

SENATE BILL REPORT

SB 5475

As of February 1, 2011

Title: An act relating to education funding.

Brief Description: Regarding education funding.

Sponsors: Senator Murray; by request of Office of Financial Management.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/31/11.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Susan Mielke (786-7422)

Background: Under article IX, section 1 of the Washington State Constitution, "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders" The courts have interpreted this to mean that the state must define a program of basic education and amply fund it.

In the 2009-11 biennium, two pieces of legislation were enacted to redefine basic education and restructure the K-12 funding formulas. The first was Engrossed Substitute House Bill 2261 (Chapter 548, Laws of 2009), which expanded the definition of basic education by adding the programs for highly capable students and student transportation to and from school. Additionally, the all-day kindergarten programs that had been phased in since 2007 were made part of basic education with the continued phase-in of the highest poverty schools first. Increases in the number of instructional hours and the minimum number of credits for high school graduation are to be phased-in on a schedule set by the Legislature. The framework for a new K-12 funding allocation formula based on prototypical schools was also created. These changes are to take effect September 1, 2011. The second bill, Substitute House Bill 2776 (Chapter 236, Laws of 2010) enacted in statute the new prototypical school allocation formulas at funding levels that represent the 2009-10 school year state spending on basic education. The bill also established a timeline for phasing in enhancements to the program of basic education and its funding levels as follows:

- The instructional program for highly capable students as part of basic education and the enhancements to support the program with a statewide average of 2.15 hours of extra instruction per week and a class size of 15 highly capable students becomes effective September 1, 2011.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- During the 2011-13 biennium and beginning with the schools with the highest poverty students, the K-3 class size must be reduced to 17 students per teacher by 2017.
- During the 2011-13 biennium, the minimum allocation for maintenance, supplies, and operating costs (MSOC) must be increased as specified in the Omnibus Appropriations Act until specific amounts are provided in the 2015-16 school year.
- During the 2011-13 biennium, funding for all-day kindergarten must continue to be phased-in each year until full statewide implementation is achieved in the 2017-18 school year.

These statues have an effective date of September 1, 2011.

Summary of Bill: It is specified that the Legislature intends to fully implement a redefined program of basic education by 2018. The Legislature intends to develop a realistic and practical implementation schedule for certain phase-in enhancements that once fully implemented will constitute the Legislature's definition of basic education.

The minimum instructional program of basic education offered by school districts includes programs for highly capable students with additional allocations to support the programs beginning with the 2013-14 school year.

The 2011-13 biennium start date to begin reducing the K-3 class size to 17 students per teacher is removed. The requirement that the K-3 class size is reduced to 17 by 2017 is retained.

The 2011-13 biennium start date to begin increasing the allocation for MSOC in the Omnibus Appropriations Act is removed. The specific amounts to be provided in the 2015-16 school year are retained.

The requirement to continue phase-in of the all-day kindergarten funding during the 2011-13 biennium is removed. Support for all-day kindergarten is specifically not to be considered as basic education until statewide implementation is achieved in 2017-18.

Appropriation: None.

Fiscal Note: Requested on January 28, 2011.

Committee/Commission/Task Force Created: No.

Effective Date: Section 1 takes effect ninety days after adjournment of session in which bill is passed. The remaining sections take effect on September 1, 2011.

Staff Summary of Public Testimony: PRO: These are changes that are required to implement the budget reductions. These are the choices that the Governor chose and we will be glad to be a resource as you work through making your choices.

CON: We oppose any delay in implementing the new definition of basic education and the funding enhancements promised by the Legislature in the last two sessions. Passing SB 5475

would slow much of the momentum we've been building for two years to a crawl. It also would push costs on to the next biennium, creating not a solution but a funding crunch in the future. What's worse, this is on top of the cuts to education we've had to face during the past two years, and it's on top of the cuts we're going to face for the next two years. The cuts aren't just numbers – they represent a bleaker future for individual students and an entire generation of our kids. This bill represents the Governor's choice of things to be suspended. She chose not to suspend transportation enhancements. You need to take the time to have a thorough discussion about how to prioritize the enhancements – you may choose to do things differently than the Governor – you may instead choose to restore the things that have been and are again being cut, such as Initiative 728 and Initiative 732, instead of funding enhancements. We specifically oppose any delay in including the program for highly capable students in the definition of basic education. Public education should address the full spectrum of students but currently some districts do not have a program. Highly capable students become disengaged in their education. These students withdraw or disrupt when they are not challenged early. Economically it makes sense to support these talented students who will grow up to be the talent of our state and draw talent to the state. You should not identify a group of students who have needs and then exclude them from definition of basic education.

OTHER: The economy is horrible but this bill steps back from the new basic education definition. You need to seriously think about the steps that need to be taken to move the phase-in forward and carry out the promise to student. The things to be phased in are our priorities and should be yours. If possible keep a little bit of money in all of them.

Persons Testifying: PRO: Jim Crawford, Office of Financial Management.

CON: Randy Dorn, State Superintendent; Dave Berg, Academic Booster Club of Puyallup; Janis Traven, Garfield High School; Dr. Robert Vaughan, Ph.D, Seattle Public Schools; Robert Silber, Shoreline School District; Randy Parr, Washington Education Assn.; Hannah Lidman, League of Education Voters; Gerald Brennan, Ann Auman, Lannette Sargent, Joy Westberg, Robert Silber, parents; Marie Sullivan, Washington State School Directors' Assn.

OTHER: Ramona Hattendorf, Washington State Parent/Teacher Assn.; Marie Sullivan, Washington State School Director's Assn.; Brad Burnham, State Board of Education.