

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2266

64th Legislature
2015 3rd Special Session

Passed by the House June 29, 2015
Yeas 72 Nays 26

Speaker of the House of Representatives

Passed by the Senate July 9, 2015
Yeas 33 Nays 11

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 2266** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2266

Passed Legislature - 2015 3rd Special Session

State of Washington 64th Legislature 2015 2nd Special Session

By Representative Sullivan

Read first time 06/22/15. Referred to Committee on Appropriations.

1 AN ACT Relating to deferring implementation of class size
2 reduction and school employee staffing formula changes; amending RCW
3 28A.150.261; amending 2015 c 2 s 5 (uncodified); creating a new
4 section; providing an effective date; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** At the 2014 general election, the voters
7 approved Initiative No. 1351, which proposed to amend the formulas by
8 which the state allocates funding for state-funded school district
9 employees. Initiative No. 1351 increased the state's obligation to
10 fund teachers for class size reduction in excess of the class size
11 reduction in grades K-3 already enacted by the legislature in chapter
12 548, Laws of 2009 (ESHB 2261) and chapter 236, Laws of 2010 (SHB
13 2776). Initiative No. 1351 also increased the state's obligation to
14 provide funding for other types of school district employees beyond
15 teachers.

16 In 2012, the state supreme court ruled in *McCleary v. State* that
17 the state has failed to comply with its Article IX duty to make ample
18 provision for the state's program of basic education. In its ruling,
19 the court declared that ESHB 2261 constituted a "promising reform"
20 that would bring the state into compliance with Article IX "if fully
21 funded[.]" In the time since the original *McCleary* ruling, the state

1 has continued to implement ESHB 2261 and SHB 2776, with full
2 implementation scheduled for the statutory deadline of 2018.

3 For two sets of educational reasons, the legislature finds that
4 it is appropriate to delay implementation of Initiative No. 1351 for
5 four years.

6 First, the legislature finds, based on research reviewed by the
7 basic education funding task force and the quality education council,
8 that the greatest improvements in student outcomes in the common
9 schools can be achieved in the near term by focusing the investment
10 of state fiscal resources in the areas identified in ESHB 2261 and
11 SHB 2776, which emphasize fund class size reduction in early grades.
12 The legislature further finds that the court in its *McCleary* ruling
13 and orders has identified investments in these areas as the funding
14 reforms that are needed to bring the state into compliance with its
15 Article IX obligations, which provides an educational reason for
16 focusing on funding the reforms of ESHB 2261 and SHB 2776 in the
17 2015-2017 and 2017-2019 fiscal biennia.

18 Second, the legislature finds that there are practical
19 educational reasons to temporarily defer implementation of increased
20 staffing ratios and the portion of class size reduction that is
21 beyond the reductions called for in SHB 2776. Data from the
22 superintendent of public instruction and the professional educator
23 standards board indicate that Washington's teacher education programs
24 are not estimated to produce sufficient teachers to achieve the class
25 size reductions on the schedule established by Initiative No. 1351.
26 Further, the experience of other states indicates that the need to
27 hire teachers quickly for rapid implementation of class size
28 reductions may exacerbate recruiting difficulties for schools or
29 districts that are at a relative disadvantage in attracting staff.
30 Finally, implementing class size reduction requires time to plan and
31 build new classrooms.

32 For these reasons, the legislature intends to temporarily defer
33 implementation of Initiative No. 1351.

34 **Sec. 2.** RCW 28A.150.261 and 2015 c 2 s 3 (Initiative Measure No.
35 1351) are each amended to read as follows:

36 In order to make measurable progress toward implementing the
37 provisions of section 2, chapter 2, Laws of 2015 by September 1,
38 ((2017)) 2021, the legislature shall increase state funding

1 allocations under RCW 28A.150.260 according to the following
2 schedule:

3 (1) For the ((2015-2017)) 2019-2021 biennium, funding allocations
4 shall be no less than fifty percent of the difference between the
5 funding necessary to support the numerical values under RCW
6 28A.150.260 as of September 1, 2013, and the funding necessary to
7 support the numerical values under section 2, chapter 2, Laws of
8 2015, with priority for additional funding provided during this
9 biennium for the highest poverty schools and school districts;

10 (2) By the end of the ((2017-2019)) 2021-2023 biennium and
11 thereafter, funding allocations shall be no less than the funding
12 necessary to support the numerical values under section 2, chapter 2,
13 Laws of 2015.

14 **Sec. 3.** 2015 c 2 s 5 (Initiative Measure No. 1351) (uncodified)
15 is amended to read as follows:

16 Section 2 of this act takes effect September 1, ((2018)) 2022.

17 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
18 preservation of the public peace, health, or safety, or support of
19 the state government and its existing public institutions, and takes
20 effect immediately.

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