

April 5, 2013

Senator Andy Hill
303 John A. Cherberg Building
PO Box 40445
Olympia, WA 98504-0445

Dear Senator Hill:

On behalf of the State Board of Education, please accept the following feedback on the Senate's proposed operating budget.

First, given your commitment to outcomes-based education, we were surprised by the absence of legislative authorization for the 24-credit career and college-ready graduation requirements original required through ESHB 2261 (2009). As you know, Washington produces many high-paying STEM-related jobs, but has a hard time filling them with homegrown talent. Our proposal aims to change that with rigorous course-taking requirements for all students. We would ask you to reconsider your stance in this regard during negotiations with the House.

Secondly, we appreciate the thoughtful leadership you have brought to the Coalition's deliberations, and the significant enhancements you did propose in education. Nonetheless, we feel it is our institutional obligation to emphasize the need for a fuller and more robust response to *McCleary* and, respectfully, we believe your proposal falls short in this regard in a few important ways.

At the most basic level, the *McCleary* Court's decision requires two things: a series of program enhancements ("ample provision"), and a reliable and sustainable revenue source to support this provision, through good economic times and bad. In our view, your budget puts forth a recommendation on the first, but not the second.

The budget proposal seems to imply that the reliable and dependable revenue source(s) the Court found we lacked were never really lacking at all, but were part of our system all along, but misdirected to other programs. The budget proposal also appears to create one Constitutional dilemma (redirecting the use of Trust Lands revenue) to address another (*McCleary*).

As a state, we should not 'step up' to our Paramount Duty of K-12 education by 'stepping back' from our other important duties. It will be counterproductive if quality education comes at the expense of, rather than in complement to, other basic state services, many of which are essential to improving outcomes for school children. We encourage the quest for operational efficiencies, and strategic rethinking of how government services can best be delivered. However, we would caution against the *de facto* pitting of one functional budget area against another, such that other government

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clients come to regret (rather than embrace) the opportunity that *McCleary* represents for children in this state.

We would like to end with a request. The December, 2012 Court order, excerpted below, calls on the Legislature to develop a detailed implementation timeline leading up to 2018. We are late in the legislative session and have not seen such a proposal included in legislation thus far. It is our hope that both Chambers will seek public input in the creation of this plan sometime during the remainder of legislative session, and we ask that you do so.

Sincerely,



Jeff Vincent, Chair
State Board of Education

cc: Members, State Board of Education
Members, Senate Education & Ways and Means Committees
Members, House Education & Appropriations Committees

Figure A – excerpt from December Court order

Accordingly, by majority, it is hereby ordered: the report submitted at the conclusion of the 2013 legislative session must set out the State's plan in sufficient detail to allow progress to be measured according to periodic benchmarks between now and 2018. It should indicate the phase-in plan for achieving the State's mandate to fully fund basic education and demonstrate that its budget meets its plan. The phase-in plan should address all areas of K-12 education identified in ESHB 2261, including transportation, MSOCs (Materials, Supplies, Other Operating Costs), full time kindergarten, and class size reduction. Given the scale of the task at hand, 2018 is only a moment away—and by the time the 2013 legislature convenes a full year will have passed since the court issued its opinion in this case.¹

(pg 2-3, Supreme Court Order, December 20th, 2012)