

The Washington State Board of Education

Governance | Achievement | High School and College Preparation | Math & Science | Effective Workforce

Old Capitol Building, Room 253
P.O. Box 47206
600 Washington St. SE
Olympia, Washington 98504

August 7, 2012

The Honorable Marcie Maxwell
Chair, Quality Education Council
PO Box 40600
Olympia, Washington 98504-0600

Dear Representative Maxwell:

I am writing to express my support for the work of the Quality Education Council (QEC) as we move into the 2013-15 budget cycle. The Council's work in informing implementation of ESHB 2261 and SHB 2776 will take on particular importance as the statutory deadlines for certain program enhancements come due. Accordingly, I want to pose a few implementation issues I think could be discussed by the Council, and offer the assistance of the State Board of Education in crafting solutions and advocating for full implementation of the new definition of basic education, as the Supreme Court has now ordered.

Enhancing graduation requirements and the program of basic education

Since 2006, the State Board of Education (SBE) has worked hard at revising state graduation requirements. The result was the first substantive revisions to graduation requirements in over 30 years. In 2009, ESHB 2261 incorporated this work by adopting a 24-credit framework into law, and enabling the SBE to move forward with the 'no cost' provisions of those graduation requirements within the existing 20-credit framework. These 'no cost' changes were adopted in November of 2011 by the Board. What remains is funding for the remaining four credits of the career and college-ready graduation requirement framework. These additional credits include some of the core academic rigor we want all students - regardless of race, income, or post-secondary aspirations - to have access to. These credits are also critical to our efforts to improve seamlessness through the P-20 system by better aligning high school graduation requirements with the minimum college admission requirements established by the Higher Education Coordinating Board (HECB), and preparing students for the skilled positions Washington's economy consistently produces but has difficulty filling with homegrown talent.

A central implementation issue facing the QEC is how to align new programmatic and graduation requirements contained in ESHB 2261 with the new funding enhancements in SHB 2776. Whether it is the additional credit requirements for graduation or the increased minimum instructional time requirements in grades 7-12, the relationship between the new basic education requirements and funding is not specifically outlined in law. Accordingly, there is no clear path in statute for how the new requirements will be implemented, only a declaration of legislative intent (see RCW 28A.150.198 (4)), that all such requirements be fully implemented by 2018. The State Board offers its assistance in completing the detailed implementation timeline called for in the QEC's enabling statute (see RCW 28A.290.010 (3)(b)) as a basis for request legislation during the 2013 legislative session.

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Ben Rarick, *Executive Director*

(360) 725-6025 • TTY (360) 664-3631 • FAX (360) 586-2357 • Email: sbe@k12.wa.us • www.sbe.wa.gov

Pupil transportation

As the first major funding enhancement to come due, I think the Council should pay particular attention to the revised pupil transportation formula. Successful implementation of this first major financial commitment is pivotal to the ongoing credibility of SHB 2776 and the state's overall response to *McCleary*.

RCW 28A.160.192 requires the formula to be "fully implemented by the 2013-15 biennium." Given the modest investments made in the current biennium, this amounts to an additional investment in excess of \$100 million annually. Because this represents a commitment in current law, I believe this expense should be included in the base budget – a so-called maintenance level item – and that a separate bill would need to be enacted by the Legislature to cut any, or all, of that funding from the redefined program of basic education. I would encourage the QEC to monitor that aspect, and be a leading voice in the event a bill is introduced to scale back on that basic education commitment.

I also anticipate some parsing of the statutory language "fully implemented by the 2013-2015 biennium," and what it precisely requires. Does it require full funding in both years of the biennium? Just the last year? It is noteworthy that the 2010 Quality Education Council Report clearly recommends full implementation by the 2013-14 school year. It is also noteworthy that in other sections of SHB 2776, the phrase "*during* the biennium" rather than "*by* the biennium" is used, which implies to me that the phrases have different meanings, with the former phrase providing flexibility not contained in the latter. Indeed, it would have been easy for the legislature to specify the 2014-15 school year, or "*by the end* of the 2013-15 biennium," if that is what was meant. Absent a substantive, non-fiscal reason for rejecting this recommendation, I would urge the Legislature to follow the QEC timeframe. I also would urge the QEC to reaffirm this 2010 recommendation in its 2012 report to the Legislature.

I thank you for your leadership, and I look forward to working with you on demonstrating real and measurable progress in implementing the new definition of basic education, as the Court has now required.

Sincerely,



Ben Rarick
Executive Director

cc: SBE Board Members
Quality Education Council Members
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Chair, House Education Appropriations & Oversight Committee
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