

March 14, 2022

## Sine Die report

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The 2022 legislative session ended at 11:35 pm, Thursday, March 10. In a last dash to the finish line, the Legislature completed its work to pass supplemental operating, capital, and transportation budgets, as well as acting on many policy-level bills. Here are some bill highlights and new budget investments:

### The Big 3

- [SHB 1590](#) - Enrollment stabilization. Provides enrollment stabilization amounts in the 2021-22 school year equal to 50 percent of the difference in combined state revenues using 2019-20 enrollment and 2021-22 enrollment if a school district’s combined state revenue generated in the 2021-22 school year is less than what its combined state revenue would be using 2019-20 enrollment. In addition, the bill authorizes the use of 2019-20 enrollment values to calculate enrichment levy limits in the 2023 calendar year and to calculate local effort assistance (LEA) in the 2022 and 2023 calendar years.
- [2SHB 1664](#) – School staffing increases. Increases minimum allocations for nurses, counselors, psychologists, and social workers in the prototypical school funding model over three school years.

	2022-23 School Year	2023-24 School Year	2024-25 School Year
<b>Elementary School</b>			
Nurses	0.246	0.416	0.585
Social Workers	0.132	0.222	0.311
Psychologists	0.046	0.075	0.104
Counselors	0.660	0.827	0.993
<b>Middle School</b>			
Nurses	0.336	0.612	0.888
Social Workers	0.033	0.060	0.088
Psychologists	0.009	0.016	0.024
Counselors	1.383	1.550	1.716
<b>High School</b>			
Nurses	0.339	0.582	0.824
Social Workers	0.052	0.089	0.127
Psychologists	0.021	0.035	0.049
Counselors	2.706	2.882	3.039

- [HB 1808/SSB 5581](#) – Transportation for special student populations. The bill would have increased transportation funding allocations for students who are homeless, in foster care, or receiving special education, and would have required more specific reporting to access the

funding. Several changes were made to the Senate bill to make it more workable for smaller school districts and those with large geographic transportation routes. The bills died in the opposite chamber. However, \$13 million was provided in the budget for these excess costs.

### *New policies, flexibility*

- [E2SHB 1153](#) – increasing language access to improve family engagement. Starting in the 2023-24 school year, requires most school districts to adopt a language access policy and procedures, and to implement a language access program that meets bill requirements. Also creates a Language Access Technical Assistance program at OSPI and requires establishment of credentialing requirements for spoken and sign language interpreters working in public schools to interpret for students’ families.
- [ESHB 1699](#) – addressing the workforce shortage in school districts. The bill expands the hours PERS, TRS, and SERS retirees may work in a school district from 867 to 1,040 through July 1, 2025. Also, a TRS retiree that retired prior to January 1, 2022 may work up to 1,040 hours per year for a school district with less than 2,000 students as a district superintendent or building-level administrator.
- [E2SHB 1723](#) – closing the digital equity divide by increasing the accessibility and affordability of telecommunications services, devices, and training. This bill includes multiple elements, including expanding definitions, creation of a digital equity plan, grant program, and permanently establishing the Digital Equity Forum.
- [HB 1834](#) – offering student absences/mental health days. The bill requires OSPI to develop guidelines for student absence rules and requires OSPI rules to categorize a student absence from school for a mental health reason as an excused absence due to illness, health condition, or medical appointment.
- [SHB 1878](#) – extending Community Eligibility Program requirements for school meals. The bill expands the CEP mandatory participation requirements to all public schools with an identified student percentage of 40 percent, or lower if permitted by federal law, and requires school districts, to the extent practicable, to group schools for the purpose of maximizing the number of schools eligible to participate in the CEP. Funding of \$21 million was provided to cover any funding shortfalls caused by the new requirement.
- [SB 5252](#) – improving consultation between school districts and federally recognized Tribes. The bill includes developing a tribal consultation training and schedule for school board directors and staff who work closely with Native American students. The bill also requires, beginning in 2023, WSSDA to convene annually meetings regionally and invite tribal councils from federally recognized tribes in the region to establish government-to-government relationships and dialogue to discuss issues of mutual concern, including how to close the achievement gap, creating an inclusive learning environment, and creating an understanding of the importance of adopting curriculum that includes tribal experiences and perspectives.
- [SSB 5376](#) – promoting awareness of the Governor’s Office of the Education Ombuds. The bill requires districts to share information about the Education Ombuds with students, parents and care givers.

- [2SSB 5720](#) – providing grants to improve financial literacy. Funding is provided to the Financial Education Public-Private Partnership to establish a grant program to improve integrating financial literacy education into PD for certificated staff. Requires school districts, by March 1, 2023, to adopt one or more goals for expanding financial education instruction to students in their district. Model goals will have been developed by the Partnership by September 1, 2022.
- [ESSB 5878](#) – expanding arts instruction throughout K-12. Beginning in the 2023-24 school year, school districts with more than 200 enrolled students must offer regular instruction in at least one visual art or at least one performing art throughout the academic school year. Each student must receive instruction in at least one arts discipline throughout their K-8 education experience. For grades 9 through 12, all students must be given the opportunity to take arts coursework each academic year. The bill makes certain requirements for teacher qualifications but allows for some flexibility for a person who holds a limited teaching certificate to provide arts instruction.
- [SSB 5790](#) – requires DSHS to establish a School to Work Program in all counties to connect students with intellectual and developmental disabilities who are receiving high school transition services to supported employment services. The bill requires OSPI to submit a list of students receiving special education services to various state agencies at least three years before the student leaves the school system, and a student’s transition plan included in the student’s IEP must be aligned with the student’s High School and Beyond Plan.
- [SSB 5933](#) – establishing a school seismic safety grant program. (Includes \$100 million appropriation)

### *Preventing gun violence and suicide*

After five sessions, the legislature successfully passed a bill that would limit high-capacity magazines to no more than 10 rounds of ammunition [ESSB 5078](#) passed the Senate 28-20 and the House 55-42. It was the final bill to leave the House chambers on March 4<sup>th</sup> after more than three hours of debate.

Also passing this year are:

- [ESHB 1630](#) – establishing restrictions on the possession of weapons in certain locations.
- [ESHB 1705](#) – limiting “ghost” guns, including untraceable firearms and untraceable unfinished frames and receivers that can be used to manufacture or assemble untraceable firearms, with certain exceptions.

### *Increasing access and affordability in post-secondary education*

- [E2SHB 1736](#) – establishing a state student loan program to resident students with financial need pursuing undergraduate or high-demand graduate programs (\$150 million appropriated).
- [HB 1805](#) – allows the Washington State Opportunity Scholarship Program to accept advanced degree students who exceed 125 percent of the state median income if they demonstrate financial need through other factors and includes registered apprenticeships under the Professional Technical Degree and Certificate Program (\$9 million appropriated for the public-private partnership).

- [2SHB 1835](#) – creating outreach and completion initiatives to increase postsecondary enrollment; marketing programs and other elements administered by the Washington State Achievement Council.
- [2SSB 5789](#) – creating the Washington Career and College Pathways Innovation Challenge program to meet statewide attainment goals through the use of local and regional partnerships.

### *2022 Supplemental Operating budget*

Due to strong revenue collections and federal funding, the supplemental operating budget and two-year spending plan for 2021-23 is increased to \$64.1 billion. Major changes this year included a \$2 billion transfer from the operating budget to the Move Ahead Washington transportation revenue package and \$650 million to the 2022 supplemental capital budget. Specifically, the supplemental operating budget increased spending by \$3.2 billion to address educational funding needs, behavioral health and workforce needs, long-term care, COVID recovery for businesses, industry sectors and individuals, and homelessness. Additionally, the operating budget includes significant investments in affordable housing and salmon recovery (typically capital budget).

The negotiated 2022 operating budget ([ESSB 5693](#)) includes the following big-ticket (and smaller) investments in K-12 (dollars are from State General Fund unless otherwise specified):

<b>\$346.4 million (federal)</b>	Enrollment stabilization (apportionment and local effort assistance) (HB 1590)
<b>\$236 million</b>	School employee compensation inflation adjustments; 5.5% IPD for the 2022-23 school year
<b>\$90 million</b>	Increases in school staffing for school nurses, counselors, psychologists, and social workers (HB 1664)
<b>\$28.1 million (federal)</b>	LAP Hold Harmless – additional funds for the following: <ul style="list-style-type: none"> <li>• High poverty-based allocations in the 2022-23 school year for schools not eligible in the 2022-23 school year that were eligible for the high-poverty allocation in the 2021-22 school year; and</li> <li>• For districts if the October LAP percentage in 2019-20 is higher than it would be under the <a href="#">statutory formula</a> for 2022-23, LAP is allocated using the 2019-20 percentage instead.</li> </ul>
<b>\$21.8 million (federal)</b>	Additional food assistance programs: \$18.2 million for acquisition of unprocessed or minimally processed domestic food for supply chain issues; and \$3.6 million for food assistance purchases.

<b>\$21.6 million</b>	Reimbursements to school districts for schools and groups of schools required to participate in the federal Community Eligibility Program (HB 1878) for meals not reimbursed at the federal free meal rate.
<b>\$13 million</b>	Transportation safety net funding for “special passengers.” To be eligible, a district must apply for funds by May 1, 2022, and include the district’s anticipated excess costs through the end of the current school year. While “special passengers” isn’t defined, it is expected to mean students identified under McKinney-Vento; students in the foster care system; and students with IEPs with additional transportation needs.
<b>\$10 million</b>	Outdoor education funding (HB 2078)
<b>\$8.3 million (Opportunity Pathways Account-State)</b>	Funding is provided to support small districts, charter schools, and state-tribal compact schools that meet certain criteria. For schools with less than 750 students enrolled in urban and suburban areas, if the budgeted 2021-22 general fund expenditures are less than \$18,000 per pupil, then the district or school receives the lesser of \$1,692 per pupil or the amount needed to bring the district or school up to \$18,000 per pupil.
<b>\$4.5 million</b>	Additional funding is provided to support school district changes to Native American School Mascots (total FY23: \$5.3 million)
<b>\$2 million</b>	Financial literacy grants (SB 5720)
<b>\$1.45 million</b>	Four days of training for new paraeducators (training within their first year of hire)
<b>\$1 million</b>	Intensive tutoring support; grants are to recruit, train and hire tutors to provide 1:1 service for students impacted by learning loss.
<b>\$700,000</b>	Grants of up to \$2,000 each for professional development or mentoring, assessment fees, or paid time to attend training or courses for interpreters of students who are deaf or hearing impaired.

The negotiated supplemental 2022 capital budget ([SSB 5651](#)) includes the following changes/investments:

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<b>\$537 million</b>	<i>Reduced spending authority in SCAP for 2021-23</i>
<b>\$100 million</b>	School seismic safety and retrofits (\$400 million in future biennia)
<b>\$30.4 million</b>	Includes funding for Almira School District (\$13 million); Republic (\$2.85 million); Seattle John Muir school (\$2.6 million); Nooksack (\$2 million); Centralia (\$750,000); and Wahkiakum (\$515,000)
<b>\$23.1 million</b>	Early Learning Facility Grants (Department of Commerce)
<b>\$7.6 million</b>	2022 Small District Modernization Grants (Brewster, Creston, Oroville)

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*Didn't pass this session*

WSPTA and other advocates worked very hard on these priority bills, which failed to pass the 60-day session:

- [E2SHB 1099](#) would have added a climate resiliency element to the Growth Management Act, among other changes. After the bill went between chambers in dispute the final days of session, the bill passed the Senate 28-21. But, in a weird quirk of clock management, time elapsed before House Democrats could bring pass the bill and get the requisite signatures to send it to the Governor.
- [HB 1611](#) would have required school districts to perform universal screening for placement in highly capable student programs.
- [E2SHB 1659](#) – would have made higher education more affordable and accessible for students by providing \$500 awards to eligible students at pilot institutions to bridge the gap between cost and student need to reduce barriers, improve opportunity, and advance economic security. Pilot institutions include Eastern Washington University, the Evergreen State College, Highline College, Yakima Valley College, Wenatchee Valley College, and Tacoma Community College. The bill passed the Senate in modified form, but apparently never made it through concurrence in the House.
- [SHB 1759](#) would have required school districts to provide information about safe storage of firearms and medications, starting in the 2023-24 school year.