

SENATE BILL REPORT

SB 6062

As Reported by Senate Committee On:
Early Learning & K-12 Education, January 24, 2014
Ways & Means, February 5, 2014

Title: An act relating to providing internet access to public school data and expenditure information.

Brief Description: Requiring internet access to public school data and expenditure information.

Sponsors: Senators Hill, Litzow, Becker, Honeyford, Bailey, Hobbs, Angel, Fain, Braun and Tom.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/20/14, 1/24/14 [DPS-WM, DNP].

Ways & Means: 2/04/14, 2/05/14 [DP2S, DNP, w/oRec].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 6062 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Rolfes, Assistant Ranking Member; Billig, Brown, Cleveland, Fain, Hill, Mullet and Rivers.

Minority Report: Do not pass.

Signed by Senator McAuliffe, Ranking Member.

Staff: Katherine Taylor (786-7434)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 6062 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Assistant Ranking Member on the Operating Budget; Bailey, Becker, Billig, Braun, Dammeier, Fraser, Hatfield, Hewitt, Kohl-Welles, Padden, Parlette, Rivers, Schoesler and Tom.

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.

Minority Report: Do not pass.
Signed by Senator Hasegawa.

Minority Report: That it be referred without recommendation.
Signed by Senator Frockt.

Staff: Lorrell Noahr (786-7708)

Background: A collective bargaining agreement (CBA) is a legal contract between employers and employees which regulates the terms and conditions of employees in their workplace, their duties, and the duties of the employer. It is usually the result of a process of collective bargaining between an employer and a union representing workers. Specifically, in Washington the collective bargaining laws for school classified staff and certificated staff—but not superintendents or business managers—require that CBAs cover wages, hours, and terms and conditions of employment or working conditions.

The Office of Superintendent of Public Instruction (OSPI) is the primary agency charged with overseeing K-12 public education in Washington State. OSPI works with the state's 295 school districts.

Summary of Bill (Recommended Second Substitute): OSPI must implement, maintain, and create rules for an internet-based portal that provides public access to public school CBAs and certain data elements.

For each public school approved and renewed CBA, the public schools must provide OSPI with information on the agreement within 60 days of its approval. The CBA information must be provided on a form prescribed by OSPI and must include but is not limited to the following:

- the term of the agreement;
- the total supplemental salary amount and average supplemental salary per employee;
- the total number of in-service days;
- the total number of sick leave days, personal leave days, and holidays;
- the maximum contracted class size by grade and overload concessions;
- additional compensation provided for time, responsibility, incentives, or other purposes;
- annual percentage of change in total salary from prior year;
- district wide average hours of student instructional time per school year by grade;
- provisions addressing actions taken specifically to eliminate the opportunity gap;
- beginning September 15, 2015, any items, terms, policies, practices, customs, or conditions in the agreement, that were not included in information provided to OSPI in any prior year; and
- whether the agreement contains a no-strike clause.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Second Substitute): Replaces all instances of "school district" with "public schools" in order to include charter schools and state-tribal compact schools.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended First Substitute): For each school district approved and renewed collective bargaining agreement, the school district must provide OSPI with information on the agreement within 60 days instead of 20 days of its approval. Beginning on September 15, 2015, instead of on the effective date of this bill, school districts must provide the agreement information on any items, terms, policies, practices, customs, or conditions in the agreement, that were not included in information provided to OSPI in any prior year.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on January 28, 2014.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on September 15, 2015.

Staff Summary of Public Testimony on Original Bill (Early Learning & K-12 Education): PRO: This bill is good for public oversight. Levy funds are being eaten up. The public needs to see how levy funds are being used. This bill is important for fiscal responsibility. We want more details gathered though.

OTHER: There will be hundreds of contracts put into the portal. We think it is good for OSPI to put these contracts in a secure location. This will be a helpful resource. Many school districts already have their contracts on their websites. A central location will be helpful. Twenty days is not long enough to enter contracts after they have been agreed upon. This should be a joint labor management project. Item J should not be in the bill. Some contracts are not changed every year. A few school districts have living contracts. We want a date certain for school districts to prepare. We love the first part but we think there will be huge work load issues for the second part of the bill. We are opposed to the bill as written but not the concept. We think it could be complex for schools to fill out these forms but transparency is good.

Persons Testifying (Early Learning & K-12 Education): PRO: Jami Lund, Freedom Foundation.

OTHER: Lucinda Young, WA Education Assn.; Dan Steele, WA Assn. of School Administrators.

Staff Summary of Public Testimony on Substitute as Passed by Early Learning & K-12 Education (Ways & Means): PRO: This allows smaller newspapers with less staff to compare the salient items of school district CBAs with other districts in the state.

OTHER: Most school districts already have a copy of their CBAs on their website. Having the CBAs all in one place will assist local school district staff with comparing other school district CBAs. This bill creates a workload issue for school districts. They will have to work with unions to prepare the document. Different terminology and purposes in CBAs will make the comparison difficult. Some elements such as sick leave will be easy to compare.

The change to the bill that allows for 60 days to return the CBA data will makes this process easier to accomplish.

Persons Testifying (Ways & Means): PRO: Rowland Thompson, Allied Daily Newspapers of Washington.

OTHER: Lucinda Young, Washington Education Association.