

SENATE BILL REPORT

SJR 8212

As of January 21, 2022

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

Sponsors: Senators Carlyle and Hunt.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/21/22.

Brief Summary of Bill

- Amends the State Constitution to require the Governor to appoint the Superintendent of Public Instruction subject to confirmation by the Senate instead of this being a separately elected statewide office.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Ailey Kato (786-7434)

Background: The State Constitution establishes eight separately elected statewide offices in the executive branch of state government. The Superintendent of Public Instruction is one of these offices. Under Article III, Section 22 of the State Constitution, the Superintendent has supervision over all matters pertaining to public schools and must perform other specific duties as required by law.

A proposed amendment to the State Constitution must be approved by two-thirds of the members elected to each house of the Legislature, and then approved by a majority of the voters in the next general election.

Summary of Bill: The State Constitution is amended to remove all references to the Superintendent of Public Instruction as being a separately elected statewide office. The Governor must appoint the Superintendent who serves subject to confirmation by the Senate

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.

and at the pleasure of the Governor.

The current Superintendent of Public Instruction must continue in office for the remainder of the term for which they were elected and until a successor is appointed.

Appropriation: None.

Fiscal Note: Available.

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

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

Staff Summary of Public Testimony: Testifiers were invited to provide testimony on both SB 5820 and SJR 8212 at the same time. As a result, the summary below reflects combined testimony on both the bill and joint resolution.

PRO: Education is half of the state's budget and the paramount duty of the state. However, authority and accountability for education has been spread thin across many entities. The Governor only has modest authority over the education system. Voters often think the Governor and the Superintendent have more authority than they actually do over schools. This bill is not about specific individuals but about a problem with the system. There is never a perfect answer to governance, but most other states have the Governor play an important role in education. The current system is too decentralized.

CON: Because school funding comes from the voters, the accountability for the Superintendent position needs to stay with the voters. It's insulting to take away parents' ability to vote on the Superintendent. Parents already feel like their voices are not heard. Washington State's education system is rated well, so no change is needed. The Constitution should not be amended to allow the Governor to appoint this position. This bill is a power grab and could create a conflict of interest.

OTHER: Voters should vote on who should fill the Superintendent role, and there are concerns with giving the Governor more power.

Persons Testifying:

CON: Jeffrey Pack, Me; Terri Dow; Cristina Davis; Jennifer Heine-Withee, Resolution Fitness.

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