required to update the standardized high school transcript.

ESSB 5192—MSOC

(Senator Nobles)

C334 L25

As a part of basic education, school districts are annually provided per pupil allocations to support Materials, Supplies, and Operating Costs (MSOC).

Under current law, MSOC funding is provided in eight different categories:

- technology;
- utilities and insurance;
- curriculum and textbooks;
- other supplies;
- library materials;
- instructional professional development for certified and classified staff;
- facilities maintenance; and
- security and central office

Each category of MSOC is annually provided per student allocations.

Additional MSOC amounts are provided for students in grades 9–12, also divided into individual funding categories, with each category receiving per student allocations:

- technology;
- curriculum and textbooks;
- other supplies;
- library materials; and
- instructional professional development for certified and classified staff

ESSB 5192 revises and increases MSOC funding.

The bill collapses the individual MSOC categories and provides one lumpsum—for both K–12 students and the enhancement for 9–12 students. The MSOC per student allocation amounts for K–12 students increases from \$1,579.01 to \$1614.28 (\$35.27 per student) and for 9–12 students funding increases from \$210.15 to \$214.84 (\$4.69 per student).

Bill language clarifies the increased allocation amounts “are intended to address growing material, supply, and operating costs and may not be expended for any other purpose.”

Current law requires MSOC allocations to “be adjusted annually for inflation;” however, inflation has never been defined. In recent years, inflation was not based on anything other than what legislators decided. ESSB 5192 specifically defines annual inflation as the Implicit Price Deflator (IPD) from the previous calendar year, as determined by the Bureau of Economic Analysis, United States Department of Commerce.

Under current law, school districts had to report to their communities how MSOC funds were being spent, using the eight funded categories. ESSB 5192 dramatically changes the reporting process. Beginning in the 2026–27 School Year, each school district must annually report all MSOC expenditures to OSPI. Districts must report all expenditures for Materials, Supplies, and Operating Costs including, but not limited to, expenditures in the following disaggregated categories:

- technology, including further disaggregation within this category for technology devices, technology support staff, software licensing, and technology or software maintenance and repair;
- election fees associated with school district board of directors elections;
- utilities;
- insurance;
- curriculum and textbooks not included under the technology category;
- library materials not included under the technology category;
- other supplies not included under other categories;
- nontechnology-related contracted instructional professional development for certificated and classified staff;
- facilities maintenance materials, supplies, and operating costs not funded by transfers from other funds;
- security and central office administration;
- dues and fees; and
- property and equipment not funded by transfers from other funds

OSPI is required to report additional categories as determined necessary to meet other state and federal reporting requirements.

SSB 5194—Capital Construction Bonds

(Senator Trudeau, by request of Office of Financial Management)

C415 L25

This is the bill to authorize the issuance of state General Obligation bonds to support the appropriations in the 2025–27 Capital Budget (SSB 5195). The State Finance Committee is authorized to issue General Obligation bonds to finance up to \$4.7 billion for capital construction projects and to pay expenses incurred in the issuance and sale of the bonds.

The 2025–27 Capital Budget includes \$4.5 billion in new debt limit bond spending. The remaining bonding capacity will help fund a 2026 Supplemental Capital Budget next year.

SSB 5195—2025–27

(Senator Trudeau, by request of Office of Financial Management)

C414 L255—Partial Veto

This is the 2025–27 Capital Budget. For details, see the Capital Budget section earlier in this Report.

SSB 5253—Special Education/Age 22

(Senator Cortes, by request of Superintendent of Public Instruction)

C256 L25

Under Washington law, students with disabilities must be provided a free appropriate public education (FAPE) between the ages of 3 and 21. When a student's twenty-first birthday occurs during the school year, state statute permits continued provision of FAPE until the end of the school year; while an OSPI rule requires the provision of FAPE until the end of the school year in which the student turns age 21.

In November 2024, the U.S. District Court for the Western District of Washington issued an order in the case of *N.D. v. Reykdal*, a class action lawsuit alleging that Washington's law violates the federal IDEA. The plaintiffs argued that, because Washington offers adult education programs to 21-year-olds and waives the tuition fee for those who cannot pay, the state provides free public education to nondisabled students through age 21, which makes the IDEA exception inapplicable. The court sided with the plaintiffs and in its decision stated, "The state's policy of aging students out of special education at the end of the school year in which they turn 21 pursuant to [state statute] and [state administrative rule] presently violates the IDEA, has violated the IDEA at all times during the two years preceding the filing of this lawsuit, and will continue to violate the IDEA absent a substantial change in the state's policies for charging and waiving tuition for its adult secondary education programs."

SSB 5253 was introduced to address the decision in *N.D. v. Reykdal*.

Under provisions of the bill, special education and related services for students with disabilities must be provided to the end of the school year in which a student with disabilities turns age 22, or high school graduation, whichever occurs first.

- Education-related provisions applicable to students under age 21 are extended to students with disabilities to the end of the school year in which the students turn age 22, for example: provisions related to student enrollment in a nonresident school district;
- provisions related to programs of education in residential schools;
- the requirement for each school district to report to its ESD the names of certain visually or hearing-impaired residents;

- free admission to the State School for the Blind and the Center for Deaf and Hard of Hearing Youth; and
- provisions related to interagency agreements for high school transition services

The provision of special education services until the end of the school year in which a student with disabilities turns 22 years of age is not intended to reduce or supplant any other service that a student may be eligible for.

By October 30, 2026, OSPI, the Department of Social and Health Services, the Department of Services for the Blind, and any other state agency working with individuals with disabilities must collaborate to update the implementation plan for improving transition planning activities for students likely to become eligible for services from the Developmental Disabilities Administration. In updating the plan, the state agencies must consult with providers of high school transition services and advocates for students with individualized education programs.

The updated implementation plan should include:

- the provision of coordinated transition services;
- examples of how coordinated transition services can be provided to students between the ages of 16 and 22 to ensure a seamless transition from school to postsecondary life; and
- how transition services are provided in a way that supplements and not supplants state special education funding

ESSB 5263—Special Education Funding

(Senator Pedersen)

C368 L25

E2SSB 5263 addresses special education funding and policy issues.

Excess Cost Multipliers. The special education multiplier set in statute for K–12 students receiving special education is increased to 1.16 and the current tiered structure based on education setting is removed. The Early Support for Infants and Toddlers (ESIT) funding multiplier is changed to align with the multiplier for Pre–K students, increasing from 1.15 to 1.2.

Enrollment Cap. The current 16 percent enrollment funding cap is eliminated for all districts, beginning in the 2025–26 School Year.

Safety Net Funding. The current Safety Net eligibility is 2.2 times the average per-pupil expenditure. Beginning in the 2025–26 School Year, the Safety Net eligibility threshold is reduced to 1.8 times the average per-pupil expenditure for the following school districts:

- school districts that have fewer than 1000 full-time equivalent students;
- school districts that have at least 60 percent of students directly certified or categorically eligible for free school meals; and

- school districts that have at least 60 percent of students enrolled in the Transitional Bilingual Instruction Program

Beginning in the 2025–26 School Year, the Safety Net eligibility threshold is reduced to 2.0 times the average per-pupil expenditure for all other districts.

Beginning in the 2026–27 School Year, OSPI must distribute Safety Net awards to school districts on a quarterly basis if the school district is a second-class school district or if the following criteria are met:

- the Safety Net award is provided for a high-cost student that receives special education services from an authorized entity located outside of Washington;
- the school district successfully applied for and received a Safety Net award for the high-cost student in a prior school year, and the student's placement has not changed since that Safety Net award was granted; and
- the school district meets all other Safety Net award eligibility requirements as determined by the Safety Net Oversight Committee.

The Safety Net Oversight Committee may no longer award Safety Net funding to applicant districts for community characteristics that draw a large number of students eligible for special education.

OSPI Duties. OSPI is allowed to reserve up to 0.006 of the excess cost allocations to use for statewide special education activities. OSPI must engage in the following statewide special education activities:

- Annually reviewing data from local education agencies, including the percentage of students receiving special education services, to ensure there is not a disproportionate identification of students, as defined by OSPI in accordance with federal requirements of the Individuals with Disabilities Education Act;
- Providing technical assistance to school districts with disproportionate data;
- Requiring districts with disproportionate data to complete and submit to OSPI a self-assessment that includes an audit of student evaluations and Individualized Education Programs;
- Implementing follow-up actions based on the results of the self-assessment, if determined necessary; and
- Developing and maintaining a statewide online system for Individualized Education Programs

OSPI may also engage in other statewide special education activities, including:

- Providing professional development in Inclusionary Practices to local education agencies, schools, and community partners in promoting inclusionary teaching practices within a multitiered system of supports framework to help safeguard against over-identification and other issues related to disproportionality; and

- Providing a funding match to local education agencies that opt to allocate federal funding for coordinated, early intervening services

OSPI is required to annually report to the Legislature, by December 1 on the statewide activities described above. The 2025 and 2026 annual reports must include an update on the impact of removing the cap on the special education enrollment percentage, including the impact on safety net needs.

Statewide Online System for IEPs. As described above, OSPI must develop and maintain a statewide online system for Individualized Education Programs, in collaboration with ESDs or the Washington School Information Processing Cooperative (WSIPC), and ensure statewide professional development opportunities available to educators, administrators, and families to support the effective use and implementation of the statewide online system, including targeted technical assistance. The purpose of the online system is to:

- Provide a uniform, centralized platform for creating and managing Individualized Education Programs;
- Ensure compliance with federal and state special education requirements;
- Improve the efficiency and effectiveness of Individualized Education Program development and oversight; and
- Improve educator collaboration and serve as an instructional tool designed to improve educational outcomes by aligning individualized supports and services with evidence-based instructional practices.

The online system must:

- Have a statewide model that is made available at no cost to school districts, charter schools, and state-tribal education compact schools;
- Incorporate safeguards to protect confidential student information, including compliance with the federal Family Educational Rights and Privacy Act and any other applicable privacy laws;
- Allow for secure, role-based access so that only authorized users may view or modify Individualized Education Programs;
- Be able to integrate emerging technologies to continually enhance its functionality and effectiveness;
- Ensure that Individualized Education Programs can show evidence of access to grade-level standards, reasonable progress, improved student outcomes, and students' strengths and needs;
- Include integrated language support and translation services;
- Allow for robust family engagement, including access to information about student progress that includes both qualitative and quantitative data and that provides information about how Individualized Education Program goals connect to grade-level standards; and

- Comply with applicable state and federal accessibility standards

General Apportionment Proration. OSPI must develop an allocation and cost accounting methodology to account for school district expenditures beyond those provided through the special education funding formula. This method must shift 25 percent of a district's base allocation for students in special education to the special education program. If the special education program's expenditures exceed state funding from the special education funding formula, Safety Net, and 25 percent base allocation, then the district must use the remaining 75 percent of the base allocation for students in special education to cover those expenditures before using other funding sources.

Inclusionary Practices. OSPI must award grants to up to 20 pilot schools to support school-wide Centers of Excellent for Inclusionary Practices. The selected schools will receive a grant amount equivalent to having a special education multiplier of 1.5 for all students eligible for and receiving special education services in the school over a four-year period. Grant amounts must be spent on qualifying expenses for special education programs. OSPI must select grant recipients from schools with diverse geographic locations and enrollment sizes. Successful applicants must:

- Demonstrate engaged and committed school leadership and faculty in support of Inclusionary Practices, which may include, but are not limited to, the following practices:
 - (1) A willingness to make master schedule changes to allow for common collaboration time;
 - (2) A plan for transformational change in building practices in support of inclusion;
 - (3) Broadly communicating a commitment to the shift in practices; and
 - (4) A commitment to, and understanding of, universal design for learning;
- Demonstrate that all school staff, including classified staff, are appropriately trained in inclusionary practices or submit a plan for all staff to obtain the appropriate training by the end of the following school year;
- Provide data demonstrating the school's existing success in Inclusionary Practices or recent improvements in Inclusionary Practices; and
- Describe how staff training and support in Inclusionary Practices will be sustained after initial training is provided.

Beginning December 1, 2026, and annually thereafter, OSPI is required to submit a report to the Legislature on the grant program. The report must include, at a minimum: A list of the grant recipients from the previous school year; the additional funding provided to each grant recipient; and The effectiveness of the grant funds in increasing staff training in Inclusionary Practices and improving student outcomes.

ESSB 5357—Actuarial Pension Funding

(Senator Conway, by request Office of Financial Management)
C381 L25

The Pension Funding Council (PFC) is responsible for setting basic pension contribution rates and various long term economic assumptions for most of the state's open pension systems. In odd-numbered years, PFC adopts long-term economic assumptions, such as the assumed rate of return, that are used to value liabilities and assets of the systems. In even-numbered years, PFC adopts pension contribution rates for the subsequent fiscal biennium based on the adopted assumptions and updated actual experience.

ESSB 5357 adjusts pension rates. (NOTE: Adopted rates are outlined in the Operating Budget section, earlier in this Report, and the Pension/Health Care review, later in this Report.)

The base employer unfunded actuarial accrued liability (UAAL) rates and supplemental unfunded liability rates for past benefit improvements are set to zero through Fiscal Year 2029. Beginning in Fiscal Year 2030, the rates paid will be set based on being reset and reamortized over a 15-year period that began July 1, 2025; the cost of Public Employees' Retirement System (PERS) Plan 1 and Teachers' Retirement System (TRS) Plan 1 benefit improvements enacted after July 1, 2025, will be amortized over a fixed 15-year period.

The long-term economic assumptions identified in state law and that went in to effect July 1, 2001, are modified beginning July 1, 2025, as follows:

- inflation, growth in salaries, and growth in system membership are adjusted to reflect the assumptions adopted by PFC in 2023; and
- the investment rate of return is set at 7.25 percent, from the 7.0 percent that was adopted by PFC in 2023

The Plans 2 and 3 normal cost employer and Plan 2 member contribution rates adopted by PFC on July 17, 2024, for the 2025–27 fiscal biennium, are modified to assume a 7.25 percent long-term investment rate of return as follows:

- Public Employees' Retirement System (PERS), 5.38 percent;
- Public Safety Employees' Retirement System (PSERS), 6.91 percent;
- School Employees' Retirement System (SERS), 6.87 percent;
- Teachers' Retirement System (TRS), 7.54 percent; and
- Washington State Patrol Retirement System, an employer rate of 15.85 percent and an employee rate of 8.75 percent

NOTE: EMPLOYER pension contribution rates for PERS, PSERS, TRS, SERS, and the Washington State Patrol Retirement System are reduced for Fiscal Year/School Year 2026; and EMPLOYEE Plan 2 contribution rates are reduced for PERS, PSERS, TRS, and SERS for Fiscal Year/School year 2026. While this is positive (as it provides a savings for school

districts, employees, and the state), it is expected that pension rates (for employers and employees) will increase more than originally projected in the out-years due to new assumptions.

2SSB 5358—CTE/Sixth Grade

(Senator Braun, by request of Superintendent of Public Instruction)

C134 L25

Career and Technical Education (CTE) instruction is delivered through programs at middle and high schools, through approved online courses, and at Skills Centers. Materials, Supplies, and Operating Costs (MSOC) funds are currently provided for exploratory CTE courses offered in grades 7 to 12, preparatory CTE courses offered in grades 9 to 12, and preparatory CTE courses offered in grades 11 to 12 through a Skills Center.

2SSB 5358 allows school districts to offer exploratory CTE courses to sixth grade students in middle school; however, sixth grade middle school students enrolled in exploratory CTE programs may not be included in enrollment counts for purposes of CTE allocations.

Middle and high school CTE courses must be treated as a single program when accounting for and calculating minimum expenditures, carryover amounts, and recovery amounts. This treatment is exclusively for accounting purposes and must not result in disparate program quality across grade levels.

SSB 5412—Interfund Loans

(Senator Robinson)

C384 L25

Current law and state rules allow temporary interfund loans between school district funds, with the requirement that the loan be completely liquidated in less than one year. Interfund loans are allowable from a district's General Fund and Capital Projects fund, and may be received by a district's General Fund, Capital Projects Fund, Transportation Vehicle Fund, or Debt Service Fund. Interest must be paid by the borrowing fund to the loaning fund at a rate that is not less than the current warrant interest rate in the county in which the school district is located. Loans may not be made to the detriment of any function or project for which a fund was established.

A school district's Board of Directors must adopt a resolution before any interfund loan may take place. The resolution must contain the amount of the loan, the funds involved, the specific source of funds for repayment, the schedule for repayment, and the interest rate. School district financial reports must also specify all outstanding interfund loans and all interest charges involved with those loans.

Under current law, the proceeds of an interfund loan may not be used to balance the budget of the borrowing fund, except in Fiscal Year 2024 when loans could be used to address budget destabilization in the aftermath of the COVID-19 pandemic.

SSB 5412 provides additional authority to make a temporary interfund loan.

The bill clarifies a school district that is in binding conditions or under enhanced financial oversight may take a temporary interfund loan from its Capital Projects Fund, subject to the following conditions:

- the borrowing fund must repay the full loan amount within one calendar year;
- the loaning fund may not charge interest on the loan;
- the loan may not be made to the detriment of any function or project for which the loaning fund was established; and
- the school district's financial reports must specify all outstanding interfund loan balances

The board of directors of a qualifying school district must adopt a resolution to approve a temporary interfund loan transaction. The resolution must specify the amount of the loan, the funds involved, the source of funds for repayment, and the schedule for repayment. If a school district is under enhanced financial oversight, then the transaction must additionally be approved by the appointed special administrator.

Proceeds from these interfund loans may be used to balance the budget of the borrowing funds, and an exception is added to state law to allow loans for this purpose.

OSPI is directed to adopt rules as necessary to implement this new authority.

Enhanced financial oversight may include directing the sale of real property or assets of the school district and the deposit of sale proceeds into a fund selected by the Financial Oversight Committee.

The board of directors of a school district may sell district real property when authorized by a Financial Oversight Committee, and the proceeds may be deposited into a fund selected by the Financial Oversight Committee.

Additionally, the board of directors of a school district in binding conditions may request authorization from OSPI to sell district real property. OSPI may grant the authorization if the school district demonstrates that the sale is necessary to restore financial stability and prevent adverse impacts to student learning. The school district must also demonstrate that the proceeds of the sale will only be used to alleviate or conclude the financial burdens that caused the district to enter binding conditions, or for the purposes of a temporary interfund loan.

OSPI is required to adopt rules to implement this new authority, including rules that prohibit a school district from receiving an authorization to sell real property more than once in a ten year period.

This new authorization does not exempt school districts from complying with applicable requirements related to selling real property acquired through condemnation.

SB 5435—Collective Bargaining Statutes
(Senator Ramos)
C290 L25

SB 5435 reorganizes Public Employee's Collective Bargaining Act (PECBA), administered by Public Employment Relations Commission.

PECBA is reorganized by topic and subchapter headings are added to the Act. A provision with an expired effective date and a provision containing only a heading and a navigational prompt are repealed. The Code Reviser is directed to correct any cross references.

This bill includes technical changes and makes no substantive change to current law.

SB 5463—Self-Insured Employers
(Senator Alvarado)
C338 L25

In Washington, workers who, in the course of employment, are injured or disabled from an occupational disease are entitled to workers' compensation benefits, which may include medical, temporary time-loss, vocational rehabilitation benefits, and permanent disability benefits. The Department of Labor and Industries (L&I) administers the state's workers' compensation system. All employers must provide workers' compensation coverage for their employees either by:

- insuring through the state fund by paying premiums to L&I; or
- qualifying as a self-insurer

Self-insurance is a program in which the employer covers all costs associated with an on-the-job injury or occupational disease. Self-insured employers administer their own claims, and must maintain records of all payments and disputes. Self-insured employers may contract with certain third-party administrators to administer claims.

An employer may qualify as a self-insurer by establishing to L&I's satisfaction that the employer has sufficient financial ability to make certain the prompt payment of all workers' compensation benefits and all assessments which may become due from the employer.

All self-insured municipal employers and self-insured private sector firefighter employers and their third-party administrators (TPAs) have a duty of good faith and fair dealing to workers relating to all aspects of the workers' compensation laws. The duty of good faith requires fair dealing and equal consideration for the worker's interests. A self-insured municipal employer or self-insured private sector firefighter employer or their TPA violates its duty to the worker if it coerces a worker to accept less than the compensation due under the law, or otherwise fails to act in good faith and fair dealing regarding its obligations under the law.

L&I has adopted rules providing for additional applications of the duty of good faith and fair dealing as well as criteria for determining appropriate penalties for violations. In adopting a rule, L&I considered recognized and approved claim processing practices within the insurance industry, L&I's own experience, and Washington State's worker's compensation and insurance laws and rules.

L&I is required to investigate alleged violations upon the filing of a written complaint or upon its own motion. After receiving notice and a request for a response from L&I, the municipal employer or private sector firefighter employer or their TPA may file a written response within ten working days. If the municipal employer or private sector firefighter employer or their TPA fails to file a timely response, L&I must issue an order based on available information. L&I must issue an order determining whether a violation has occurred within 30 calendar days of receipt of a complete complaint or its own motion. An order finding that a violation has occurred must also order the municipal employer or private sector firefighter employer to pay a penalty of 1 to 52 times the average weekly wage at the time of the order, depending upon the severity of the violation, which accrues for the benefit of the worker.

“Municipal” is defined as: any counties, cities, towns, port districts, water-sewer districts, school districts, metropolitan park districts, fire districts, public hospital districts, regional fire protection service authorities, education service districts, or such other units of local government. Private sector firefighter employer means any private sector employer who employs over 50 firefighters, including supervisors, on a full-time, fully compensated basis as a firefighter of the employer's fire department, only with respect to their firefighters.

Certification of a self-insurer must be withdrawn under certain circumstances, including when the employer is a municipal employer and has been found to have violated the self-insurer's duty of good faith and fair dealing three times within a three year period. The L&I director may delay withdrawing the certification of the self-insured municipal employer while the employer has an enforceable contract with a licensed third party administrator that may not be legally terminated. The self-insured municipal employer may not renew or extend the contract.

Under provisions of SB 5463, the duty of good faith and fair dealing applies to all workers' compensation self-insurers and third-party administrators, rather than only self-insured municipal employers and self-insured private sector firefighter employers and their third-party administrators.

L&I's authority to withdraw a self-insurer's certification when an employer has been found to have violated the self-insurer's duty of good faith and fair dealing is modified. If L&I determines that a self-insurer has violated the duty of good faith and fair dealing two or more times within a three-year period, the director must impose corrective action against the self-insurer, which must include a period in probationary status. L&I must impose appropriate restrictions and changes that are necessary for preventing future violations. L&I must audit for compliance for the term of the applicable corrective action.

If the self-insurer is found to have committed a subsequent violation while subject to a corrective action, L&I must withdraw the self-insurer's certification. Following the corrective action, L&I may withdraw the self-insurer's certification based on an assessment of whether the self-insurer has complied with the terms of the corrective action or is likely to commit future

violations of the duty of good faith and fair dealing.

If a self-insurer, who has previously been subject to a corrective action, subsequently commits two or more violations within a two-year period, requiring a corrective action, and such action would occur within ten years of completing a prior corrective action and probationary period, L&I must withdraw the self-insurer's certification.

For purposes of determining the timing of violations, the director must use the date of L&I's order. Any subsequent orders of L&I, the Board of Industrial Insurance Appeals, or courts affirming a violation occurred relates back to the date of L&I's order. Errors or delays that are inadvertent or minor are not considered violations of good faith and fair dealing.

SB 5503—Public Employee Bargaining (Senator Valdez)

C387 L25

SB 5503 makes changes regarding public employee collective bargaining processes.

For new organizing petitions to form a new bargaining unit of unrepresented workers or add unrepresented workers to an existing bargaining unit, The Public Employee Relations Commission (PERC) must require employers and employee organizations to submit an offer of proof on challenged employees, either concurrent with the employer's submission of a list of employees, or at a date determined by PERC after a showing of interest.

If an employee organization files a petition to represent a unit of currently unrepresented employees, and PERC determines the petitioned-for unit is inappropriate, but that the bargaining unit would be appropriate if it included employees currently represented by another employee organization, PERC must determine whether the bargaining unit currently represented by the other employee organization is an appropriate bargaining unit and:

- dismiss the petition if PERC determines the bargaining unit represented by the other employee organization is appropriate; or
- determine the new bargaining unit and hold an election if PERC determines the bargaining unit represented by the other employee organization is inappropriate.

PERC or a presiding officer may:

- set a hearing date without consent from the involved parties so long as the involved parties may submit motions to move the hearing date; and
- draw an adverse inference from the refusal of a party to comply with subpoenas issued by PERC or the presiding officer

Neither PERC nor the presiding officer may draw an adverse inference from a union's refusal to comply with a subpoena if the union is invoking union privilege. When union privilege is invoked, PERC or the presiding officer must conduct an in-camera review of the records.

Under PECBA, if a single organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if PERC considers the larger unit to be appropriate. A provision in PECBA stating that PERC must intervene when a public employer and a bargaining representative disagree on the merger of bargaining units is removed.

Public employers are prohibited from requiring a worker to waive any federal or state statutory right to make a claim as a condition of settling a grievance under a collective bargaining agreement.

If Department of Corrections or Washington State Ferry employees and their public employer go to interest arbitration, they may, with the consent of both parties, select an arbitrator from a list provided by the American Arbitration Association as an alternative to a list provided by the Federal Mediation and Conciliation Service.

SB 5641—Blood Donation Awareness

(Senator Harris)

C149 L25

Current law encourages school districts, charter schools, and state-tribal education compact schools that serve students in any of grades 9–12 to offer instruction in awareness of bone marrow donation. Beginning in the 2023–24 school year, this instruction may be included in at least one health class necessary for graduation. Schools that serve students in any of grades kindergarten through eight may offer this instruction and adapt it to be age-appropriate.

Under SB 5641, school districts, charter schools, and state-tribal education compact schools are encouraged to offer instruction in awareness of blood donation in addition to awareness of bone marrow donation.

Beginning with the 2025–26 school year, instruction in awareness of blood donation along with awareness of bone marrow donation may be included in at least one health class necessary for graduation.

This instruction must be an instructional program provided by the National Marrow Donor Program, the American Red Cross, America's Blood Centers, Bloodworks Northwest, or other relevant nationally recognized organizations focused on either bone marrow or blood donation, or both.

SSB 5655—Child Care Centers

(Senator Krishnadasan)

C150 L25

A child care center is an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than 24 hours. The secretary of the Department of Children, Youth, and Families (DCYF) has the duty to develop licensing requirements for child care centers and issue, revoke, or deny licenses pursuant to state law. The chief of the Washington State Patrol, through the director of Fire Protection, has a duty to consult with DCYF to adopt minimum

standards for child care agencies to protect building residents from fire hazards. The chief is also responsible for inspecting child care agencies as necessary and issuing certificates of compliance for those agencies seeking child care licenses. Child care license applicants must provide a certificate of compliance to DCYF before a child care license may be issued.

SSB 5655 modifies current law to specifically allow child care centers to be operated in existing buildings. When a child care center is operated in a dedicated space within an existing building that has more than one use, the building official must calculate the occupancy load of the child care center based only on the areas in the building where the child care services are provided.

Statutes pertaining to the chief of the Washington State Patrol are updated to reflect this requirement.

ESSB 5752—ECEAP Entitlement

(Senator Wilson, C.)

C412 L25

The Early Childhood Education and Assistance Program (ECEAP) is a voluntary preschool and family support program administered by the Department of Children, Youth, and Families (DCYF). Children are eligible for ECEAP when they are between the ages of three and five, and are from families with incomes at or below 110 percent of the Federal Poverty Level (FPL). Families may also be eligible under certain other criteria, including children eligible for special education due to a disability, and certain other risk factors.

ECEAP is scheduled to become an entitlement for eligible children beginning in the 2026–27 school year.

Beginning July 1, 2026, an eligible child means a three to five-year old child who is not age-eligible for kindergarten, is not a participant in a federal or state program providing comprehensive services, and who:

- has a family with financial need;
- is experiencing homelessness;
- is eligible for special education due to disability;
- has participated in early head start, the early support for infants and toddlers program or received class C developmental services, the birth to three early childhood education and assistance program, or the early childhood intervention and prevention services program;
- is Indian and is at or below 100 percent of State Median Income (SMI) adjusted for family size; or
- meets criteria under rules adopted by the department if the number of such children equals not more than ten percent of the total enrollment

In 2019, DCYF was directed to develop a plan for phased implementation of a Birth-to-Three ECEAP Pilot Project for eligible children under 36 months old within resources available under the federal Preschool Development Grant. To be eligible, a child's family income must be at or below 130 percent of the

federal poverty level. The Birth-to-Three ECEAP Pilot Project must be delivered through licensed child care providers.

Beginning July 1, 2026, Birth-to-Three ECEAP expands eligibility to families with a household income at or below 50 percent of SMI.

The Working Connections Child Care (WCCC) Program is a federally and state-funded program that provides subsidies for child care to families with incomes at or below 60 percent of SMI, or meet certain categorical eligibility criteria. The state pays the cost of child care, minus the family's copayment amount, when a parent is working or participating in approved work-related activities.

As currently scheduled, beginning July 1, 2025, a family is eligible for the WCCC Program benefits when the household's annual income is above 60 percent and at or below 75 percent of SMI. Beginning July 1, 2027, a family is eligible if the household's annual income is up to 85 percent of SMI.

A family is eligible for the WCCC Program when the household's annual income is at or below 85 percent of SMI and:

- the child is younger than 13, or younger than 19 with a special need;
- the applicant or consumer is employed in a licensed child care center or family home provider; and
- the household meets all other WCCC Program eligibility requirements.

DCYF is required to waive the copayment to the extent allowable under federal law.

A person is eligible to receive WCCC Program benefits for the first 12 months of the person's enrollment in a state registered apprenticeship when:

- the person has a household income that does not exceed 75 percent of SMI at the time of application;
- the child receiving care is younger than 13 years old, or is younger than 19 years old and has a verified special need or is under court supervision; and
- the household meets all other WCCC Program eligibility requirements

DCYF may not require an applicant or consumer to meet work requirements as a condition of receiving the WCCC Program benefits when the recipient is registered in a state registered apprenticeship program.

Depending on income, eligible families may be required to pay a copayment to their provider. The copayment amount is established in statute:

- \$0 for households at or below 20 percent of SMI;
- \$65 for households at or below 36 percent of SMI;
- \$90 for households at or below 50 percent of SMI;
- \$165 for households at or below 60 percent of SMI; and
- \$215 for households above 60 percent of SMI

ESSB 5752 modifies child care and early childhood development programs, including implementation schedules, as described below:

Early Childhood Education and Assistance Program

- The ECEAP entitlement is delayed from the 2026–27 School Year to the 2030–31 School Year.
- The expanded definition of eligible child and the expanded enrollment provisions for ECEAP take effect July 1, 2025, instead of July 1, 2026.
- A child who is a member of an assistance unit that is eligible for or is receiving basic food benefits is removed from the definition of eligible child for ECEAP and expanded enrollment provisions.

The Birth-to-Three ECEAP Program

- This program is made subject to appropriations and enrollment as space is available.

Subsidized Child Care

Working Connections Child Care Eligibility Expansion

- The WCCC income eligibility expansion from 60 to 75 percent of SMI is delayed from July 1, 2025, to July 1, 2029.
- The WCCC income eligibility expansion from 75 to 85 percent of SMI, which is subject to appropriations, is delayed from July 1, 2027, to July 1, 2031.

Child Care Employees

- The eligibility expansion for child care employees is repealed.

State Registered Apprenticeships

- The eligibility expansion for state registered apprenticeships is repealed.
- The waiver of work requirements for state registered apprenticeships is also repealed.

Copayments

- Beginning October 1, 2025, for new applicants and reapplicants, copayment amounts are modified to the following schedule:
 - \$0 for households at or below 20 percent of SMI;
 - \$100 for households at or below 36 percent of SMI;
 - \$160 for households at or below 50 percent of SMI;
 - \$255 for households at or below 60 percent of SMI; and
 - \$310 for households above 60 percent of SMI
- Beginning October 1, 2026, for new applicants and reapplicants, copayment amounts are modified again, as described in the bill.

12-Month Authorization

- A household's 12-month authorization begins at the time of eligibility determination, as opposed to when child care is expected to begin.

Provider Reimbursement

- DCYF must adopt a rule that requires prospective payment to child care providers who accept child care subsidies to occur when child care is expected to begin, and another rule that prohibits child care providers from claiming a prospective payment when a child has not attended at least one day within the authorization period in the previous month.

Provider Supports

- The following provider supports are made subject to appropriations:
 - infant and early childhood mental health consultation;
 - trauma-informed care supports; and
 - dual language rate enhancements
- The changes to trauma-informed care supports and dual language rate enhancement do not interfere with, impede, or in any way diminish the right of family child care providers to bargain collectively with the state through the exclusive bargaining representatives.

Market Rate Survey

- DCYF must publish a cost of quality child care and market rate and submit the study to the Legislature by June 1st of every even-numbered year.

ESB 5769—Transition to Kindergarten

(Senator Wellman)

C342 L25

In 2023, the Transition to Kindergarten (TTK) Program was established to assist eligible children in need of additional preparation to be successful kindergarten students in the following school year. Prior to 2023, and the creation of the TTK Program, some school districts and charter schools elected to offer a kindergarten program for children not yet age five who did not have access to high-quality early learning experiences prior to kindergarten and had been deemed, through a screening process or other instrument, to need additional preparation to be successful in kindergarten the following year.

TTK programs—and student enrollment—has been growing exponentially and recently has grown faster than projections and, therefore, faster than funding. ESB 5769 is an effort to limit the growth of TTK.

Beginning with the 2025–26 School Year, the funding for the TTK Program is limited to the annual average full-time equivalent children as specified in the omnibus appropriations act (which is the 2024–25 School Year enrollment). The 2025–27 Operating Budget provides funding for the Transition to Kindergarten program to support 7,266 annual average full-

time equivalent eligible children per school year.

The bill also contemplates potential growth of the program in the future. OSPI is directed to collaborate with the Department of Children, Youth, and Families to develop a recommended plan for phasing in the Transition to Kindergarten program. The recommended plan must consider plans for expansion of other state-funded early learning programs including, but not limited to, the Early Childhood Education and Assistance Program, and prioritize expansion for:

- communities with the highest percentage of unmet needs;
- child care supply and demand;
- school districts, charter schools, and State-Tribal Education Compact Schools with the highest percentages of students qualifying for Free and Reduced-Price Lunch;
- school districts, charter schools, and State-Tribal Education Compact Schools with high percentages of students with disabilities; and
- school districts, charter schools, and State-Tribal Education Compact Schools with the lowest kindergarten readiness results on the Washington Kindergarten Inventory of Developing Skills (WaKIDS).

The plan must include a phased-in approach for expansion that does not exceed five percent growth in statewide annual average full-time enrolled students each year.

OSPI is required to submit a report to the Legislature December 1, 2026, outlining a proposed plan and recommendations for phasing in future Transition to Kindergarten programs beginning with communities with the highest need.

ESSB 5794—Tax Preferences

(Senator Salomon)

C423 L25—Partial Veto

ESSB 5794 is a part of the Legislature's tax package, adopted to help fund the 2025–27 Operating Budget.

The bill would eliminate a series of “obsolete tax preferences.” A “tax preference” is an exemption, exclusion, deductions, deferral, credit, and preferential tax rates. Currently, there are almost 800 tax exemptions for the major state and local tax sources in Washington. The exemptions result in nearly \$200,000,000,000 of taxpayer savings for the current biennium.

Beginning January 1, 2026, the following tax preferences are repealed:

- insurance producers preferential B&O tax rate;
- precious metals and bullion B&O and sales and use tax exemptions;
- home energy assistance PUT credit;
- international services B&O tax credit; and
- public safety standards and testing B&O tax deduction

Beginning October 1, 2025, if a state-chartered credit union merges with or acquires a bank regulated by the DFI, the credit union is no longer exempt from the B&O tax. The B&O tax will be 1.2 percent of the gross income of the state chartered credit union.

Beginning April 1, 2026, the rental or lease of individual self-service storage space at self-storage facilities, regardless of duration, is subject to B&O tax at the services and other activities classification at a rate of 1.5 or 1.75 percent.

The bill also would have repealed the current B&O tax deduction for interest that community banks receive on loans for residential property; however, the governor vetoed this section prior to signing the bill.

It is estimated the bill would increase revenues by \$148.5 million in 2025–27 and \$236.7 million in 2027–29.

2SSB 5802—Transportation Revenue

(Senator Liias)

C418 L25

Retail sales taxes are imposed on retail sales of most articles of tangible personal property, digital products, and some services. Under current law, state sales and use tax revenues are deposited into the State General Fund to support public schools and all other areas of state government.

In addition to the 6.5 percent state sales and use tax, an additional 0.3 percent sales and use tax is collected on motor vehicle purchases. Revenue generated from this additional 0.3 percent sales and use tax on vehicles is deposited into the Multimodal Transportation Account for transportation purposes.

In 2022, legislation was adopted requiring annual transfers of \$57 million from the State General Fund to the Move Ahead Washington Flexible Account for Fiscal Year 2024 through Fiscal Year 2038.

2SSB 5802 requires further fund transfers and revenue dedications for transportation.

Beginning July 1, 2027, 0.1 percentage points of the 6.5 percent state sales and use tax must be deposited in the Multimodal Transportation Account rather than the State General Fund.

A \$225.9 million transfer from the Multimodal Transportation Account to the State General Fund is established for Fiscal Year 2026. The \$57 million in annual transfers from the State General Fund to the Move Ahead Washington Flexible Account are suspended for the 2025–27 biennium.

Finally, two \$304.7 million annual State General Fund transfers (total of \$609.4 million) are established for the 2027–29 biennium.

NOTE: Altogether, the bill is estimated to increase State General Fund revenues by \$609.4 million in 2025–27; however, it is estimated State General Fund revenues would be reduced by \$1.19 Billion in 2027–29.

There are multiple fund transfers in the Operating Budget. While this is not unusual, the dedication of a portion of the State Sales and Use tax to the Transportation Budget, rather the State General Fund (totaling \$581 million in 2027–29) and significant transfers (in the next biennium) from the State General Fund to the Transportation Budget is cause for concern. There is already significant competition for appropriations and every dollar that leaves the General Fund is one less dollar that could go to the state's paramount duty. This is especially concerning given that K–12's share of the Operating Budget continues to decline.

SB 5807—Wellness Incentives

(Senator Robinson)

C397 L25

Both the Public Employees' Benefits Board (PEBB) and the School Employees' Benefits Board (SEBB) are required to provide wellness incentives as part of the comprehensive benefits package provided to covered employees. Wellness incentives focus on proven strategies, such as smoking cessation, injury and accident prevention, reduction of alcohol misuse, appropriate weight reduction, exercise, automobile and motorcycle safety, blood cholesterol reduction, and nutrition education.

Both PEBB and SEBB offer smoking cessation, diabetes management and prevention programs, and the SmartHealth Program—which allows employees to earn a \$125 annual reduction to their plan deductibles or contribution into their Health Savings Account. To qualify, employees must take an annual health assessment and track wellness activities in the SmartHealth online portal.

SB 5807 removes the requirement for PEBB and SEBB to consider wellness incentives; instead, the plans must consider wellness initiatives.

The SmartHealth Program offered by PEBB and SEBB is eliminated as of January 1, 2028. Beginning January 1, 2028, employees are no longer eligible to earn a wellness incentive. Employees who have met the eligibility requirements to receive a wellness incentive by December 31, 2027, will still receive the wellness incentive during the 2028 calendar year.

This is another effort to save funds. By eliminating the wellness incentive, PEBB/SEBB are expected to save \$9.5 million in 2027–29 and \$14.9 million in 2029–31.

ESSB 5814—Excise Tax on Services

(Senator Frame)

C422 L25

ESSB 5814 is a part of the Legislature's tax package, adopted to help fund the 2025–27 Operating Budget.

The heart of this bill does two things:

- imposes an additional tax on cigarettes and makes certain products containing nicotine subject to the other tobacco products tax; and
- extends retail sales and use tax to certain specified services

Under the provisions of ESSB 5814, the following select services are classified as retail services and subject to retail sales and use tax and retailing B&O tax:

- information technology technical consulting services;
- information technology training services and technical support;
- custom website development services;
- custom software and customization of prewritten computer software;
- investigation, security services, security monitoring services, and armored car services;
- temporary staffing services; and
- advertising services

A number of services are specifically excluded from the extension of this tax:

- temporary staffing services used by hospitals;
- telehealth and telemedicine services; and
- the following services when the sale of such service is between members of an affiliated group:
 - information technology consulting training, and support services;
 - custom web design services;
 - investigation, security, security monitoring, and armored car services;
 - advertising services;
 - any digital automated service that primarily involves the application of human effort by the seller;
 - live presentations in which participants are connected via the internet or telecommunications equipment; and
 - data processing services

It is estimated the bill would increase revenues by \$1.1 Billion in 2025–27 and \$1.5 Billion in 2027–29.

NOTE: Unlike the other bills in this session’s tax package—which are included in this Report because they provide some context about the Legislature’s thinking and actions around the Budget—ESSB 5814 could have serious, negative impacts for school districts. This bill adds a new tax on “temporary staffing services,” and many school districts employ temporary staff. We are still determining the potential implications of this. We expressed concerns when the bill was introduced in the waning days of the session and asked for amendments to exempt school districts, but those efforts were rejected (although you will note above that temporary staffing services in hospitals is exempt). We also urged Governor Ferguson to veto the provision from the bill, but he was unwilling to act. In addressing the press about the entire tax package, he did indicate he will be considering potential “adjustments” (we think this may have been a bit of a nod to us); however, it is unlikely the Legislature will be in a position to address/adjust the bill until January. Even if the federal government takes actions that force a special session

this summer or fall, getting this issue added to the agenda seems like a longshot. Our next step is to work on some clarification from the Department of Revenue; they likely will have to adopt rules to implement the bill. For now, be aware that this issue is out there.

Education-Related Bills That Died—Titles

As noted in the previous section, almost 2,000 bills, resolutions, and memorials were introduced in the 2025 Session and WASA actively tracked almost 600 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 three 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 made 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.
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.
3. Washington operates on a biennial cycle with a two-year Legislature; 2025 is the first year of the Legislature’s 69th Biennial Session. It is technically more accurate to refer to the following bills as being “dormant,” rather than dead, because ALL of these bills will be automatically reintroduced in the Legislature’s second-year session in 2026. Bills that had any movement in their original house will remain at the highest level they achieved in 2025 and bills that moved to the opposite house will revert to their original house’s Rules Committee and be placed on the Third Reading Calendar, ready for final passage.

HB 1011.....	School Safety Capital Grants	HB 1292/SB 5113.....	Plan 1 COLAs
HB 1020.....	Academic Reengagement	HB 1295.....	Reading and Writing Literacy
HB 1021.....	Military Families	HB 1310/SB 5307.....	Special Education Funding
HB 1031.....	School Facility Temperatures	HB 1334.....	Property Tax Revenue Growth
HB 1042.....	Treasurer Cost Recovery	SHB 1338.....	MSOC
HB 1051.....	IEP Team Meetings	HB 1356.....	K–12 Funding
HB 1055.....	Public Records Access	HB 1357.....	Special Education Funding
HB 1069/SB 5044.....	Supplemental Bargaining	HB 1404/SB 5352.....	Free School Meals
HB 1085/SB 5272.....	School Activity Interference	HB 1448.....	Local Elections
SHB 1116.....	Election Day	HB 1450.....	Transition to Kindergarten
HB 1122/SB 5346.....	Student Cell Phones	HB 1474.....	Retirement Benefit Increase
HB 1134.....	School Resource Conservation	HB 1479.....	Native Education Grants
SHB 1136.....	Student Navigational Support	HB 1489.....	Early Education Implementation
HB 1140.....	Public Education Scholarships	HB 1503.....	Digital Equity
HB 1189.....	School Volunteers/Conviction	HB 1517.....	Digital Equity/Revenue
HB 1225.....	State Budget Process	HB 1528.....	Special Education IEPs
HB 1231.....	School Starting Times	HB 1538.....	Small School Capital Assistance
HB 1241.....	Students with Disabilities	HB 1557/SB 5308.....	Guaranteed Admissions
HB 1259.....	Behavioral Health/Schools	SHB 1565.....	Dual Enrollment Scholarship
HB 1266/SB 5446.....	Commission on Boys and Men	HB 1580.....	CTE/ALE Funding
HB 1267.....	Special Education Funding	HB 1581/SB 5762.....	988 Crisis Hotline
HB 1285.....	Financial Education	HB 1584.....	In-Person Voting
HB 1289.....	Public school Survey	HB 1590.....	Self-Resiliency Skills

HB 1594.....	School Costs/CCA	SB 5003	School Security Grants
HB 1612.....	AP, IB, CIE Exam Costs	SB 5007	Chronically Absent Students
HB 1618.....	College in the High School	SB 5008	School Learning Tools
SHB 1622/SSB 5422.....	AI Collective Bargaining	SB 5012	Interscholastic Athletics
HB 1634.....	Behavioral Health/Schools	SSB 5026.....	Vehicle Sales Tax
HB 1637.....	School Safety	SB 5035	Voter Education
HB 1642/SB 5422.....	Pension Plan Choice	SSB 5073	Vehicle Sales Tax
2SHB 1662.....	Education Sgencies	SB 5080	Financial Education
HB 1676.....	Charter School Contracts	SSB 5085	Closed Retirement Plans
SHB 1682.....	Part-Time Employee UI	SB 5086/HB 1330	PEBB/SEBB Consolidation
HB 1683.....	School Director Districts	2SSB 5095.....	School Construction Debt
HB 1699.....	Interscholastic Sports	SB 5097	Girls' Athletic Activities
HB 1727.....	School Library Info and Tech	SB 5114/HB 1312.....	Retirement Benefits/Death
HB 1729.....	State School Levies	SB 5120	Learning Assistance Program
HB 1734.....	Outdoor Learning Grants	SSB 5123/HB 1855.....	Discrimination in Schools
HB 1746.....	Local Effort Assistance	SB 5126/HB 1547	Mental Health Network
HB 1750.....	Voting Rights Act	SB 5134	Chinese Americans
HB 1767.....	School Enrollment Calculation	SB 5135	Curriculum Establishment
HB 1790.....	Defined Benefit Accrual	SB 5136	Parent/Guardian Rights
HB 1795/SB 5654.....	Student Restraint, Isolation	SB 5137	Sex Education
HB 1803.....	Youth Sports Safety	SB 5164.....	Student Navigational Support
HB 1810.....	Seismic Hazards	SB 5177	Professional Development
HB 1830/SB 5730	Background Checks	SB 5179	Education Complaint Process
HB 1832.....	Student Performance	SB 5180	Inclusive Schools
HB 1853.....	Green Community Schoolyards	ESSB 5181.....	Parents Rights in Education
HB 1863.....	Cardiac Emergency Response	SB 5187/HB 1579	Student Transportation
HB 1868.....	School Athletic Trainers	SB 5190	Clean Buildings
HB 1877.....	Public Education System	SB 5210/HB 1151	Ninth Grade Success
HB 1910.....	Teacher-Librarian Funding	SB 5216	Green Energy Taxes
HB 1959.....	Office of Equity	SB 5235	Public School Statutes
HB 1960.....	Renewable Energy Incentives	SB 5240	Anaphylaxis Medication
HB 1997.....	Property Tax Cut	SB 5270/HB 1352.....	School Nurse Mentors
HB 2007.....	Competency-Based Assessments	SB 5271	School Nurse Requirement
HB 2017.....	School Director Training	SB 5292	PFML Rates
HB 2026.....	Education Funding	SB 5327	Learning Standards
HB 2034.....	LEOFF Retirement	SB 5369/HB 1663	Youth Mental Health/Schools
HB 2038/SB 5799	Behavioral Health/B&O Tax	SB 5373/HB 1339	General Election Dates
HJR 4201	School Bond Elections	SB 5378/HB 1626	PFML Grants

SB 5386/HB 1817Schools/Sexual Assault
 SB 5415 State Employee CBAs
 SB 5418 Charter Cchool Contracts
 SB 5481 Behavioral Health Services
 SB 5483 History & Heritage Education
 SB 5517/HB 1120Staff Salary Allocations
 SB 5539/HB 1213 PFML Rights
 SB 5546 Solar Energy
 SB 5551 School Library Programs
 SB 5564 Basic Education Goals
 SB 5567/HB 1925Natural Resources Careers
 SB 5570/HB 1894 Tribal Instruction
 SB 5572/HB 1723 Project Labor Agreements
 SB 5574 Asian American History
 SB 5593 Levy Lid and LEA
 SB 5596 Interstate Teacher Compact
 SB 5614 Impact fees
 SB 5637/HB 1963 Civics and Media Literacy
 SB 5666 Mental Health Internships
 SB 5724 Dual Credit Programs
 SB 5737/HB 1475 National Board Bonuses
 SB 5748 Impact Fees
 SB 5780 Transportation Vehicles
 SB 5784 Agency Demographic Data
 SB 5795 Sales Tax Reduction
 SB 5796 Payroll Tax
 SB 5797 Intangibles Tax
 SB 5798 Property Tax Revenue Growth
 SB 5803/HB 2068 Tobacco & Nicotine Products
 SB 5810 \$ave Washington Budget
 SJR 8200 School Bond Elections
 SJR 8202 Transportation Revenue

Education-Related Bills That Died

HB 1011—School safety capital grants (Representative Jacobsen)

Would have created a School Safety Capital Grant program.

HB 1011—School safety grants (Representative Jacobsen)

Would have created a School Safety Capital Grant program.

HB 1020—Academic reengagement (Representative Shavers)

Would have Increased the accessibility of academic reengagement opportunities for eligible students.

HB 1021—Military families (Representative Shavers)

Would have promoted educational stability for children of military families.

HB 1031—School facility temperatures (Representative Reeves)

Would have mitigated the impact of rising school facility temperatures resulting from climate change.

HB 1042—Treasurer cost recovery (Representative Wylie)

Would have authorized a County Treasurer to charge local taxing districts—including school districts—a cost recovery fee for administrative costs associated with billing, collecting, and distributing property taxes.

HB 1051—IEP team meetings (Representative Walsh)

Would have permitted the recording of Individualized Education Program (IEP) team meetings.

HB 1055—Public records access (Representative Abbarno)

Would have required a study on the efficacy of establishing an independent state agency to assist individuals with accessing public records.

HB 1069—Supplemental bargaining (Representative Fosse) and **SB 5044** (Senator Ramos)

Would have allowed collective bargaining over contributions to a union's supplemental retirement and medical plans.

HB 1085—School activity interference (Representative Schmidt) and **SB 5272** (Senator Lovick)

Would have expanded penalties for interference by, or

intimidation by threat of, force or violence at schools and extracurricular activities.

HB 1116—Election day (Representative Mena)

Would have celebrated election day to increase awareness and participation in elections and would have encouraged state and local governments, including schools, to engage in educational programming related to democracy and voting.

HB 1122—Student cell phones (Representative McClintock) and **SB 5346** (Senator Liias)

Would have restricted mobile device usage by public school students.

HB 1134—School resource conservation (Representative Bergquist)

Would have promoted resource conservation practices in public schools, with students as active participants.

HB 1136—Student navigational support (Representative Leavitt)

Would have provided student navigational supports to increase postsecondary enrollment.

HB 1140—Public education scholarships (Representative Couture)

Would have established empowerED scholarships to provide parents with funds for expenses related to the education of their public school-aged children.

HB 1189—Criminally convicted volunteers (Representative Simmons)

Would have required establishment of specific procedures to address parental involvement through volunteering in schools after a criminal conviction.

HB 1225—State budget process (Representative Couture)

Would have reformed Washington's Operating Budget process by requiring prioritized spending on essential state functions, including requiring operating appropriations to be enacted in separate bills, with K-12 education spending as a top-tier priority.

HB 1231—School starting times (Representative McEntire)

Would have required OSPI to provide technical assistance to school districts that are exploring or implementing later school start times.

HB 1241—Students with disabilities

(Representative Pollet)

Would have improved access to a free appropriate public education for students with disabilities by requiring school districts to provide specific information to parents.

HB 1259—Behavioral health/schools

(Representative Shavers)

Would have directed the Washington Student Achievement Council and institutions of higher education to collaborate with OSPI to establish standards for behavioral health graduates to satisfy supervision requirements while serving as behavioral health professionals in public schools.

HB 1266—Commission on Boys and Men

(Representative Dye)

and **SB 5446** (Senator Lovick)

Would have established the Washington State Commission on Boys and Men to address specific, unique problems and needs of boys and men.

HB 1267—Special education funding

(Representative Couture)

Would have removed the special education funding cap for school districts with less than 2,500 students, received community impact safety net awards, or have at least 10 percent of enrollment with a military parent. Additionally, would have phased out the enrollment limit for all other districts over four years.

HB 1285—Financial education

(Representative Rude)

Would have made financial education instruction a graduation requirement in public schools.

HB 1289—Public school survey

(Representative McClintock)

Would have required the Washington School Information Processing Cooperative to create a voluntary, confidential online survey for parents or guardians that transfer or withdraw students from public schools in an effort to improve the public school system.

HB 1292—Plan 1 COLAs

(Representative Leavitt, by request of Select Committee on Pension Policy)

and **SB 5113** (Senator Boehnke, by request of Select Committee on Pension Policy)

Would have provided an annual increase to the retirement benefits of retirees in the Public Employees' Retirement System and the Teachers' Retirement System Plan 1, of up to 3 percent.

HB 1295—Reading and writing literacy

(Representative Pollet)

Would have required the use of evidence-based instructional practices in reading and writing literacy for public elementary students.

HB 1310—Special education funding

(Representative Pollet, by request of Superintendent of Public Instruction)

and **SB 5307** (Senator Wellman, by request of Superintendent of Public Instruction)

Part of the “Big Three” legislative package, these comprehensive special education bills would have: increased excess cost multipliers; eliminated the enrollment funding cap; decreased the Safety Net threshold; and required OSPI to undertake specific statewide special education activities.

While these bills did not pass, many of the provisions were adopted in E2SSB 5263 (see Bills That Passed, earlier in this Report).

HB 1334—Property tax revenue growth

(Representative Pollet)

Would have increased the annual revenue growth limit for state and local property taxes.

HB 1338—MSOC

(Representative Berg)

Would have increased Materials, Supplies, and Operating Costs (MSOC) per student allocations. This “Big Three” bill was drafted with assistance by WASA and our coalition colleagues and would have fully achieved our 2025 MSOC goal. As introduced, the bill would have: provided a one-time “catch up,” increasing per student allocations by almost 23 percent; required annual inflationary IPD increases; enhanced current MSOC small school factor; and required a rebase every four years.

HB 1338 failed to be adopted; however, MSOC allocations were provided a modest increase via ESSB 5192 (see Bills That Passed, earlier in this Report).

HB 1356—K–12 funding

(Representative Bergquist)

As originally introduced, this comprehensive bill would have: increased the local levy lid; increased the Local Effort Assistance threshold; increased the annual revenue growth limit for state and local property taxes; removed the special education enrollment cap; increased the allowance and funding for substitute costs; and required a Funding Equity Work Group.

While this bill failed to pass, the embedded levy provisions and the required Work Group were adopted in ESHB 2049 (see Bills That Passed, earlier in this Report).

HB 1357—Special education funding

(Representative Stonier)

Would have provided modest increases in special education

excess cost multipliers and created a grant program for up to 25 pilot schools to establish School-wide Centers of Excellence for Inclusionary Practices.

This bill failed to pass; however, the Inclusionary Practices grant program (limited to 20 districts) was adopted in E2SSB 5263 (see Bills That Passed, earlier in this Report).

HB 1404—Free school meals

(Representative Berg, by request of Governor Ferguson) and **SB 5352** (Senator Riccelli, by request of Governor Ferguson)

Would have established a universal meals program, requiring school districts to provide breakfast and lunch each school day to any requesting students, and at no charge to the students.

HB 1448—Local elections

(Representative Gregerson)

Would have permitted the use of ranked choice voting (RCV) in elections for offices in local governments, including school districts, in an effort to increase representation and voter participation in local elections.

HB 1450—Transition to Kindergarten

(Representative Santos)

Would have substantially amended the current Transition to Kindergarten program by establishing enhanced requirements, administrative burdens, and enrollment limits.

HB 1474—Retirement benefit increase

(Representative Gregerson)

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 \$110 per month.

HB 1479—Native education grants

(Representative Lekanoff, by request Superintendent of Public Instruction)

Would have established a state matching grant to support American Indian and Alaska Native students.

HB 1489—Early education implementation

(Representative Ormsby, by request Office of Financial Management)

Would have delayed the entitlement date for the Early Childhood Education and Assistance Program and other child care programs.

While this bill failed to pass, a similar bill, ESSB 5752 was adopted, delaying the ECEAP entitlement from the 2026-27 school year to the 2030-31 school year.

HB 1503—Digital equity

(Representative Gregerson)

Would have expanded the duties of the Office of Equity to include monitoring implementation of the digital equity plan and publishing an ongoing overview of its progress in promoting digital equity, including in schools.

HB 1517—Digital equity/revenue

(Representative Gregerson)

Would have implemented a \$2 excise tax on each retail sale of a smart wireless device with a selling price of more than \$250, providing a revenue stream to fund digital equity programs.

HB 1528—Special education IEPs

(Representative Pollet, by request Superintendent of Public Instruction)

Would have required OSPI to develop and maintain a statewide online system for Individualized Education Programs.

A similar requirement was adopted in E2SSB 5263 (see Bills That Passed, earlier in this Report).

HB 1538—Small school capital assistance

(Representative McEntire)

Would have provided capital financial assistance to small school districts with demonstrated funding challenges.

HB 1557—Guaranteed admissions

(Representative Reed)

and **SB 5308** (Senator Hansen)

Would have established the Washington Guaranteed Admissions Program to support guaranteed admissions efforts at Washington's four-year universities. Among other things, OSPI would have been required to provide notice of the Program to school districts, followed by a district requirement to notify students.

HB 1565—Dual enrollment scholarship

(Representative Paul)

Would have extended the expiration of and expanded criteria for the Washington Dual Enrollment Pilot Program.

HB 1580—CTE/ALE funding

(Representative Nance)

Would have provided vocational program funding enhancements for courses that are a vocational Alternative Learning Experience course.

HB 1581—988 crisis hotline

(Representative Macri, by request of Office of Financial Management)

and **SB 5762** (Senator Orwall)

Would have increased the tax in support of the statewide 988 Behavioral Health Crisis Response and Suicide Prevention Line.

HB 1584—In-person voting

(Representative Marshall)

Would have eliminated mail-only voting for non-absentee voters and restored in-person voting at polling places and voting centers.

HB 1590—Self-resiliency skills

(Representative Timmons)

Would have supported school districts to teach students skills that promote self-resiliency skills within a prevention-based framework and within a continuum of support.

HB 1594—School costs/CCA

(Representative Caldier)

Would have provided school districts with additional allocations for pupil transportation and Materials, Supplies, and Operating Costs to address additional costs due to compliance with the Climate Commitment Act.

HB 1612—AP, IB, CIE exam costs

(Representative Doglio)

Would have required OSPI to subsidize student fees related to exam registration and administration for students taking the following exams: Advanced Placement; International Baccalaureate; and Cambridge international.

HB 1618—College in the High School

(Representative Low)

Would have expanded access to College in the High School to private school students.

HB 1622—AI collective bargaining

(Representative Parshley)

and **SB 5422** (Senator Bateman)

Would have required state and local government public employers, including school districts, to bargain with employees' unions over the use of Artificial Intelligence that affects the wages, hours, or terms and conditions of employment.

HB 1634—Behavioral health/schools

(Representative Thai)

Would have established a network of statewide and regional partners to provide school districts with the technical assistance, resources, and training necessary to coordinate comprehensive student supports across the behavioral health continuum. Additionally, OSPI would have been required to maintain the network through a coordinating hub.

HB 1637—School safety

(Representative McClintock)

Would have created a school safety data dashboard accessible to the public, policymakers, schools, and parents to provide data on all school safety incidents, ensuring transparency and

accountability. Additionally, would have established School Safety and Security Grants to help schools physically secure their buildings.

HB 1642—Pension plan choice

(Representative Bronoske)

and **SB 5718** (Senator Lovick)

Would have allowed members of the Teachers' Retirement System (TRS) and School Employees' Retirement System (SERS) Plan 3 that were never offered the choice of membership in Plan 2 to choose membership in Plan 2 for future service.

HB 1662—Education agencies

(Representative Santos)

Would have removed the current law provisions requiring the State Board of Education, the Washington Professional Educator Standards Board, the Financial Education Public-Private Partnership, and the Washington State Charter School Commission to reside in the Office of the Superintendent of Public Instruction for administrative purposes and would have implemented necessary changes to support independent administration of each agency.

HB 1676—Charter school contracts

(Representative Rude)

Would have authorized the Washington State Charter School Commission to reassign and authorize a charter contract that has been surrendered, revoked, or not renewed by the Commission to an applicant that meets specified criteria. Additionally, would have established a state maximum of 24 charter schools that may operate at any one time.

HB 1682—Part-time employee UI

(Representative Ortiz-Self)

Would have expanded the definition of part-time worker in the unemployment insurance system to include any worker who worked an average number of weekly hours that the prior employer considers to be less than full time work.

HB 1683—School director districts

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

Would have required school districts with more than 3,000 students to elect a minimum of either three or four school directors by designated member districts.

HB 1699—Interscholastic sports

(Representative Volz)

Would have allowed policies, procedures, rules, and other requirements adopted by a school district board of directors or the Washington Interscholastic Activities Association to prohibit biologically male students from competing with and against female students in athletic activities with separate classifications for male and female students.

HB 1727—School library programs
(Representative Rule)

Would have required all school districts adopt or amend: policies that acknowledge the requirement for school districts to provide every student with access to school library information and technology programs; and procedures that describe how students can access school library information and technology instruction, resources, and materials.

HB 1729—State School Levy
(Representative Orcutt)

Would have provided property tax relief by reducing both parts of the State School Levy.

HB 1734—Outdoor learning grants
(Representative Rule)

Would have created a statewide Capital Facility Grant Program to expand and improve facilities used for the delivery of outdoor learning opportunities.

HB 1746—Local Effort Assistance
(Representative Springer)

Would have provided Local Effort Assistance funding to charter schools.

HB 1750—Voting Rights Act
(Representative Hill)

Would have created guidelines for voter suppression and vote dilution claims under the Washington Voting Rights Act.

HB 1767—School enrollment calculation
(Representative Zahn)

For the purposes of calculating Local Effort Assistance funding, the definition of “student enrollment” would change from the current average annual full-time equivalent student enrollment, to the sum of the average annual headcount student enrollments in a series of specified programs.

HB 1790—Defined benefit accrual
(Representative Kloba)

Would have increased defined benefit accrual for specified years of service in the state retirement systems.

HB 1795—Isolation and restraint
(Representative Callan)
and **SB 5654** (Senator Wilson, C.)

Would have placed restrictions on the restraint or isolation of students. Additionally, would have extended current demonstration projects established with the goal of eliminating student isolation and reducing student restraint.

HB 1803—Youth sports safety
(Representative Rule)

Would have required the Washington Interscholastic Activities Association to require all coaches of a youth athletic activity to complete an abuse prevention training program. Additionally, would have required WIAA to develop a prohibited conduct policy, which school districts would have been required to adopt.

HB 1810—Seismic hazards
(Representative Donaghy)

Would have supported the identification and earthquake retrofit of unreinforced masonry buildings and would have supported public safety, earthquake readiness, and affordable housing by identifying feasible opportunities to reduce the financial burden associated with conducting seismic retrofits of unreinforced masonry buildings, including school facilities.

HB 1830—Background checks
(Representative Richards)
and **SB 5730** (Senator Liias)

Would have modified requirements regarding record checks for volunteers and contractors who will have access to children or persons with developmental disabilities.

HB 1832—Student performance
(Representative Keaton)

In an effort to improve student performance and success, this bill would have: provided funding for students not meeting English language arts or math standards; provided funding for schools that meet assessment growth thresholds; and repealed National Board Certification Bonuses. Additionally, would have: established a grant program for elementary reading coaches; modified literacy instruction and service requirements; and directed OSPI to monitor structured literacy programs, update educator training, publish longitudinal data, and consider adopting Singapore math.

HB 1853—Green community schoolyards
(Representative Abbarno)

Would have designated school district recreational properties as green community schoolyards and developed a model shared-use agreement to increase the use of existing playgrounds and playfields.

HB 1863—Cardiac emergency response
(Representative Rule)

Would have required all schools to develop a cardiac emergency response plan to prepare for persons who may experience a cardiac arrest on school property, including attendees and participants in athletic practices or events.

HB 1868—School athletic trainers
(Representative Schmick)

Would have required the Department of Health to establish a matching grant program to assist critical access hospitals

in hiring a licensed athletic trainer whose services would be available free of charge to students in local school districts.

HB 1877—Public education system

(Representative Dufault)

Would have eliminated OSPI, all ESDs, and all other administrative offices, agencies, programs, and services of the public education system that do not have direct daily interaction with students.

HB 1910—Teacher-librarian funding

(Representative Rule)

Would have modified the Prototypical School Funding Model to increase funding for teacher-librarians.

HB 1959—Office of Equity

(Representative Dufault)

In an effort to save funding and prioritize spending, this bill would have eliminated the Office of Equity. It is estimated this would have saved almost \$20.0 million.

HB 1960—Renewable energy incentives

(Representative Ramel)

Would have encouraged renewable energy projects in Washington by distributing proceeds of the renewable energy excise tax to local taxing districts, including school districts, where the projects are located.

HB 1997—Property tax cut

(Representative Mendoza)

Would have reduced the State Property Tax by ten percent, beginning with the collection in 2026.

HB 2007—Competency-based assessments

(Representative Stonier)

Would have expanded opportunities for competency-based assessments in graduation pathway options.

HB 2017—School director training

(Representative Walsh)

Would have required WSSDA to provide, at no cost, governance training for school directors.

HB 2026—Education funding

(Representative Dufault)

This bill would have adopted the Fairness in Education Funding Act. Under the Act, all school districts would be required to receive: the same salary allocations for staff, with no regional adjustments; \$1,550 per average annual full-time equivalent enrollment for enrichment funding, replacing local levies and Local Effort Assistance; and \$1,000 per average annual full-time equivalent enrollment to support construction or modernization of school facilities, replacing capital levies. The abolishment of school district excess levies would have required adoption of a

constitutional amendment (HJR 4205).

HB 2034—LEOFF retirement

(Representative Ormsby)

Would have terminated the Law Enforcement Officers' and Firefighters' Retirement System Plan 1 (LEOFF 1), and created a new the Restated Law Enforcement Officers' and Firefighters' Retirement System (Restated LEOFF). Remaining assets resulting from the retirement system change would be allowed to be transferred to the State General Fund.

HB 2038—Behavioral health/B&O tax

(Representative Callan)

and **SB 5799** (Senator Wilson, C.)

Would have established the Youth Behavioral Health Account, which would have been funded through the imposition of a Business and Occupation tax on the operation of social media platforms.

HJR 4201—School bond elections

(Representative Stonier)

This constitutional amendment (and its necessary implementing bill, HB 1032) would have permitted the passage of local school district bond issues with a simple majority approval of voters.

SB 5003—School security grants

(Representative Torres)

Would have required OSPI to create a School Security and Preparedness Infrastructure Grant Program to increase the physical security of school district facilities.

SB 5007—Chronically absent students

(Representative Braun)

Would have supported students who are chronically absent and at risk for not graduating high school by requiring each ESD to develop and maintain the capacity to offer training and coaching for staff to address excessive absenteeism and truancy. Additionally, chronically absent students would be supported by the Building Bridges Program, and Open Doors Youth Reengagement.

SB 5008—School learning tools

(Representative Braun)

Would have required OSPI to establish a temporary grant program to support the use of assessment, diagnostic, and learning tools for K-12 students in math and English language arts.

SB 5012—Interscholastic athletics

(Representative Fortunato)

Would have required the reorganization of interscholastic athletics to ensure a student's eligibility for a particular grouping is determined by the chromosomal makeup of the student.

SB 5026—Vehicle sales tax

(Senator King)

Would have dedicated sales tax revenues resulting from motor vehicle sales to the Transportation Preservation and Maintenance Account, rather than the State General Fund.

SB 5035—Voter education

(Representative Chapman, by request of Secretary of State)

Would have required local jurisdictions which are changing the voting system used to select candidates to conduct voter education to ensure citizens understand the change. Among other things, local jurisdictions would have been required to provide instructional materials and instructors to all high schools serving students who reside within the voting jurisdiction.

SB 5073—Vehicle sales tax

(Senator Fortunato)

Would have dedicating the sales tax on motor vehicles specifically to highway uses, rather the State General Fund.

SB 5080—Financial education

(Representative Valdez, by request of State Treasurer)

Would have made financial education instruction a graduation requirement in public schools. Additionally, would have directed the State Board of Education to monitor financial education offerings to ensure district compliance, and report to the Legislature and Governor.

SB 5085—Closed retirement plans

(Representative Robinson)

Would have merged the assets, liabilities, and membership of Law Enforcement Officers' and Firefighters' Retirement System Plan 1, Public Employees' Retirement System Plan 1 (PERS Plan 1), and the Teachers' Retirement System Plan 1 (TRS Plan 1) retirement systems in to the new Legacy Retirement System. With the resultant savings, an annual cost of living adjustment would have been provided to the retirement benefits of retirees in the PERS Plan 1 and TRS Plan 1, of up to 3 percent.

SB 5086—PEBB/SEBB consolidation

(Senator Robinson)

and **HB 1330** (Representative Lekanoff)

Would have merged the Public Employee's Benefits Board and the School Employee's Benefits Board.

SB 5095—School construction debt

(Senator Dhingra)

and **HB 1796** (Representative Callan)

Would have authorized certain school districts to contract indebtedness and issue bonds without a vote of the people, subject to the current indebtedness limit of 0.375 percent, for the purpose of erecting buildings and providing the necessary furniture, apparatus, or equipment.

SB 5097—Girls' athletic activities

(Senator Warnick)

Would have required the Washington Interscholastic Activities Association to adopt competitiveness rules designed to create and foster opportunities for fair competition in girls' athletics by ensuring ample opportunities for all student athletes to participate in appropriately competitive events and contests that align with the skill level of the competitors regardless of gender identity.

SB 5114—Retirement benefits/death

(Senator Boehnke, by request of Select Committee on Pension Policy)

and **HB 1312** (Representative Fitzgibbon, 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.

SB 5120—Learning Assistance Program

(Senator Nobles, by request of Superintendent of Public Instruction)

Would have expanded the Learning Assistance Program (LAP) by increasing allocations for high poverty schools from 1.1 to 1.6 hours per week.

SB 5123—Discrimination in schools

(Senator Nobles)

and **HB 1855** (Representative Zahn)

Would have added protected classes to the nondiscrimination provisions that apply to Washington public schools: ethnicity, homelessness, immigration status, and neurodivergence. Additionally, it would have separated sexual orientation, gender expression, and gender identity into three separate protected classes.

While these bills failed to pass, similar provisions were adopted in ESHB 1296 (see Bills Passed, earlier in this Report).

SB 5126—Mental health network

(Senator Nobles, by request of Superintendent of Public Instruction)

and **HB 1547** (Representative Santos, by request of Superintendent of Public Instruction)

Would have directed OSPI to provide strategic direction and state-level coordination to help schools better identify and connect students to behavioral health supports. Additionally, would have established a regional school-based mental and behavioral health student assistance program through the ESDs.

SB 5134—Chinese Americans

(Senator McCune)

Would have required public schools to designate time for appropriate activities in commemoration of Chinese American/ Americans of Chinese Descent History Month in January of

each year. Additionally, would have required school districts to incorporate instruction about the Chinese Exclusion Act and other relevant history events when a school district reviews or adopts its social studies curriculum.

SB 5135—Curriculum establishment

(Senator McCune)

Would have changed current law to ensure that local school directors have the authority to establish final curriculum standards relevant to the particular needs of the district's students.

SB 5136—Parent/guardian rights

(Senator McCune)

Would have prohibited school district employees or contractors 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. Similarly, would have prohibited school district employees or contractors to use a pronoun in addressing a student that is different from that student's biological sex.

SB 5137—Sex education

(Senator McCune)

Would have required parental or legal guardian approval before a child participates in comprehensive sexual health education.

SB 5164—Student navigational support

(Senator Nobles)

Would have established a navigational support program with outreach and enrollment specialists for high school seniors at every ESD to increase postsecondary enrollment.

SB 5177—Professional development

(Senator Nobles)

Would have required the professional development resources that OSPI provides on certain topics to consider the experiences of historically marginalized and underrepresented groups.

SB 5179—Education complaint process

(Senator Wilson, C.)

Would have required OSPI to establish a process to investigate and address complaints alleging school district 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.

While this bill failed to pass, similar provisions were adopted in ESHB 1296 (see Bills Passed, earlier in this Report).

SB 5180—Inclusive schools

(Senator Wilson, C.)

Would have required certain components to be included in school district policies relating to gender inclusive schools. The

bill would have protected school employees from retaliation or adverse action on the basis that the employee supported a student in the exercise of certain rights, performed work activities consistent with the policy and procedures, or used curriculum or instructional materials that address subject matter related to sexual orientation, gender expression, or gender identity.

While this bill failed to pass, several components of this bill were adopted in ESHB 1296 (see Bills Passed, earlier in this Report).

SB 5181—Parents rights in education

(Senator Wilson, C.)

Would have amended I-2081 (2024), the Parents Rights Initiative, to bring it into alignment with existing law.

While this bill failed to pass, many of its provisions were adopted in ESHB 1296 (see Bills Passed, earlier in this Report).

SB 5187—Student transportation

(Senator Wellman)

and **HB 1579** (Representative Nance)

Would have required OSPI to analyze school district transportation costs and allocations and develop a transparent, predictable, and comprehensive student transportation funding model. Additionally, would have provided \$400 per student for students that require special transportation due to the requirements of the federal *McKinney-Vento* Homeless Assistance Act.

SB 5190—Clean buildings

(Senator Wellman)

Would have allowed a school district to request a ten-year extension to a K-12 school building's Clean Buildings Performance Standard compliance date and would have prohibited the Department of Commerce from imposing an administrative penalty upon a school district that submits a request to extend.

SB 5210—Ninth grade success

(Senator Liias)

and **HB 1151** (Representative Steele)

Would have established the Ninth Grade Success Grant Program, to fund the creation of ninth grade success teams that can identify and support incoming high school students who are at risk of not graduating.

SB 5216—Green energy taxes

(Senator Shewmake)

Would have created a mechanism to ensure that taxes from new green energy projects would be used to benefit school districts and nonprofit organizations where the projects are located.

SB 5235—Public school statutes

(Senator Wellman)

Would have repealed and reorganized outdated statutes concerning public schools.

SB 5240—Anaphylaxis medication

(Senator Wellman)

Would have allowed a school nurse or designated trained school personnel to use any available epinephrine on school property to respond to an anaphylactic reaction.

SB 5270—School nurse mentors

(Senator Wellman)

and **HB 1352** (Representative Bernbaum)

Providing mentors to novice nurses in the Beginning Educator Support Team program.

Would have required school districts that received funding for the Beginning Educator Support Team program to prioritize and provide a mentor to any novice school nurse employed by the district.

SB 5271—School nurse requirement

(Senator Wellman)

Would have required first class school districts (more than 2,000 students) to employ a school nurse.

SB 5292—PFML rates

(Senator Conway)

Would have eliminated the current statutory formula used to calculate the Paid Family and Medical Leave program premium rate and required the Employment Security Department to set rates based on the Office of Actuarial Services annual report.

SB 5327—Learning standards

(Senator Wellman)

Would have: directed the State Board of Education to develop recommendations to ensure students have adequate opportunity to demonstrate competency of the high school computer science state learning standards; directed OSPI to review and update the state computer science learning standards; and required OSPI to integrate the third goal of basic education into the state learning standards to the maximum extent possible.

SB 5369—Youth mental health/schools

(Senator Orwall)

and **HB 1663** (Representative Rule)

Would have: specified duties of school social workers; granted authority for ESDs to coordinate with local mental health agencies and universities to arrange for in-school placements of licensed social worker associates and masters of social work candidates; and added social worker allocations for high poverty schools in the Prototypical School Funding Model.

SB 5373—General election dates

(Senator Ramos)

and **HB 1339** (Representative Gregerson)

Would have allowed local governments, at their option, to shift general elections from odd-numbered years to even-numbered years in an effort to increase voter participation.

SB 5378—PFML grants

(Senator Stanford)

and **HB 1626** (Representative Timmons)

Would have expanded access to grants within the Paid Family and Medical Leave (PFML) insurance program to small school districts.

SB 5386—Schools/sexual assault

(Senator Orwall)

and **HB 1817** (Representative Scott)

Would have required OSPI to post staff training materials on trauma-informed, survivor-centered responses to disclosures of sexual abuse, misconduct, and assault including best practices for working with local community experts, and to develop a student and family guide on laws, policies, and procedures related to this topic. Additionally, would have required existing school staff training to promote trauma-informed and survivor-centered responses and include bystander intervention training of employee sexual abuse of students.

SB 5415—State Employee CBAs

(Senator Gildon)

Would have prohibited the Director of the Office of Financial Management from certifying any state Collective Bargaining Agreements as “financially feasible” if the governor’s budget document proposes to fund expenditures by raising taxes or withdrawing funds from the Budget Stabilization Account.

SB 5418—Charter school contracts

(Senator Wellman)

Would have allowed charter school contracts to include exemptions to one or more of the basic education requirements.

SB 5481—Behavioral health services

(Senator Wilson, J.)

Would have provided access to behavioral health services to children using licensed clinicians co-located within the school.

SB 5483—History & heritage education

(Senator McCune)

Would have prohibited school districts from censoring or restricting instruction in United States or Washington state history or heritage based on religious references in original source documents, writings, speeches, proclamations, or records.

SB 5517—Staff salary allocations

(Senator Cortes, by request of Superintendent of Public Instruction)

and **HB 1120** (Representative Shavers, by request of

Superintendent of Public Instruction)

Would have phased in over three school years dramatic increases in the minimum state allocation for classified staff salaries.

SB 5539—PFML rights

(Senator Alvarado)

and **HB 1213** (Representative Berry)

Would have reduced the minimum claim for benefits under the Washington Paid Family and Medical Leave Program (PFML) and would have extended employment protection rights to any employee who began employment with their current employer at least 90 calendar days before taking leave. Additionally, would have allowed employers to prevent stacking of certain employment protection rights by extending employment protection in PFML to periods of unpaid leave protected by the Federal Family and Medical Leave Act.

SB 5546—Solar energy

(Senator Orwall)

Would have required the installation of solar energy systems on new school buildings.

SB 5551—School library programs

(Senator Wellman)

Would have required all students to have access to a School Library Information and Technology Program staffed by a certificated teacher-librarian. Second class districts would have been able to use a noncertificated staff member to oversee the program.

SB 5564—Basic education goals

(Senator McCune)

Would have modified the goals of a basic education by eliminating concepts of diversity and cultural acceptance.

SB 5567—Natural resources careers

(Senator Nobles)

and **HB 1925** (Representative Rule)

Would have required OSPI to assist in expanding the operations of an existing program to engage youth in sustainable natural resource systems, including careers in natural resources and conservation.

SB 5570—Tribal instruction

(Senator Kauffman)

and **HB 1894** (Representative Lekanoff)

Would have supported public school instruction in tribal sovereignty and federally recognized Indian tribes and required additional information in ongoing reports.

SB 5572—Project Labor Agreements

(Senator Conway, by request of Superintendent of Public Instruction)

and **HB 1723** (Representative Fosse, by request of

Superintendent of Public Instruction)

Would have required a Project Labor Agreement (PLA) between school districts and contractors for school construction projects. A PLA is a pre-hire collective bargaining agreement that establishes the terms and conditions of employment for the project.

SB 5574—Asian American history

(Senator Nobles)

Would have: required OSPI to adopt Asian American and Native Hawaiian/Pacific Islander history learning standards as part of the state social studies learning standards; and required school districts to provide instruction in grades K-12 on Asian American and Native Hawaiian/Pacific Islander history.

SB 5593—Levy lid and LEA

(Senator Wellman)

Would have: eliminated the current Assessed Valuation and per pupil calculations for the levy lid and eliminated the current per pupil Local Effort Assistance (LEA) Threshold; and would have returned to the pre-*McCleary* system, basing the levy limit on a percentage of a districts' revenue. Would have increased the levy lid and LEA funding using the new policy framework.

SB 5596—Interstate teacher compact

(Senator Wellman)

Would have repealed the Interstate Teacher Mobility Compact.

SB 5614—Impact fees

(Senator Salomon)

Would have set impact fees at the rate adopted by the local government at the time a fully completed permit application is submitted and would have modified impact fee deferral requirements and the number of deferrals allowed.

SB 5637—Civics and media literacy

(Senator Fortunato)

and **HB 1963** (Representative Salahuddin)

Would have added required content about civics and media literacy to the current mandatory high school civics course.

SB 5666—Mental health internships

(Senator Slatter)

Would have established a grant program for ESDs, and others, to attract and pay full-time school psychology interns.

SB 5724—Dual credit programs

(Senator Krishnadasan)

Would have improved students' dual credit access and attainment by increasing the collaboration between state and local partners, studying the feasibility of improving the state's dual credit administrative data management system, and creating and encouraging the use of statewide articulation agreements for Career and Technical Education dual credit courses.

SB 5737—National Board bonuses

(Senator Liias)

and **HB 1475** (Representative Richards)

Would have suspended National Board for Professional Standards certification bonuses for certificated instructional staff.

SB 5748—Impact fees

(Senator Wilson, J.)

Would have authorized cities and counties to impose a sales and use tax, subject to voter approval, as a replacement for impact fees.

SB 5780—Transportation vehicles

(Senator Gildon)

Would have required OSPI to reduce vehicle reimbursement payments for school districts that have been awarded grants or rebates to replace the same vehicle.

SB 5784—Agency demographic data

(Senator Hasegawa)

Would have required all agencies, including school districts, to collect updated demographic data to be used in every demographic report on race or ethnic origin.

SB 5795—Sales tax reduction

(Senator Krishnadasan)

In an effort to make progress toward a more fair and balanced tax code for Washington state, this bill would have reduced the state sales and use tax rate from 6.5 to 6.0 percent.

SB 5796—Payroll tax

(Senator Saldaña)

To secure additional revenue to fund public schools, health care, social services, and other programs and services to benefit Washingtonians, this bill would have imposed an excise tax on large employers on the amount of payroll expenses above the social security wage threshold.

SB 5797—Intangibles tax

(Senator Frame)

Would have enacted a tax on stocks, bonds, and other financial intangible assets to ostensibly support public schools (although new revenues would be dedicated to the State General Fund).

SB 5798—Property tax revenue growth

(Senator Pedersen)

Would have: increased the annual revenue growth limit for state and local property taxes; and required all property tax statements to identify the State Property Tax as the State School Levy.

SB 5803—Tobacco & nicotine products

(Senator Nobles)

and **HB 2068** (Representative Reeves)

To combat the youth vapor product use “epidemic” (declared by the US Surgeon General), this bill would have prohibited the sale, display, and advertisement of any flavored tobacco, nicotine, or vapor product and any entertainment vapor product.

SB 5810—Save Washington Budget

(Senator Gildon)

This is the Senate Republican’s alternative 2025-27 Operating Budget (known as “Save Washington”) proposal that would have funded “shared priorities” without raising taxes or fees. The stated shared priorities included K-12 education, services to the most vulnerable residents, and public safety.

SJR 8200—School bond elections

(Senator Cortes)

This constitutional amendment (and its necessary implementing bill, SB 5186) would have permitted the passage of local school district bond issues with a 55 percent approval of voters.

SJR 8202—Transportation revenue

(Senator Cortes)

This constitutional amendment would have dedicated revenue collected from a road usage charge, vehicle miles traveled fee, or other similar type of comparable charge, exclusively for highway purposes.

Health Care, Pensions, Financials, and Other Issues

Fred Yancey – The Nexus Group

"Fait accompli" is a French phrase that translates to "done deal" or "accomplished fact" in English. It refers to something that has already been decided or done, often without prior consultation or opportunity for reversal. It implies a situation where there's no room for negotiation or change.

2025 SESSION YEAR END REPORT

A bruising, budget challenged 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 begins...

Retirement/Health Related Proposals

PENSIONS

Of the 15 state retirement plans, only two, PERS 1 and TRS 1, do not receive yearly automatic cost of living adjustments. (COLA). Led by the Washington State School Retirees Association, a coalition has struggled and fought each year for either the restoration of an annual COLA or for an ad-hoc COLA. Their efforts have been partly successful. That was not the case this year.

HB 1292/SB 5113: would have provided a three percent benefit increase to certain retirees of the public employees' retirement system plan 1 (PERS 1) and the teachers' retirement system plan 1 (TRS 1). Costs would be amortized over a 15-year period. These bills were request legislation from the Select Committee on Pension Policy. (SCPP). Neither bill advanced.

Funding an increase has always been the challenge in granting a COLA. Some bills addressed this:

Background: The Law Enforcement Officers' and Firefighters' Retirement System Plan 1 (LEOFF 1) with 6,000+ retiree members has a surplus in excess of \$3 Billion dollars. Legislators are struggling with what to do with those dollars. Cities and counties want the dollars for paying for their share of retiree health benefits. Some legislators want those dollars to be put into the general fund for use as determined. And some, see below, had other designs.

SSB 5085: would have merged the assets, liabilities, and membership of LEOFF 1, (6,000+ members) with PERS Plan 1, and TRS Plan 1 membership (60,000+) into the new Legacy Retirement System. • It would have created an annual cost of living adjustment to the retirement benefits of retirees in the PERS Plan 1 and TRS Plan 1, of up to 3 percent and eliminated the remaining unfunded actuarial accrued liability and benefit improvement rates.

The fiscal note offers details including projected employer rates on the proposal: [Multiple Agency Fiscal Notes Summary](#)

Savings for the General Fund and Local Governments in the short-term range (four years) from \$600 million to \$475 million. This bill was sponsored by Senator June Robinson and had active support with her leadership. The House, however, did not support the bill and it died via negotiations during the last days of the session.

ESSB 5357: reduced employer normal cost contribution rates for the Public Employees' Retirement System (PERS), the Public Safety Employees' Retirement System (PSERS), the Teachers' Retirement System (TRS), the School Employees' Retirement System (SERS), and the Washington State Patrol Retirement System for fiscal year/school year 2026 and reduced the Plan 2 member contribution rates for PERS, PSERS, TRS, and SERS for fiscal year/school year 2026 because it changes the assumed rate of investment return from 7.0 percent to 7.25 percent. It also reamortizes the PERS Plan 1 and TRS Plan 1 benefit improvement contribution rates over 11 years and suspends all unfunded liability rates for these plans for four years. The same rate will remain for July 2025–29.

This bill passed and was signed by the Governor, effective July 1, 2025.

The good news about this bill is that employer rates will decrease in the short term. The bad news is that costs will increase in the long term.

This bill was a budget 'gimmick' to save dollars. Sadly, given the risks of underfunding pension obligations, it puts the future possibility of funding a COLA for Plans 1 members at extreme risk.

Other:

A provision in the budget reads: Section 107:

The appropriations in this section are subject to the following conditions and limitations: The select committee on pension policy shall study and report on the tax, legal, actuarial, pension policy, and administrative implications of merging the legacy pension systems as contemplated in Substitute Senate Bill No. 5085 (closed retirement plans) and terminating plan 1 of the law enforcement officers' and firefighters' retirement system as contemplated in Substitute House Bill No. 2034 (LEOFF 1 restatement). The department of retirement systems, the attorney general's office, the office of the state treasurer, the Washington state investment board, and the office of the state actuary shall provide the select committee on pension policy with assistance as requested. The select committee on pension policy shall submit a report to include key findings to the fiscal committees of the legislature by January 9, 2026.

Comment: This was obviously the compromise agreed to during budget negotiations to placate Senator Robinson and other Senate leaders who supported SB 5085 referenced above. The SCPP has laid out a plan to study the issue and potentially make a recommendation to the legislature. Meanwhile, the \$3+ billion-dollar surplus in LEOFF 1 remains to be addressed.

HB 1936: extended the expiration of certain school employee postretirement employment restrictions.

Until January 1, 2030, retirees from the Teachers' Retirement System are permitted to collect retirement benefits for the first 1,040 hours per calendar year when either: (1) are employed in a non-administrative position; or (2) having retired before January 1, 2022, are employed in a second-class school district as a district superintendent or an in-school administrator position. Retirees from the School Employees' and Public Employees' Retirement Systems continue to receive retirement benefits for the first 1,040 hours per calendar year while employed in non-administrative positions until January 1, 2030.

Signed by the Governor, effective 5/15/2025.

Other:

There were numerous fund transfers to the General Fund that HCA assured the PEBB and SEB boards were excess funds and did not place either program in jeopardy. Time will tell. Public Employees' and Retirees' Insurance Account (\$18.2 million), School Employees' Insurance Account (\$2.6 million).

HEALTH CARE/OTHER BENEFITS

Retiree Insurance Subsidy: The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for Medicare, pursuant to RCW 41.05.085. For calendar years 2026 and 2027, the subsidy shall be up to \$183 per month or half the total premium amount (whichever is less), per month, per subscriber.

SB 5478 permits the Public Employees' Benefits Board to study and, subject to available funding, offer additional insurance products as employee-paid, voluntary benefits. Examples include: emergency transportation; • identity protection; • legal aid; • long-term care insurance; • noncommercial personal automobile insurance; • personal homeowner's or renter's insurance; • pet insurance; specified disease or illness-triggered fixed payment insurance, hospital confinement fixed payment insurance, or other fixed payment insurance offered as an independent, non-coordinated benefit regulated by the OIC; and • travel insurance.

Signed by the Governor, effective 7/27/25.

RE: SEBB/PEBB (Budget Provisos)

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 on the business operations of districts.

SHB 5041: allows individuals unemployed due to a labor strike to receive up to 6 weeks unemployment insurance (UI) benefits following a specified disqualification period and the waiting week, provided that the labor strike is not found to be prohibited by federal or state law in a final judgment.

Signed and effective 7/27/25.

SB 5101: expands the protections of the Domestic Violence Leave Act to employees who are, or whose family members are, victims of hate crimes.

Signed and effective 1/1/2026.

SSB 5412: allows a school district that is in binding conditions or under enhanced financial oversight may take a temporary interfund loan from its capital projects fund, subject to various conditions.

Signed and effective 7/27/2025.

E2SHB 1213: extends employment protection rights in PFML. It affects employers under staggered timeline to implement from companies/businesses with 25 employees to 8 employees.

Signed and effective 1/1/2026.

SHB 1308: requires an employer to provide an employee or former employee with a copy of the employee's personnel file within 21 days of a request and requires a public employer to do so in accordance with the requirements and procedures of the Public Records Act. • It also requires a private employer to provide to a former employee, upon request, a statement of the employee's discharge date and reasons, if any, for the discharge. It creates a private cause of action with statutory damages for enforcing the requirements for private employers to disclose personnel files and provide written discharge statements.

2SHB 1524: requires the Department of Labor and Industries to enforce requirements for employers of isolated employees.

Signed And effective 1/1/2026.

Some Budget Provisos of Note

- A. SPI: \$2,000,000 of the general fund—state appropriation for fiscal year 2026 is provided solely for school districts that have been removed from their insurance risk pool due to district financial trouble for the difference between the previous cost of insurance provided through the Washington schools risk management pool and the cost of purchasing private insurance. Priority shall be given to the school district that has been in binding conditions for the longest period.

- B. \$477,000 of the general fund—state appropriation for fiscal year 2026 and \$477,000 of the general fund—state appropriation for fiscal year 2027 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

C. \$810,000 of the general fund—state appropriation for fiscal year 2026 and \$810,000 of the general fund—state appropriation for fiscal year 2027 are provided solely for the development of a leadership academy for school principals and administrators.

D. \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to review and update the rules for school environmental health and safety. The state board of health and the department shall conduct the review in collaboration with a multi-disciplinary technical advisory committee. The proposed new rules shall establish the minimum statewide health and safety standards for schools.
- E. SPI: \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to hire staff 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. The office 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.

Selected Financials

Unless noted otherwise, funds are apportioned for ‘allocation purposes’ only.
Substitute Teachers: Four (4) days per formula generated staff at \$151.86/day.

Fringe Benefits/Formula Generated Staff

Certificated/Administrative Range:	2025–26: 15.39–16.02 percent	2026–27: 15.39–16.02 percent
Classified Staff Range:	2025–26: 14.72–18.07 percent	2026–27: 14.72–18.07 percent
SEBB Insurance Benefit Per Formula Generated Staff:	2026: \$1,333	2027: \$1,350
PEBB Insurance Benefit Per Formula Generated Staff:	FY 2026: \$1,333	FY 2027: \$1,350

Health Care Remittance Paid to HCA

Per FTE:	\$67.61 September 1, 2025	\$77.56 September 1, 2026
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!
- 1) As an aside, the budget allocated to charter schools \$1,500 per pupil in 2026. \$7,715,000 of the opportunity pathways account—state appropriation is provided solely for enrichment payments to charter schools.

2) The Federal Government (read “Trump”) will continue its cost cutting in Medicaid, Medicare, SNAP and more, moving costs to States. This will place a financial burden on the budget leading to intense lobbying and pressure on the next session’s Supplemental Budget.

3) There may be court challenges with the revenue bills passed and signed. These could be HB 2081, which increases B & O tax rates and HB 5813 which adds another layer to the capital gains tax. Both bills hit large companies and big investors. As a note: ESSB 5814 applies the retail sales tax to more services

which will pass those costs onto the buyer. (read ‘school district’).

4) The Federal Government may institute Social Security reforms including raising the early retirement age from 62 to 65 years of age. An increased payroll tax on incomes above \$250,000 may also be instituted.

5) 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. This internal conflict is exploited by the R’s whose positions often are supported by the more moderate D’s. Stay tuned.

6) Money was appropriated to the Department of Health to continue to adopt rules, policies and procedures dealing with Group B water systems which many rural, smaller districts maintain.

Alliance of Educational Associations (AEA)

Mitch Denning, Ph.D., AEA Consultant—AEA is an affiliate of WASA

AEA was somewhat positive about the 69th Legislature's response to our 2025 priorities during the 2025 session.

This report will review (1) a statistical view of WAMOA's and WSNA's involvement in the 2025 legislative session; (2) **ESSB 5167, 2025–27 Operating Budget**; (3) **ESSB 5195, 2025–27 capital budget**; (4) bills that AEA supported, watched or opposed which passed and didn't pass, and (5) WAMOA's and WSNA's interim plans.

A Statistical View of AEA's Involvement in the 2025 Session

- **WAMOA:** 32 individual meetings were held with legislators or their assistants re: WAMOA's 2025 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.
- 25 bills were testified on re: AEA's 2025 priorities.
- **WSNA:** 28 individual meetings were held with legislators or their assistants re: WSNA's 2025 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.
- 25 bills were testified on re: AEA's 2025 priorities.

ESSB 5167 2025–27 Operating Budget

General Elements of Operating Budget (\$77.8 billion)

- Increase of \$5.9 billion from 2023–25, an increase of 8 percent from 2023–25, with required Maintenance Level spending of \$4.89 billion, and discretionary Policy Level of \$1.04 billion.
- Proposes \$2.28 billion in reserve as of June 30, 2027, including \$2.06 billion in Budget Stabilization Account (Rainy Day Fund).

K–12 Budget

General Observations

- K–12 operating is increased \$2.46 billion, with \$2.09 billion in required Maintenance Level spending, and \$376.9 million in policy increases.
- In 2019, K–12 was 52 percent of the operating budget, in 2023–25, it was 43.4 percent, and now it's 43.2 percent. However, Governor Ferguson has made K–12 funding a high priority for his administration, but funds weren't available this year to give much of an increase.

K–12 Expenditures (Selected)

Special Education (\$309.6 million) (AEA Priority)

- See E2SSB 5263 on page 93.

MSOC Increase (\$78.9 million) (AEA Priority)

- See ESSB 5192 on page 93.

Pupil Transportation Funding (\$236,000) (AEA Priority)

- No additional pupil transportation funding except for ESSB 5009, alternative pupil transportation vehicle types.
- Note: Sen. Lisa Wellman (D-Mercer Island) and her staff are working on a “scaled-back” version of pupil transportation funding and policy for the 2026 session.

Levy/Local Effort Assistance (\$113.6 million)

- SHB 2049 on page 93.

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.

Inclusionary Practices (\$16.8 million)

- Establishes 20 School-wide Centers for Excellence under E2SSB 5263; an additional \$4 million is provided for six demonstration sites to support inclusive teaching practices and student behavior management practices, and 16 pilot sites committed to adopting best practices.

Quarterly Safety Net Payments (\$11.8 million)

- Funding is shifted to FY 2026 for quarterly safety net payments made to non-public providers and small s.ds. under E2SSB 5263.

Charter Schools Levy Enrichment (\$7.7 million)

- Charter schools are provided with \$1,500 per pupil enrichment in FY 2026.

School District Financial Health (\$2.8 million)

- OSPI will receive funding for additional staff and resources to provide regional and local technical assistance to support improved s.d. financial health.

Ninth Grade Success (\$1.5 million)

- Funding is provided in FY 2026 for grants to s.ds. for the Ninth Grade Success program, which helps ninth grade students stay on track to graduate from high school.

Homeless Student Support (\$1.2 million)

- Funding is provided in FY 2026 for the Homeless Student Stability on Education program.

K–12 Funding Reductions

- OSPI pass-through grants (-\$138.1 million)

Transition to Kindergarten (-\$74.6 million)

- SB 5769 “caps” enrollment for the Transition to Kindergarten program at the 2024–25 enrollment level.

Persistently Low-Achieving Schools (-\$28.7 million)

- Funding is eliminated for school improvement activities in these schools.

Federal Forest Deductive Revenue (-\$12.4 million)

- Deductions to general apportionment of federal forest revenues received by s.ds. are resumed beginning in SY 2025–26.

Career Connected Learning (-\$11.2 million)

- Funding for ESD coordinators are OSPI funding are both reduced.

Paraeducator Training Underspent (-\$9 million)

- Savings are achieved by reducing paraeducator training grants to align with actual spending.

ESD Reduction (-\$8.4 million)

- ESD staffing and administrative funding is reduced.

TPEP Training (-\$4 million)

- Funding is reduced for teachers, principals and principal evaluators in this program.

OSPI Administrative Staff Reduction (-\$2.1 million)

- OSPI staff funding is reduced by 6 percent.

OSPI Statewide Programs (-\$1.5 million)

- OSPI statewide program funding is reduced by 6 percent.

Social Workers in Schools (-\$1.3 million)

- Funding is eliminated for the coordination of social worker associates who work in schools and supervisors working with local mental health agencies and schools.

Professional Educators Standards Board Reduction (-\$313,000)

- PESB administrative funding is reduced by 6 percent.

State Board of Education (-\$237,000)

- SBE administrative funding is reduced by 6 percent.

Signed by the Governor on May 20 (partial veto, with none in K–12); effective date: July 1, 2025.

ESSB 5195 2025–27 Capital Budget

- Total is \$7.6 billion with \$348 million available 2026–27 supplemental capital budget.

K–12 Capital Budget (\$900.70 million + Dept. of Commerce—\$47.2 million + Dept. of Natural Resources—\$663,000 = \$948.56 million)**School Construction Assistance Program (SCAP) (\$429.6 million)**

- Seven s.ds, with 11 eligible projects according to OSPI (\$424.9 million); Study and Survey grants (\$4.7 million)

School Inventory & Condition Data Collection (\$1.3 million)**SCAPR Projects (\$24.1 million)**

- Pe Ell SD’s K–12 school modernization project (\$8.1 million)
- Bridgeport Elementary School modernization project (\$6 million)
- Inchelium SD K–12 school modernization project (\$9.9 million)
- Said s.ds. must relinquish all unspent construction grant State funding to qualify for the SCAPR funding.

K–12 Capital Programs Administration (\$6.3 million)**Healthy Kids / Healthy Schools Grant (\$13 million) (AEA Priority)**

- 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 \$12 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 million).
- WAMOA consults with OSPI and the Department of Health on the administration of this grant.

Small District and Tribal Compact Schools Modernization Grants (\$202.3 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 (\$174.4 million).

- Modernization and planning grants for state-tribal compact schools with same criteria (\$27.3 million)
- School district planning grants (\$530,000).
- 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 Sept. 15, 2026.

West Sound Technical Skills Center

- Modernization Project (\$42 million).

Skills Centers Minor Works (\$5.8 million)

- Cascadia Tech Academy, Vancouver, (\$1.36 million); New Market Skills Center, Tumwater, (\$2.15 million); Seattle PS Skills Center (\$968,000); Northwest Center & Tech Academy, Mt. Vernon, (\$968,000); Tri-Tech Skills Center, Kennewick, (\$280,000); and WA Network for Innovative Careers, Kirkland, (\$578,000).

School District Health and Safety (\$31 million) (AEA Priority)

- 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 (\$11 million).
- Urgent Small Repair Grants to address nonrecurring urgent building repair needs (\$15 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 (\$5 million).

Indoor Air Quality & Energy Efficiency Grants (\$17.5 million) (AEA Priority)

- 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 (\$9.65 million)
- Grants to districts with enrollments exceeding 3,000 students (\$7.84 million).

Distressed Schools (\$14.9 million)

- Acme Elementary School modernization project (Mt. Baker SD) (\$237,000).
- Lawton Elementary School project (Seattle PS)

(\$6.22 million).

- TOPS K–8 school project (Seattle PS) (\$3.5 million)
- Maritime 253: South Puget Sound Maritime Schools Center (Tacoma PS) (\$5 million).

School Seismic Safety Retrofit Program (\$151.4 million) (AEA Priority)

- Cape Flattery-Neah Bay K–12 Campus Relocation project.
- Taholah K–12 School Relocation project.
- North Beach-Ocean Shores Vertical Evacuation Tower project.
- North Beach-Pacific Beach Elementary Relocation project.

Ag Science in Schools Grant to FFA Foundation (\$5.1 million)

Career Preparation and Launch Grants (\$4 million)

School Security and Preparedness Grants (\$6 million)

Dept of Commerce

Energy Retrofits for Public Buildings Grants (\$11 million)

- 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.

Investment Grade Energy Audit Grants (\$33.6 million)

- To assist owners of public buildings, state and local governments, tribes and school districts, in conducting investment grade energy audits.

School-Based Health and Behavioral Health Clinics (\$2.6 million)

- Community Health Center (CHC) of Snohomish County-Granite Falls HS (\$563,000)
- CHC of Snohomish County-Lynnwood HS (\$419,000)
- Clarkson SD (\$777,000)
- Mt. Baker SD (\$670,000)
- Neighborcare-Seattle PS (\$175,000)

Dept. of Natural Resources—School Seismic Site Class Assessments (\$663,000)

Signed by the Governor on May 20 (partial veto); effective date July 1, 2025; Note: OSPI requested that the Governor veto language contained in Section 7072 (2024–25 Supplemental Budget) because this language removed funding for three school districts. Bridgeport, Inchelium and Pe-Ell are current using the Small District Modernization funding to pay for services to get them in line for the July 2025 release of SCAP funds. If the funds

were reduced in the 2024–25 supplemental budget, these projects would need to stop their work and would not meet the July 2025 release requirements.

AEA Policy Bills which AEA Supported or Watched which Passed

E2SSB 5263—Special Education Funding (\$309.6 million)

- Excess cost multipliers are increased (\$192.9 million).
- Elimination of 16 percent enrollment cap (\$81.7 million).
- Reduction in the threshold for safety net grants (\$35 million).
- Signed by the Governor on May 20; effective date July 26, 2025.

SSB 5253—Serving a Special Ed Student to Age 22 (\$12.4 million)

- Requirement to serve special ed students through the end of the school year in which the student turns 22.
- Signed by the Governor on May 13; effective date July 26, 2025.

ESSB 5192—MSOC Funding (\$78.9 million) (AEA Priority)

- K–12 per student is increased by \$35.37.
- 9–12 per student enhancement is increased by \$4.69.
- Also, MSOC allocations must be adjusted annually for inflation.
- Monies will be sent to districts in a lump sum, as the specific MSOC categories have been eliminated.
- Signed by the Governor on May 17; effective date July 26, 2025.

ESSB 5009—Alternative Student Transportation (\$236,000)

- Revises the STARS funding formula to allow school districts to transport students using alternative forms of transportation such as school vans and cars in order to provide the safest and most cost-effective way to transport students.
- Signed by the Governor on May 20; effective date July 26, 2025.

ESHB 2049—Levy/Local Effort Assistance

- Local s.d. levy lid is increased significantly over the next six years, so in 2031 the maximum levy will be \$5,035 per pupil.
- LEA threshold is increased by \$150 per pupil in CY 2026 and by \$250 per pupil in CY 2027 (\$137 million).
- LEA threshold increases annually by inflation, using IPD factor

- Signed by the Governor on May 20; effective date July 26, 2025.

ESHB 2050—Local Effort Assistance / Alternate Learning Experience SDs

- Limits enrollment allowed to be used for LEA calculations for s.ds. with ALE enrollment above 33 percent of overall enrollment (\$17 million savings)
- Districts included per OSPI enrollment data as of March 25 include: Boisfort, Goldendale, Mary M. Knight, Omak, Quilcene, Quillayute Valley, South Bend and Valley.
- Signed by the Governor on May 20; effective date July 26, 2025.

SHB 2077—Establishes a Tax on Certain Business Activities Related to Surpluses Generated Under the Zero-Emission Vehicle Program

- Imposes an excise tax on the banking and sale of surplus zero-emission vehicle credits by a manufacturer for each model year beginning with 2024 program implementation.
- Revenue: Dept. of Revenue \$77.9 million (2025–27)
- Signed by the Governor on May 20; effective date July 26, 2025.

ESSB 5813—Increasing Funding for the Education Legacy Account by Changing the Rate Structure for the Capital Gains and Estate Taxes

- Both types of taxes are increased to provide funds deposited into the Education Legacy Account, utilized by early learning, K–12 and higher education.
- Revenue: \$350.9 million (2025–27)
- Signed by the Governor on May 20; effective date July 26, 2025.

ESSB 5794—Repealing Tax Preferences

- Tax preferences for certain industries are repealed, i.e. self-service storage units, reselling prescription drugs, insurance agents, international investment management services.
- Revenue: \$400 million (2025–27)
- Signed by the Governor on May 20 with partial veto; effective date July 26, 2025; the underlying bill repeals the B&O tax deduction on interest that the community banks receive on loans for residential property, and repealing this tax deduction would result in increased lending costs for said banks when the Ferguson administration is trying to keep housing expenses as low as possible.

ESSB 5814—Increases Excise Taxes of Select Services and Nicotine Products and Requires Large Businesses to Make a One-Time Prepayment of Sales Tax Collection to Support Public Schools and Other Public Services

- Extends retail sales and use tax to certain specific services.
- Makes certain products containing nicotine subject to other tobacco product tax.
- Imposes a one-time prepayment of retail sales tax collections for businesses with \$3 million or more in taxable retail sales during CY 2026.
- Imposes a tax on temporary staff, could include substitutes, which could result in less special education funding if the subs are covering for special ed staff. Note: Some s.ds. are asking the Governor to veto this bill.
- Revenue: Dept. of Revenue \$2.8 billion (2025–27); Deposited in General Fund and would not be dedicated to K–12 funding.
- Signed by the Governor on May 20; effective date: July 26, 2025.

ESHB 2081—Modifies B&O Tax Surcharges to Support Public Schools and Other Public Services

- Creates an additional 0.5 percent B&O surcharge on taxpayers with a taxable income over \$250 million.
- Increases the tax rate on several existing B&O surcharges.
- Revenue: Dept of Revenue \$2.08 billion (2025–27)
- Signed by the Governor on May 20; effective date July 26, 2025.

SHB 1543—Increasing Compliance Pathways for the Clean Buildings Performance Standard with Alternative Metrics and Extensions (AEA Priority)

- Exemptions from the Standard for a K–12 building in a s.d. or private school with financial hardships related to capital construction or improvements, including a failed bond or levy, limited s.d. debt capacity, or the building is actively correcting a violation of State Board of Health rules.
- Allows an extension, approved by the Dept. of Commerce, to be valid for two years beyond the compliance date which cannot be removed.
- Signed by the Governor on May 13; effective date July 26, 2025.

ESSB 5041—Unemployment Insurance Benefits for Striking or Lockout Workers (AEA opposed)

- Allows individuals unemployed due to a labor strike to receive unemployment insurance benefits following a specified disqualification and waiting period, provided that the labor strike is not found to be prohibited by a federal or state law in a final judgment.
- Limits the number of weeks a striking worker may receive UI benefits to 12 weeks.
- Signed by the Governor on May 19; effective date is July 26, 2025.

AEA Policy Bills which AEA Supported or Watched which Did Not Pass

SHB 1338—School Operating Costs

- Would have increased State funding for MSOC by \$693 million in 2025–27.
- Died in House Rules Committee.

HB 1310—Special Education Funding

- Would have increased the multipliers for special ed students.
- Died in House Appropriations Committee.

SHB 1356—K–12 Funding

- Would have increased the maximum per-pupil expenditure for local levies, and the LEA threshold.
- Would have convened a K–12 Funding Work Group.
- Died in House Appropriations Committee.

SHB 1357—Special Ed Funding and Support for Inclusionary Practices

- Would have increase special ed multipliers.
- Would have required to do an annual review so that there's not a disproportionate of identified spec ed students.
- Died in House Rules Committee.

SB 5517—State Allocation for Statewide Classified Salaries

- Would have increased minimum statewide salary allocations for classified staff over the three school years.
- Fiscal Note: OSPI \$695 million (2025–27).
- Died in Senate Early Learning & K–12 Committee.

HB 1011—Creating a School Safety Capital Grant Program

- Would have funded school safety projects that improve the safety and security of school buildings.
- Died in House Capital Budget Committee.

HB 1723—Requires Project Labor Agreements for SCAP Projects over \$35 million

- Would have required project labor agreements for SCAP projects over \$35M, excluding school seismic and small district & tribal school modernization grants.
- Died in House Capital Budget Committee.

SHB 1538—Capital Financial Assistance to Small School Districts with Demonstrated Financial Challenges (AEA Priority)

- Would have created a new capital construction and planning grant program for the modernization and replacement of instructional facilities in financially distressed school districts.

- Died in House Capital Budget Committee.

SB 5187—Providing Adequate Predictable Student Transportation (AEA Priority)

- Would have required OSPI to provide an analysis of s.d. transportation costs and allocations by 2028, and to develop a transparent, predictable and comprehensive student transportation model.
- Died in Senate Ways & Means Committee.

HB 1032—Simple Majority for School Bonds (AEA Priority)

- Would have lowered the threshold from 60 percent to 50 percent to approve a school bond measure.
- Died in House Education Committee.

HJR 4201—Simple Majority for School Bonds (AEA Priority)

- Constitution amendment to implement HB 1032.
- Died in House Education Committee.

SSB 5186—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 Committee.

SSJR 8200—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 Committee.

SHB 1796—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 House Rules Committee.

SB 5546—Solar Energy Systems in New School Buildings

- Requires all school buildings greater than 50,000 SF to install solar energy systems that begin construction on or after 6/1/27.
- Died in Senate Early Learning & K–12 Committee.

SB 5670—Creating a Fuel Tax Assistance Grant Program

- Would have provided relief for rural s.d.s. that have large geographic areas for increased program costs associated with rising fuel costs.
- Died in Senate Early Learning & K–12 Committee.

ESSB 5694—Statewide Boiler Operator Certification (AEA opposed)

- Would have required school districts to have certified boiler operators on staff with no increase in State funding.
- Died in House Appropriations Committee.

HB 1404—Increasing Student Access to Free Meals (AEA Priority)

- Would have required all districts, charter schools and tribal-compact schools to provide breakfast and lunch without charge to all students who request them, beginning in SY 2026–27.
- Died in House Appropriations Committee.

SB 5253—Increasing Student Access to Free Meals (AEA Priority)

- Would have required all districts, charter schools and tribal-compact schools to provide breakfast and lunch without charge to all students who request them, beginning in SY 2026–27.
- Died in Senate Early Learning & K–12 Committee.

SSB 5190—Exempting Certain Public School Buildings from the State Energy Performance Standard

- Would have exempted a public school building from the State Energy Performance Standard if it meets one of three criteria.
- Died in Senate Environment, Energy and Technology Committee.

AEA 2025 Interim Plans—WSNA

- Rep. Roger Goodman (D-Kirkland) will be visiting a school district in LD 45 in the fall to observe their nutrition programs, as well as speak to several classes regarding his work with the Legislature.
- WSNA will be reaching out to Sen. Marcus Riccelli (D-Spokane) during the interim to see if he desires to re-run HB 1404 and SB 5253, universal free meals for all students, in the 2026 session.
- Two new legislators have been added to the Meals for Kids legislative champions. They are Rep. Greg Nance (D-Gig Harbor) and Sen. Deborah Krishnadasan (D-Gig Harbor).

AEA 2025 Interim Plans—WAMOA

- Doug and Mitch met with 32 senators and representatives during the session to share WAMOA's 2025 priorities, and most of them expressed interest in fall school visits. Senators include Sen. Ron Muzzall (R-Oak Harbor); Sen. Matt Boehnke (R-Pasco); Sen. Leonard Christian (R-Spokane Valley); Sen. Mark Schoesler (R-Ritzville); Sen. Keith Wagoner (R-Sedro Wooley); Sen. Chris Gildon (R-Puyallup); Sen. Yasmin Trudeau (D-Tacoma), the new chair of Senate Capital Budget (7 senators).

Representatives include Rep. Carolyn Eslick (R-Sultan); Rep. Chris Stearns (D-Auburn); Rep. Lisa

Callan (D-Issaquah); Rep. Alicia Rule (D-Blaine); Rep. Stephanie McClintock (R-Vancouver); Rep. Mari Leavitt (D-University Place); Rep. Peter Abbarno (R-Centralia); Rep. Jim Walsh (R-Aberdeen); Rep. Joel McEntire (R-Cathlamet); Rep. Mary Dye (R-Pomeroy); Rep. Kevin Waters (R-Stevenson); Rep. Omar Salahuddin (D-Kirkland); Rep. Janice Zahn (D-Kirkland) (14 representatives), and possibly more reps who have gone of WAMOA school visits before but aren't serving on House Capital Budget right now.

- WAMOA is participating in OSPI's SCAPR work group with Devlin Piplic, Northshore SD, and WAMOA president, and Mitch are representing WAMOA. The work group met on May 17 and June 6, 2024. OSPI has hired several contractors, OAC Architects, Jennie Foglia-Jones LLC, EJS Architecture, NAC Architecture and consultant Wade Smith, Walla Walla SD superintendent to assess the strengths and weaknesses of the SCAP program and make any necessary recommendations to the 2026 Legislature. These consultants gave two presentations to the House Capital Budget Committee during the 2025 session. They are continuing to seek stakeholder feedback, as Travis Bown, Mead SD and WAMOA past-president and Piplic attended sessions in Spokane on April 30 and Seattle on May 1, 2025, respectively. Two additional feedback sessions are scheduled for June 10 in Spokane and June 11 in Seattle, with both WAMOA leaders attending. The consultants' final recommendations should be completed this fall.
- WAMOA is also participating in the AIAWA work group on School Construction Funding. This architects' group has developed a position paper on this topic. Devlin, Travis and Mitch serve as WAMOA reps on this work group. It meets monthly during the school year.
- WAMOA will be reaching out to L&I concerning their interest in state-wide school district boiler operator certification, as referenced in ESSB 5694.
- WAMOA is participating in a State Board of Health technical advisory committee to revise the School Environmental Health Rule. Geoff Lawson, Auburn SD, and Jeff Rogers, Tacoma SD are WAMOA's representatives. They are discussing the changes that need to be made in the WAC rules and definitions. Their next meeting will be June 4, which will be a public hearing on their proposed WAC language. The 2025 Legislature did not change the current proviso in ESSB 5167, and the language remains, "any new or amended rules pertaining to primary and secondary facilities until the rules and a final cost estimate have been presented to the Legislature, and the Legislatures has formally funded the rules through the omnibus appropriations act (operating budget) or by statute." A detailed report is due to the Governor and appropriate legislative committees by June 30, 2025.



2024–25 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	Mary Templeton, Lake Stevens (Chair) Patty Dowd, Mukilteo
Region 110	Alan Spicciati, Auburn
Region 111	Ron Banner, Clover Park
Region 112	Pete Rosenkranz, La Center
Region 113	Chris Nesmith, Elma
Region 114	Dana Rosenbach, North Mason Jason Rhoads, OESD 114
Region 123	Traci Pierce, Kennewick
Region 171	Greg Whitmore, Entiat
BPAC	Jill Pratt, Rochester
ESDs	Steve McCullough, ESD 123
IPAC	Linda McKay, North Central ESD 171
Principals.....	Elyse Mengarelli, Mabton
Small Schools.....	Tabatha Mires, Manson
Special Education.....	John Sander, Franklin Pierce
Superintendents.....	VACANT
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 Bob Maxwell (President) Heather Chard, Administrative Assistant
Consultants.....	Mitch Denning (AEA) Fred Yancey (Pension/Health Benefits) Melissa Gombosky (AESD)

“It is the paramount duty of the state to make ample provision
the education of all children residing within its borders...”

—Article IX, Section 1, Washington State Constitution

School administrators acknowledge the Legislature’s efforts to fully fund basic education, including the provision of significant additional funding in the last ten years. Nevertheless, funding for at least three major components of basic education—Special Education, Pupil Transportation, and Materials, Supplies, and Operating Costs (MSOC)—continue to be dramatically underfunded.

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 2025 Legislature to fulfill their obligation to fully fund the following Basic Education programs:

Special Education

The 2025 Legislature must fully fund the cost of special education services. School districts have a legal obligation to serve all students with disabilities in Washington, regardless of cost of services, yet they do not have the necessary resources to provide those services. Even with recent funding enhancements, the gap between school district expenditures for special education and related services substantially exceeds funding—and continues to grow. This gap requires districts to continue to use local funding sources, including local levies, to cover necessary costs. To ensure school districts are provided with funding that reflects the actual costs of service delivery, the Legislature must increase special education tiered multipliers and remove the arbitrary enrollment funding cap.

Pupil Transportation

The 2025 Legislature must promptly fulfill its obligation to comprehensively fix the pupil transportation formula to ensure it is more transparent, predictable, and adequately funded. The intent of the current Student Transportation Allocation Reporting System (STARS) is to allow the Legislature to allocate funding to districts that aligns with actual costs of providing school transportation services. Regardless of the intent, the STARS formula has consistently underfunded districts’ actual pupil transportation expenditures. The STARS formula cannot forecast allocations with credible accuracy, calculates a final allocation in February which complicates budget decisions for school districts and the Legislature, and uses an efficiency rating that is detrimental to efficient districts because they are at risk of less funding in the model.

Materials, Supplies, and Operating Costs (MSOC)

The 2025 Legislature must immediately address the significant underfunding of allocations for Materials, Supplies, and Operating Costs (MSOC). While staffing represents the largest expense for school districts, there are many costs to running a school district which are non-staff related. The Legislature provides an allocation to cover these costs by providing for Materials, Supplies, and Operating Costs (MSOC) at a specific rate per student; however, state funding for MSOC has not kept pace with actual school district costs. Liability insurance alone has increased over 100 percent in the last five years, while utility costs have increased more than 40 percent. Other costs, such as food and fuel, have also increased dramatically. Current per pupil rates for Materials, Supplies, and Operating Costs simply do not come close to matching costs of running a school district. These costs are increasing through no fault of School Districts, superintendents or school boards and their decisions. When required costs of running a school district exceed state funding, local revenues, mostly levies, must be used to fill the gap, reducing local resources for school district and community expectations.

School administrators will focus their advocacy efforts in the 2025 Legislative Session on the full funding of basic education—specifically Special Education, Pupil Transportation, and Materials, Supplies, and Operating Costs (MSOC). As school districts face increasing financial difficulties, however, school administrators have ongoing concerns about the state’s K–12 funding structure that must be addressed. These issues must continue to remain on legislators’ radar:

Update Staff Allocations

WASA urges the Legislature to continue to provide for more realistic staffing ratios in the Prototypical School Funding Model (PSFM). The Prototypical School Funding Model is a core, fundamental part of the education funding structure. The funding ratios for most staff positions, however, have remained the same since the Model was first implemented in 2010, resulting in outdated and unrealistic state-funded staffing levels. The first priority must be the completion of 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.

Modify Regionalization/Experience Factor

WASA urges the 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 unsound. The current calculation of these factors has exacerbated inequities between districts and must be updated swiftly.

Reform Levy/Local Effort Assistance

Inequities between districts were exacerbated by capping levy authority of property rich districts at a higher level than neighboring property poor districts—while diminishing levy capacity for all districts at the same time. Spiking housing values are negatively impacting many districts’ efforts to adopt levies and are causing many districts eligible for Local Effort Assistance (LEA) to lose funding—or lose eligibility all together. Legislators have consistently stated their intent to “reform” levy/LEA policies; however, action has yet to be taken.

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. While WASA appreciates the recent update in the Construction Cost Allowance, the Legislature must continue to 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.