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HOUSE BILL 2366

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State of Washington

64th Legislature

2016 Regular Session

By Representatives Lytton, Magendanz, Sullivan, Caldier, Kochmar, Rossetti, Muri, Haler, and Santos

Read first time 01/11/16. Referred to Committee on Appropriations.

1 AN ACT Relating to basic education obligations; creating new  
2 sections; making appropriations; providing an expiration date; and  
3 declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** INTENT. During the past two biennia, the  
6 legislature has demonstrated its commitment to funding education  
7 through strong bipartisan support for funding its statutory formulas  
8 for: Pupil transportation; materials, supplies, and operating costs;  
9 full-day kindergarten; and class size reductions. In the 2015-2017  
10 biennial budget, the legislature specifically increased funding to  
11 reduce class sizes in grades K-3. The legislature further included  
12 the previously scheduled 2017-2019 biennium completion of K-3 class  
13 size reduction funding in its adopted four-year budget outlook. The  
14 legislature has planned for and is fully committed to completing the  
15 scheduled phase in of K-3 class size reduction in the 2017-2019  
16 biennium.

17 The state is fully committed to funding its program of basic  
18 education as defined in statute and to eliminating school district  
19 dependency on local levies for implementation of the state's program  
20 of basic education. It is the intent of the legislature to provide  
21 state funding for competitive salaries and benefits that are

1 sufficient to hire and retain competent certificated instructional  
2 staff, administrators, and classified staff. Additionally, the  
3 legislature intends to minimize any disruptive impact to school  
4 districts and taxpayers.

5 The legislature finds that the lack of transparency in school  
6 district data regarding how districts use local levy funds limits its  
7 ability to make informed decisions concerning teacher compensation.  
8 Previous studies have analyzed market data for educator compensation  
9 and have provided recommendations on revisions to state allocation  
10 formulas, but these studies did not provide data and analysis of  
11 compensation paid by districts above basic education salary  
12 allocations above the statutory prototypical school model, the source  
13 of funding for this compensation, and the duties, uses, or categories  
14 for which that compensation is paid. This foundational data is  
15 necessary to inform the legislature's decisions.

16 NEW SECTION. **Sec. 2.** EDUCATION FUNDING TASK FORCE ESTABLISHED.

17 (1) The education funding task force is established to continue the  
18 work of the governor's informal work group to review the data and  
19 analysis provided by the consultant retained under section 3 of this  
20 act and must make recommendations to the legislature on implementing  
21 the program of basic education as defined in statute.

22 (2) Using the data and analysis provided by the consultant and  
23 the previous body of work provided to the legislature, the task force  
24 must, at a minimum, make recommendations for compensation that is  
25 sufficient to hire and retain the staff funded under the statutory  
26 prototypical school funding model and an associated salary allocation  
27 model. The recommendations must also include provisions indicating  
28 whether:

29 (a) A system for future salary adjustments should be incorporated  
30 into the salary allocation model and if so, the method for providing  
31 the adjustment; and

32 (b) A local labor market adjustment formula should be  
33 incorporated into the salary allocation model and if so, the method  
34 for providing the adjustment. This must include considerations for  
35 rural and remote districts and districts with economic and  
36 distressing factors that affect recruitment and retention.

37 (3) The task force must review the Washington State University  
38 report on inventories and assessment of the condition of Washington's  
39 schools. The task force must make recommendations to the legislature

1 on how to achieve sufficient classroom facilities to fully  
2 accommodate K-3 class size reduction, while maintaining the existing  
3 shared responsibility of local districts and the state to fund school  
4 construction.

5 (4) The task force must review the report on addressing the  
6 problem of teacher shortages prepared by the professional educator  
7 standards board. The task force must make recommendations for  
8 improving or expanding existing educator recruitment and retention  
9 programs.

10 (5) The task force must also make recommendations regarding:

11 (a) Local maintenance and operation levies and local effort  
12 assistance;

13 (b) Local school district collective bargaining;

14 (c) Clarifying the distinction between services provided as part  
15 of the state's statutory program of basic education and services that  
16 may be provided as local enrichment;

17 (d) Required district reporting, accounting, and transparency of  
18 data and expenditures;

19 (e) The provision and funding method for school employee health  
20 benefits; and

21 (f) Sources of state revenue to support the state's statutory  
22 program of basic education.

23 (6) The task force consists of the following members:

24 (a) Eight legislators, with two members from each of the two  
25 largest caucuses of the senate appointed by the leaders of each of  
26 the two largest caucuses of the senate, and two members from each of  
27 the two largest caucuses of the house of representatives appointed by  
28 the speaker of the house of representatives; and

29 (b) The governor or the governor's designee as a nonvoting member  
30 to serve as facilitator.

31 (7) Recommendations of the task force require the affirmative  
32 vote of five of its members.

33 (8) Staff support for the task force must be provided by the  
34 house of representatives office of program research and senate  
35 committee services, with additional staff support provided by the  
36 office of financial management.

37 (9) Meetings of the task force shall be open to the public. The  
38 task force shall solicit input from the public through a period of  
39 open public comment at task force meetings. The comment period may be

1 limited to ensure that the task force has sufficient time to conduct  
2 all of its business.

3 (10) The expenses of the task force must be paid jointly by the  
4 senate and the house of representatives. Task force expenditures are  
5 subject to approval by the senate facilities and operations committee  
6 and the house of representatives executive rules committee, or their  
7 successor committees.

8 (11) The task force recommendations and any supporting  
9 legislation must be submitted to the legislature by January 9, 2017.

10 NEW SECTION. **Sec. 3.** ANALYSIS OF K-12 PUBLIC SCHOOL STAFF  
11 COMPENSATION. (1) In consultation with the education funding task  
12 force established in section 2 of this act, the Washington state  
13 institute for public policy shall contract for independent  
14 professional consulting services to:

15 (a) Collect K-12 public school staff total compensation data, and  
16 within that data, provide an analysis of compensation paid in  
17 addition to basic education salary allocations under the statutory  
18 prototypical school model, source of funding, and the duties, uses,  
19 or categories for which that compensation is paid;

20 (b) Identify market rate salaries that are comparable to each of  
21 the staff types in the prototypical school funding model; and

22 (c) Provide analysis regarding whether a local labor market  
23 adjustment formula should be implemented and if so which market  
24 adjustment factors and methods should be used.

25 (2) The superintendent of public instruction must collect, and  
26 school districts and other applicable local education agencies must  
27 provide, compensation data necessary to implement this section with  
28 sufficient time for the consultant to accomplish the work required by  
29 this section. Data must be in the format necessary to meet the needs  
30 of the consultant. The superintendent of public instruction must  
31 provide this information to the Washington state institute for public  
32 policy, the office of financial management, and the education funding  
33 task force, for use by the consultant and the task force.

34 (3) The consultant must provide an interim report to the  
35 education funding task force and the governor by September 1, 2016.

36 (4) The consultant's final data and analysis must be provided to  
37 the education funding task force and the governor by November 15,  
38 2016.

1        NEW SECTION.        **Sec. 4.**        LOCAL LEVIES—LEGISLATIVE ACTION.  
2 Legislative action shall be taken by the end of the 2017 session to  
3 eliminate school district dependency on local levies for  
4 implementation of the state's program of basic education.

5        NEW SECTION.        **Sec. 5.**        APPROPRIATIONS. (1) The sum of two hundred  
6 fifty thousand dollars, or as much thereof as may be necessary, is  
7 appropriated for the fiscal year ending June 30, 2016, from the  
8 general fund to The Evergreen State College to fund the Washington  
9 state institute for public policy contract with independent  
10 professional consulting services as required in section 3 of this  
11 act.

12        (2) The sum of two hundred fifty thousand dollars, or as much  
13 thereof as may be necessary, is appropriated for the fiscal year  
14 ending June 30, 2017, from the general fund to The Evergreen State  
15 College to fund the Washington state institute for public policy  
16 contract with independent professional consulting services as  
17 required in section 3 of this act.

18        NEW SECTION.        **Sec. 6.**        EXPIRATION DATE. This act expires June 30,  
19 2017.

20        NEW SECTION.        **Sec. 7.**        This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of  
22 the state government and its existing public institutions, and takes  
23 effect immediately.

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