
Education Committee

HB 3098

Brief Description: Transferring duties of the reconstituted state board of education.

Sponsors: Representatives McDermott, Talcott and Quall.

Brief Summary of Bill

- Repeals State Board of Education (SBE) oversight, program requirements, and funding allocation parameters for the Basic Education Act effective September 1, 2007.
- Transfers many SBE statutory duties to the Superintendent of Public Instruction (SPI), including responsibility for state allocations and rules for school facilities, which SPI will exercise in consultation with a new School Facilities Citizen Advisory Panel.
- Repeals certain SBE statutory duties and corrects references to the SBE for duties transferred to other entities by legislation enacted in 2005.

Hearing Date: 1/30/06

Staff: Barbara McLain (786-7383).

Background:

Legislation enacted in 2005 reconstituted the State Board of Education (SBE) effective January 1, 2006. The stated purpose of the new board is to adopt statewide policies that promote achievement of the Basic Education goals; implement a standards-based accountability system; and provide leadership in the creation of an education system that respects the diverse cultures, abilities, and learning styles of all students.

The new SBE was assigned student achievement and accountability responsibilities previously held by the Academic Achievement and Accountability Commission, which was abolished. Former SBE responsibilities for educator preparation and certification were transferred to the Professional Educator Standards Board (PESB).

The remaining statutory duties of the SBE were left unchanged, and a Joint Subcommittee of the House and Senate Education Committees was created to review these duties and make recommendations to the full committees by December 15, 2005.

The SBE has a wide range of statutory duties, many of which involve rule-making, pertaining to the following topics:

1. Oversight, implementation, and waivers of the Basic Education Act
2. Planning, regulation, and allocation of funding for school facilities and school organization
3. Public and private school accreditation and private school authorization
4. High school graduation requirements and rules regarding other educational programs
5. Rules and appeals of school district boundary issues
6. Educational Service District (ESD) elections and boundaries
7. Policies on pupil discipline, uniform entry, and pupil tests and records
8. Oversight of the Washington Interscholastic Activities Association (WIAA)
9. Rules regarding immunization of students, library media centers, and training of bus drivers

The Joint Subcommittee's recommendations took the form of three general actions: 1) retain selected duties of the SBE with the new board; 2) transfer selected duties to other state agencies, primarily but not exclusively to the Superintendent of Public Instruction (SPI); and 3) repeal selected duties.

The Subcommittee also recommended that the SBE's oversight over program requirements of the Basic Education Act, such as minimum instructional hours and the 180-day school year, as well as the funding parameters for basic apportionment, be repealed effective September 1, 2007. The Subcommittee anticipates a new funding model from the Washington Learns comprehensive education funding study to replace these provisions before the report takes affect. A number of statutes were identified dealing with educator preparation or certification issues that still refer to the SBE, rather than the PESB.

Summary of Bill:

General. The purpose statement for the new SBE is expanded to include improvement of student academic achievement; personalization of the educational experience for every student; advocacy, strategic planning, and strategic oversight of the K-12 education system; and accountability for student success and student readiness for lifelong learning.

The SBE must include the Chairs and Ranking Minority Members of the legislative education committees in board communications to keep them apprised of discussions and proposed actions. Broad authority of the SBE to adopt rules for the government of schools, students and employees; prepare an outline of study for the public schools; and hear and decide appeals is repealed.

Basic Education Act. Statutes establishing SBE oversight over the program requirements and funding allocation parameters of the Basic Education Act, including instructional hours, the 180-day school year, and minimum staffing ratios, are repealed effective September 1, 2007. SBE authority to waive these requirements is also repealed.

School facilities and organization. SBE responsibility for facilities planning, rule-making and allocation of funds for school facilities, and determination of remote and necessary school sites is transferred to the SPI. The SPI exercises this authority with recommendations from a new School Facilities Citizen Advisory Panel. The panel is comprised of one member of the SBE, two school district directors appointed by the SBE from a list of five names submitted by the Washington State School Directors' Association, and four additional citizen members appointed by the SBE. The SPI may also convene a technical advisory group to provide expert advice to the agency and to the panel.

Accreditation. The SBE no longer accredits public schools. SBE authority to accredit and authorize private schools, as well as oversee programs for home-schooled students, is unchanged.

High school graduation and other education programs. The SBE retains authority for high school graduation requirements, but responsibility for standardized transcripts and establishing course equivalencies is transferred to the SPI, in consultation with the Higher Education Coordinating Board, the State Board for Community and Technical Colleges (SBCTC), and the Workforce Training and Education Coordinating Board. The SBE, in consultation with the SBCTC, will examine issues pertaining to the general educational development test (GED) and adult education and make recommendations to the legislative education committees by January 15, 2007. The SPI is assigned responsibility for education centers, the National Guard Youth Challenge (in consultation with the Military Department), and required courses of study for the common schools.

School district boundaries. The SPI is assigned rule-making responsibility for school district boundary issues and other powers related to the organization or reorganization of school districts. The authority of the SBE to hear appeals of boundary decisions is transferred to an administrative law judge under the Administrative Procedures Act.

ESDs. The SBE responsibility to conduct elections for ESD board members is transferred to the SPI. Authority to adjust ESD boundaries is repealed. Instead, legislative action is required to adjust ESD boundaries.

Policies regarding students. Rule-making responsibility for pupil discipline and due process policies, uniform entry age, and pupil tests and records is transferred to the SPI.

WIAA. SBE responsibility to authorize WIAA rules and annually review WIAA policies, finances, and actions is repealed. Instead, this voluntary nonprofit entity is authorized to conduct its activities under the authority of its governing board.

Other. The State Board of Health is assigned responsibility to adopt rules regarding immunization of public school students. An SBE rule requiring teachers to be present one-half hour before and after school is replaced by a requirement that each school board adopt a policy on this topic and make the policy available to parents and the public. An SBE rule describing quality criteria for school library media programs is placed in statute, and the SBE rule-making authority on this topic is repealed. The SPI will adopt rules regarding training of bus drivers. SBE rule-making authority over central purchasing and real property sales contracts is repealed.

References to the SBE in statutes pertaining to educator certification, student teaching centers, alternative routes to teacher certification, continuing education clock hours, and internships are changed to the PESB.

Appropriation: None.

Fiscal Note: Requested on January 24, 2006.

Effective Date: Most of the bill takes effect 90 days after adjournment of session in which the bill is passed. Sections 201, 203 and 204 pertaining to repeal of the requirements and funding parameters of the Basic Education Act takes effect September 1, 2007. Section 406 repealing a

waiver of a requirement that school districts offer a broad high school program takes effect September 1, 2009.