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HOUSE BILL 1849

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State of Washington

62nd Legislature

2011 Regular Session

**By** Representatives Haigh, Santos, Dammeier, Seaquist, Finn, Maxwell, Sullivan, Probst, Hunt, Anderson, Frockt, Kenney, and Kagi

Read first time 02/04/11. Referred to Committee on Education Appropriations & Oversight.

1 AN ACT Relating to establishing the Washington state education  
2 council; adding a new title to the Revised Code of Washington; and  
3 providing a contingent expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that the long-term  
6 success and prosperity of individual Washington state citizens and the  
7 state as a whole depends on a high-quality public education system that  
8 begins with learning for young children and continues seamlessly  
9 through the common schools and a range of postsecondary and advanced  
10 education alternatives. All aspects of the state's public education  
11 system must be focused on the objective of student readiness and  
12 student achievement. Therefore the legislature intends to assign a  
13 single state entity with strategic oversight of the public education  
14 system; assign supervisory responsibility of that system to a single  
15 statewide elected official; and initiate a transition to accomplish  
16 these goals.

17 NEW SECTION. **Sec. 2.** (1) The Washington state education council  
18 is established. The overall mission of the council is to:

1 (a) Provide strategic oversight and advocacy of public education  
2 including early learning, kindergarten through twelfth grade education  
3 in the common schools, and postsecondary education; and

4 (b) Recommend policies and strategies to make the public education  
5 system student-focused and able to provide seamless service delivery  
6 across all education sectors and entities.

7 (2) The Washington state education council is composed of the  
8 following members, who shall represent the full spectrum of interests  
9 and expertise in public education, from early learning through K-12 and  
10 postsecondary education:

11 (a) Nine members of the public appointed by the governor;

12 (b) Nine members of the public appointed by the superintendent of  
13 public instruction;

14 (c) The superintendent of public instruction, who shall serve as  
15 the chair and chief executive officer of the council; and

16 (d) Four members of the legislature, with two appointed by the  
17 speaker of the house of representatives, one from each of the two major  
18 caucuses of the house of representatives and two appointed by the  
19 president of the senate, one from each of the two major caucuses of the  
20 senate.

21 (3) In making appointments, the governor and the superintendent of  
22 public instruction shall consider the diversity of the population of  
23 the state and strive for a balanced representation of the state's  
24 geographic regions.

25 (4) Initial appointments by the governor and the superintendent of  
26 public instruction shall be staggered, in terms from one to four years  
27 in length. As the terms of the first appointees expire or vacancies on  
28 the council occur, the governor or the superintendent, as applicable,  
29 shall appoint or reappoint members of the council to complete the  
30 initial terms or to four-year terms as appropriate. The term of  
31 legislative members shall be established by their respective appointing  
32 authority.

33 (5) All appointments to the council by the governor or the  
34 superintendent of public instruction are subject to confirmation by the  
35 senate.

36 (6) Ten voting members of the council constitute a quorum for the  
37 transaction of business. The legislative members of the council may

1 participate in meetings of the council but may not vote. Except for  
2 the legislative members, all other members of the council are voting  
3 members.

4 (7) The governor or the superintendent of public instruction, as  
5 appropriate, may remove an appointed member of the council for neglect  
6 of duty, misconduct, malfeasance, or misfeasance in office, or for  
7 incompetent or unprofessional conduct as defined in chapter 18.130 RCW.  
8 In such a case, the governor or the superintendent of public  
9 instruction, as appropriate, shall file with the secretary of state a  
10 statement of the causes for and the order of removal from office, and  
11 the secretary of state shall send a certified copy of the statement of  
12 causes and order of removal to the last known post office address of  
13 the member.

14 (8) Appointed members of the council shall be compensated in  
15 accordance with RCW 43.03.250 and shall be reimbursed for travel  
16 expenses incurred in carrying out the duties of the council in  
17 accordance with RCW 43.03.050 and 43.03.060. Legislative members of  
18 the council shall be reimbursed for travel expenses in accordance with  
19 RCW 44.04.120.

20 NEW SECTION. **Sec. 3.** (1) The legislature intends that the  
21 Washington state education council established in section 2 of this act  
22 shall serve as the primary strategic oversight and advocacy board for  
23 the public education system, to encompass early learning, K-12  
24 education, and postsecondary education.

25 (2) The legislature further intends that the superintendent of  
26 public instruction shall exercise supervision over all matters  
27 pertaining to the public school system, to encompass early learning, K-  
28 12 education, and postsecondary education. The legislature intends  
29 that supervision by the superintendent of public instruction includes  
30 exercising the administrative, ministerial, and operational duties  
31 necessary to carry out the recommendations of the Washington state  
32 education council and fulfilling the duties otherwise assigned by law  
33 to the superintendent or the office of the superintendent.

34 (3) The legislature does not intend this section to affect the  
35 statutory authority of school district boards of directors, directors  
36 of educational service districts, or boards of regents or trustees of  
37 institutions of higher education as defined in RCW 28B.10.016.

1        NEW SECTION.    **Sec. 4.**    The chair of the Washington state education  
2 council may appoint advisory panels on an ad hoc or ongoing basis on  
3 specific issues and topics under the purview of the council.    Each  
4 advisory panel must include at least three members of the council.  
5 Panels may include other members of the public with special expertise  
6 in the issue or topic.    Panels may make advisory recommendations to the  
7 council as a whole.

8        NEW SECTION.    **Sec. 5.**    Staff support for the Washington state  
9 education council shall be provided by the office of the superintendent  
10 of public instruction.    The council may request assistance from other  
11 state agencies as needed.

12        NEW SECTION.    **Sec. 6.**    (1) The Washington state education council  
13 shall develop a transition plan to implement the intent of the  
14 legislature as articulated in section 3 of this act.

15        (2) The transition plan must address restructuring of the duties,  
16 responsibilities, and authority of the following state entities:

17        (a) The higher education coordinating board established under RCW  
18 28B.76.040;

19        (b) The state board for community and technical colleges  
20 established under RCW 28B.50.050;

21        (c) The state board of education established under RCW 28A.305.011;

22        (d) The professional educator standards board established under RCW  
23 28A.410.200;

24        (e) The quality education council established under RCW  
25 28A.290.010;

26        (f) The achievement gap oversight and accountability committee  
27 established under RCW 28A.300.136;

28        (g) The Washington state school directors' association established  
29 under RCW 28A.345.010;

30        (h) The office of the education ombudsman established under RCW  
31 43.06B.010;

32        (i) The education research and data center established under RCW  
33 43.41.400;

34        (j) The department of early learning established under RCW  
35 43.215.020; and

36        (k) The office of the superintendent of public instruction.

1 (3) For the purposes of the transition plan, restructuring shall  
2 include reassigning, removing, or modifying the duties and  
3 responsibilities of the identified state entities and eliminating or  
4 modifying identified state entities as necessary to achieve more  
5 efficient and effective service delivery and more seamless oversight  
6 and policy for the public education system.

7 (4) The transition plan must also address specific roles and  
8 responsibilities of the council, consistent with the intent of the  
9 legislature under section 3 of this act.

10 (5) The council may establish advisory committees on specific  
11 topics to receive adequate input, expertise, and participation from  
12 education providers and community representatives in developing the  
13 transition plan.

14 (6) The council must submit a preliminary progress report to the  
15 governor and the legislature by January 5, 2012.

16 (7) The council must submit a proposed transition plan to  
17 restructure strategic oversight and supervision of the public education  
18 system, along with the legislation necessary to implement the plan, to  
19 the governor and the legislature by December 5, 2012.

20 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute  
21 a new title in the Revised Code of Washington.

22 NEW SECTION. **Sec. 8.** If the superintendent of public instruction  
23 files a finding with the chief clerk of the house of representatives,  
24 the secretary of the senate, and the office of the code reviser as of  
25 June 30, 2014, declaring that legislation to implement the  
26 legislature's intent as articulated under section 3 of this act has not  
27 been signed into law, sections 1 through 6 of this act expire June 30,  
28 2014.

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