

SENATE BILL REPORT

HB 1974

As Passed Senate, March 2, 2022

Title: An act relating to moving state board of education and educational service district elections to the Washington state school directors' association.

Brief Description: Moving state board of education and educational service district elections to the Washington state school directors' association.

Sponsors: Representatives Ybarra and Callan; by request of Superintendent of Public Instruction.

Brief History: Passed House: 2/10/22, 95-1.

Committee Activity: Early Learning & K-12 Education: 2/18/22, 2/23/22 [DP, w/oRec].

Floor Activity: Passed Senate: 3/2/22, 48-0.

Brief Summary of Bill

- Transfers duties related to the conduct of elections for members of the State Board of Education and educational service district boards from the Office of the Superintendent of Public Instruction to the Washington State School Directors' Association.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Hunt, Mullet and Pedersen.

Minority Report: That it be referred without recommendation.

Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Staff: Benjamin Omdal (786-7442)

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

Background: State Board of Education. The 16-member State Board of Education (SBE) is comprised of five members elected by geographic regions by school board directors, one member elected by private school directors, seven members appointed by the Governor, the Superintendent of Public Instruction, and two non-voting student members selected in a manner determined by the SBE.

The SBE has various duties and powers prescribed in statute, including:

- providing advocacy and strategic oversight of public education;
- establishing high school graduation requirements or equivalencies;
- identifying scores students must meet to achieve standards on statewide assessments; and
- approving and accrediting private schools according to requirements established by the SBE.

The elections of the SBE members by school directors and private school board members, including duties pertaining to the calling of elections, are conducted by the Office of the Superintendent of Public Instruction (OSPI) in accordance with statutory requirements and rules adopted by OSPI.

Washington State School Directors' Association. WSSDA is comprised of all 1477 school board members from Washington's 295 public school districts. WSSDA is charged with coordinating policymaking, control, and management of the state's school districts. WSSDA provides materials and educational services to its members, including model policies and procedures.

Educational Service Districts. There are nine regional ESDs in the state. Each is governed by a board consisting of seven to nine members elected by the school directors of the ESD. ESDs' responsibilities include providing cooperative, administrative, and informational services to and on behalf of local school districts, and assisting the Superintendent of Public Instruction and the SBE in the performance of their duties.

ESDs provide a variety of services, including back office administrative support, fiscal support, technology services, special education, early childhood education, professional development, and other instructional and non-instructional programs.

The elections of the Educational Service District (ESD) board members by school directors, including duties pertaining to the calling of elections, are conducted by OSPI in accordance with statutory requirements and rules adopted by OSPI. The tallying of votes cast in the ESD board member elections is conducted by the Superintendent of Public Instruction and a three-person election board appointed by the Superintendent. If there are more than three vacancies in a seven-member board, or four vacancies in a nine-member board, the Superintendent must appoint members so that a quorum is serving on the applicable board.

Summary of Bill: The duty of OSPI to conduct the elections of SBE members by school

directors and private school board members, including the calling of elections, is transferred to WSSDA. WSSDA is directed to adopt related procedures for the elections.

The duty of OSPI to conduct the elections of the ESD board members by school directors is transferred to WSSDA, and the responsibility for the calling of elections is transferred from the Superintendent of Public Instruction to the executive director of WSSDA. WSSDA is directed to adopt related procedures for the elections and the executive director of WSSDA is made responsible for assisting with the count and appointing of a three-person election board to tally votes cast in the ESD board member elections.

Other related duties pertaining to the ESDs are also transferred from OSPI to WSSDA. In the event there are more than three vacancies in a seven-member board, or four vacancies in a nine-member board, the WSSDA president, instead of the Superintendent of Public Instruction, must appoint members so that a quorum is serving on the applicable board.

Provisions governing the general authority of WSSDA are modified to expressly provide that the WSSDA is empowered to prepare and adopt materials for the election of SBE members and for the ESD elections.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Having WSSDA in charge of elections will result in a more streamlined process. WSSDA is better positioned to engage with school board members in the election process. WSSDA has a process in place for secure, statewide elections.

Persons Testifying: PRO: Representative Alex Ybarra, Prime Sponsor; Tim Garchow, Washington State School Directors' Association; Anna Hernandez-French, OSPI.

Persons Signed In To Testify But Not Testifying: No one.