

SENATE BILL REPORT

SJR 8212

As of February 10, 2011

Brief Description: Eliminating the superintendent of public instruction as a statewide elected official.

Sponsors: Senator Tom.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/02/11.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Susan Mielke (786-7422)

Background: The Superintendent of Public Instruction (SPI) is one of eight state officials whose offices are established by the state Constitution. The SPI is elected on a nonpartisan basis every four years by the qualified voters of the state.

The state Constitution also provides that the SPI “shall have supervision over all matters pertaining to public schools and shall perform such specific duties as may be prescribed by law.”

To amend the state Constitution a joint memorial must be passed by a two-thirds majority vote of both houses of the Legislature and approved by a majority of the people at the next general election.

Summary of Bill: The SPI is eliminated as a constitutionally established statewide elected official. The constitutional provision that the SPI has supervision over all matters pertaining to public schools is retained but amended to provide that the Governor has oversight over the SPI and ultimate authority over the public schools.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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.

Effective Date: The resolution is subject to ratification by the voters at the next general election.

Staff Summary of Public Testimony: PRO: Outside of the budget, the Governor does not have control of the education that the public believes she does. It is not about the individuals in office currently. We need to align the system with the voters expectations so that the Governor will make a difference in education when they vote for Governor. Our state's paramount duty is education and the supreme officer of our state, the Governor, should have the authority over the paramount duty. Our fragmented, expanded governance structure does not lend itself to adopting change or accountability. When everyone is accountable no one is accountable. This would provide a way to get a common set of goals.

CON: The SPI, who is the elected advocate for education, will be muted by these bills. An appointed SPI would be filtered by and beholden to a partisan Governor and may have to change directions every four years. SPI should be a nonpartisan official because education should be a nonpartisan issue. Our state founders did not centralize power in one official and diffused power purposefully. A separately elected SPI provides a focus on the paramount duty of our public schools and their student; they won't get lost in the other state business. The Governor already has significant influence in education, especially through the budget. This distracts from the funding of education discussion that should be taking place in the Legislature.

OTHER: Our research suggests that it is a good idea for Washington State to make the currently elected SPI position a part of the Governor's cabinet. It creates greater accountability through the Governor who is an elected official. The Governor needs the authority to make changes to a system that is resistant to change. When the SPI is elected he is subject to pressures of the public if appointed this would not be the case.

Persons Testifying: PRO: Senator Tom, prime sponsor; Lisa McFarland, League of Education Voters.

CON: Randy Dorn, State Superintendent of Public Instruction; Lucinda Young, Washington Education Association; Marie Sullivan, Washington State School Directors' Association; Tim Kanue, Washington Association for Career and Technical Education; Dan Steele, Washington Association of School Administrators; Jerry Bender, Association of Washington School Principals.

OTHER: Liv Finne, Washington Policy Center; Marsh Riddle Buly, Western Washington University Woodring College of Education.