

March 2, 2019

## **Many PTA bills advance through fiscal cutoff, levy “lift” hits snag**

*Prepared by Marie Sullivan, WSPTA Legislative Consultant, [legconsultant@wastatepta.org](mailto:legconsultant@wastatepta.org)*

Several priority bills for Washington State PTA have passed Friday’s fiscal cutoff, including bills that would increase special education funding; increase student staffing ratios; expand early learning program eligibility; pilot 20-minute seated lunch times in at least six demonstration sites; and improve school safety and safety planning. In addition, bills WSPTA has been working on or supporting, such as increasing the legal age for tobacco and vaping products to 21; offering meaningful college credits to students in AP, IB and Cambridge programs; developing stronger policies for anti-bullying and transgender students in schools; and expanding sexual health education have passed either the House or Senate, bringing them one step closer to reality.

### *Bill to return levy authority to voters fails to meet March 1 fiscal deadline*

SSB 5313, a bill that would change school district levy authority, was abruptly pulled from the executive action agenda the afternoon of March 1<sup>st</sup> in the Senate Ways & Means Committee. The bill would change enrichment levy authority from the 2017 state-imposed \$1.50/\$1,000 assessed value or \$2,500 per student maximum whichever is less, to a percentage of the previous year’s state and federal revenues or \$3,500 per student – district choice. The bill would authorize the change in Calendar Year (CY) 2020. While technically “dead” because it didn’t pass out of committee by Friday, the bill is likely to be labeled “NTIB,” which stands for “Necessary To Implement the Budget,” and therefore can be voted on at any time.

The bill had a public hearing February 25<sup>th</sup>, with nearly all school districts and education stakeholder associations speaking in favor. The school administrator’s association took a measured approach, saying the bill worked for some districts and didn’t work for others. Signing in opposed was the Washington Policy Center. Senate Republican ranking member John Braun, R-Centralia, spoke against the measure, citing concerns that this would just put the state back in the place it was before the Legislature addressed the levy inequities in the 2017 special sessions. Braun was one of the eight lead negotiators and had argued strongly for the levy swap that has led to significantly reduced local levies.

However, during testimony, district and association representatives pointed out the enrichment programs at risk, the understaffing of positions under the prototypical schools funding model and returning taxing decisions to local voters as key reasons to support a return to a percentage and higher per student allowance.

Left unresolved is what to do with Local Effort Assistance (LEA). The bill would return LEA to the previous formula, which spent state funding up to half of what the adopted local levy

percentage was. Under SSB 5313, LEA would be held harmless for one year, whereby amounts appropriated in CY 2019 would remain the same in CY 2020, even if the district opted to use the 20% authorized levy limit. During the hearing Senator Andy Billig, D-Spokane, mentioned a need to possibly improve LEA beyond the hold harmless in the bill, and speakers encouraged the legislature to adopt the hold harmless beyond the single year.

Senator David Frockt, D-Seattle, asked each school district representative what the district's local health benefits costs would be under the new School Employee Benefits Board program authorized in 2017 and 2018. The state cost has been projected at more than \$900 million, although the state Health Care Authority said it was releasing new Cost per FTE numbers March 1<sup>st</sup>. School districts have estimated the local cost of the SEBB program for locally funded headcount staff (under the new rules of 630 hours worked) could total about \$400 million statewide.

Friday, March 1<sup>st</sup> served as the second in what will be an ever-compressed schedule to move bills through the process, ending consideration for bills that didn't make it through the House and Senate fiscal committees. The exceptions, as noted above, are bills that get labeled NTIB, which can be considered once votes have been secured and budget writers have reached decisions on their two-year spending plans. Attention now turns to floor action, where bills must pass out of the chamber in which they started by 5 PM on March 13<sup>th</sup>.

### **Status of Top 5 Legislative Priorities (all bills may be accessed [here](#))**

The following bills are still under consideration:

- Social and Emotional Learning:
  - SSB 5082 would continue the good work of the Social Emotional Work Group and would direct OSPI to adopt the SEL framework. The Senate budget committee made the bill's implementation subject to available funds, which means that if the funds aren't provided, the bill will not go into effect.
- School Construction and Simple Majority for Bonds:
  - SB 5066 and SJR 8201 had public hearings on February 28 and passed out of the Senate Ways & Means Committee on March 1<sup>st</sup>. The bills reduce the 60% to pass school bonds to a simple majority and remove the vote count requirements of securing a 40% voting threshold – something WSPTA included in its testimony.
  - SSB 5853 was modified in Senate Ways & Means, but still would increase student space allocations from 90 square feet to 130 square feet in grades K-6, starting in FY 2022. Student space allocation also would be increased in grades 7-8 and 9-12 under the proposal. Amendments eliminated the cost allocation formula increases and placed an overall cap on the size of the School Construction Assistance Program to no more than one-third of state bonding capacity. The space allocation would end in FY24. OSPI would be directed to come back with recommendations for modifications to the school construction program by June 30, 2022.

- Preventing Gun Violence:
  - SHB 1010 would allow the Washington State Patrol to destroy firearms in its custody. The bill is on what's called 2<sup>nd</sup> Reading, which means it is ready for floor action.
- Strategies to Address the Teacher Shortage:
  - HB 1139 passed out of House Appropriations, with a null and void clause, which is the House version of saying, "If it isn't funded in the budget, it doesn't go into effect."
  - SHB 1621 would remove passing the state basic skills test as a pre-requisite for admission to a teacher preparation program. The bill is a PESB-request bill and part of a strategy to encourage more individuals of color or limited English language learners to enter a teacher preparation program. Assessments required to graduate and become a teacher are still in place. The bill is eligible for a floor vote in the House.
  - SB 5801 would allow, in addition to returning to work as a substitute teacher, a retired teacher who retired under an early retirement option to work as an athletic coach, a mentor to teachers, an adviser to students in teacher preparation programs, or a counselor for up to 867 hours per school year without suspension of pension benefits. The bill would allow this option through June 30, 2023. The bill is in the Senate Rules committee.
- Strategic K-12 Investments to Close Gaps:
  - Levies: Allow school district choice.
    - See the discussion above for SSB 5313. While a House version hasn't been introduced yet, Rep. Laurie Dolan, D-Olympia, is expected to introduce a levy bill that would also include authority at 20% and LEA at 10% but lower the per student maximum to \$3,000. House leaders have also expressed interest in identifying additional LEA funding for some school districts who need additional assistance.
  - Close Special Education funding gaps
    - SB 5736 would have increased the student multiplier from .9609 to .98. The bill was set aside for 2SSB 5091, which would raise the multiplier to 1.0. In news reports last week, both Senate and House budget leads were quoted as saying they would put significant new funding into special education, with Senator Christine Rolfes, D-Bainbridge Island, citing a figure of \$400 million.
  - Increase prototypical school funding to Initiative 1351 levels to improve student well-being:
    - SSB 5315 would increase staffing ratios for school guidance counselors, nurses, social workers and psychologists in elementary, middle and high schools. The ratios would be phased in, starting with school districts at or above 50% free or reduced price meal ratios in 2019-21, and 35% in 2021-23 and all districts in 2023-25. The bill passed out of Senate Ways & Means, with a "subject to available funds" amendment.
  - Lower the High-Poverty LAP threshold to the state annual average of free or reduced price meal-eligible students to increase services to more students:
    - All the bills which would have modified the High-Poverty LAP failed to pass out of House Appropriations. The topic is likely dead for this session, particularly with renewed focus on investing significant funding into special education.
  - Include a categorical allocation for high-mobility students.
    - Bills that support homeless youth continue to move through the process.

Look for bills and committee hearings that relate to WSPTA's "Also Supported Positions" adopted at Legislative Assembly and WSPTA resolutions below and in the Bill Tracking List.

## WSPTA's Week in Review

Members of Washington State PTA testified on the following bills this past week:

- Tacoma parent Lisa Keating testified in Senate Ways & Means in favor of the levy bill, SSB 5313.
- Seattle parent Andy Jensen testified in favor of HB 2108, which would delay compliance with the K-3 class size ratios until the 2020-21 school year. WSPTA isn't backing off smaller class sizes, but many districts don't have the classrooms, the funding or the teachers to meet the smaller ratios next school year. Under current law, school districts unable to meet the class size ratios would lose funding.
- Northshore parent Robin Zaback testified in the House Appropriations Committee on the teacher shortage (SHB 1139) and assessment bills (SHB 1599). On the latter, Zaback pointed out the need for increased counselors and family engagement coordinators to help parents navigate the 13 pathways, particularly for this year's juniors. An amendment was made in the House Appropriations Committee acknowledging the need to increase these positions to help smooth this transition.
- Corina Pfeil of the Northshore PTSA testified on behalf of WSPTA on HB 1216, the school safety bill.
- Auburn parent Michelle Rylands testified before the Senate Ways & Means Committee on increasing school staffing (SB 5315) and expanding the state's early learning program eligibility (SSB 5347).

## The Week Ahead (Schedule subject to change)

No hearings. The House and Senate will be doing floor action on bills through March 13<sup>th</sup>.

Olympia [Capitol Campus Map](#)

HHR refers to hearing rooms in the John L. O'Brien Building

SHR refers to hearing rooms in the John A. Cherberg Building