

**Bills ESHB 2261 & ESB 6048 Concerning Public Education**

**Testimony by Barbara Billingham**

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Thank you Madame Chair and Committee Members.

I'm a parent and a school finance researcher and speak in support of HB 2261. I should also add I taught high school science for five years in a private Seattle school.

**I'm here today to share four important lessons that I've learned about states trying to enact and fund education reform.**

These are lessons learned from

- Working on mostly education issues for 15 years at the U.S. Government Accountability Office (GAO), with four of those years as a manager in the area of K-12 education and
- Studying, analyzing and reporting on Washington's school finance system - mostly under the auspices of PTA for the last 10 years and, to a small extent, for OSPI.

So, if states want to be successful in enacting and funding education reform, here's my advice to legislators:<sup>1</sup>

**1. Clearly define the resources and the funding needed to achieve the state's academic goals.**

**The public needs to know exactly what it takes to improve student learning and how much will it cost.**

**The Basic Education Finance Joint Task Force did a great job of defining what was needed to achieve the state's education goals through its redefinition of basic education, its instructional program of basic education and the prototype funding models. EHB 2261 encompasses more of these elements than does ESB 6048.**

The joint task force spent 18 months listening to all kinds of experts on this subject. No new work group - as ESB 6048 proposes - is going to come up with anything different or better.

With regards to funding, the Joint Task Force estimated the additional cost to be from \$3 to \$4.5 billion per year depending on the terms of the compensation package for teachers.

Let's be honest. The only way we are ever going to raise this much money is through some kind of new or increased tax.

So given the likelihood of a tax and the amount of money that's needed, the second lesson becomes absolutely essential.

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<sup>1</sup> For background on these lessons, see School Finance: Three States' Experiences with Equity in School Funding, GAO/HEHS-96-39, December 1995, and Dayton, John, "Blood and Turnips in School Finance Litigation: A Response to Building on Judicial Intervention," Journal of Law and Education, Oct, 2007.

## **2. Link new funding for education to accountability.**

**To support large funding increases, the public must be convinced that the new money will bring improvements in student learning.** There's more than one approach to linking accountability to new education funding. Here's one way:

**What's the most important factor in student learning? Teacher Quality.**

For that reason, education reform needs to address the state policies that affect teacher quality such as certification, compensation, professional development and mentoring.

**Both EHB 2261 and ESB 6048 propose a career ladder for teachers by tying the Professional Educator Standards Board certification levels to compensation.**

Linking certification to compensation through a pay-for-performance system provides a financial incentive for teachers to improve.<sup>2</sup>

**Even Jim Carlson, President of the Educator Compensation Institute, and an expert cited by the National Education Association, WEA's parent organization, recommends a career ladder approach to compensation as a way to improve teacher quality.<sup>3</sup>**

The state would pay teachers at a higher rate depending on their level of certification. In effect, it creates a financial incentive for teachers to progress in their professional development. This is a type of performance-based compensation system.

**To the public, a pay-for-performance compensation system means accountability.**

To be fair to teachers, the state should also fund an extensive mentoring program and adequate professional development if a pay-for-performance system is adopted.

A provision for teacher mentoring should be added to HB 2261.

## **3. Include all stakeholders in the reform process.**

**This guidance is all about the willingness of stakeholders to compromise.**

Of the many areas that could be negotiated, here are two important ones that stakeholders could compromise on right now.

First, the teachers' union, the Washington Education Association (WEA), **needs to accept some new form of accountability in the education system. Without the accountability, teachers will never get the additional resources and help they need in their classroom nor will teachers ever garner the salary increases they deserve.**

**At the same time, Legislators need to give up the idea of tying pay to student test scores.**

Using test scores as criteria for teacher pay is controversial and has yet to be successful on a large scale, even when the value-added approach is used.

**One approach might be to use the Professional Educator Standards Board criteria which evaluates teacher behavior, encourages continuous improvement and self-assessment, and promotes collegiality. However, whatever criteria are adopted should be developed with teacher representatives.**

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<sup>2</sup> Teacher certification verifies that teachers have acquired the necessary skills and knowledge for the many different instructional challenges they face as they progress through their career.

In Washington state, the three types of teaching certification - residency, professional, and National Board Certification - roughly correspond to licenses granted to an entry-level worker, a journeyman, and a master.

<sup>3</sup> Jim Carlson, President of the Educator Compensation Institute spoke before the Basic Education Finance Task Force on April 14, 2008. <http://www.edcomp.org/uploadedFiles/4-14-08%20WSIPP%20Testimony.pdf>

#### **4. Remember that Courts by themselves can't solve education funding problems.**

**Just like the legislature, courts work best within the fiscal and political realities of the day.**

**(Note: This is in reference to the pending school funding adequacy lawsuit in Washington state.** “Plagued with a long-outdated state funding system that fails to fully fund even the basic elements of a high quality 21st century education, a coalition of districts has been forced to file a lawsuit asking the courts to order the State of Washington to live up to its *paramount* constitutional duty to make *ample* provision for the education of *all* Washington children.” The lawsuit is scheduled to go to trial in August 2009. <http://www.waschoolexcellence.org/>)

**What can the public and legislature expect from this lawsuit? How much reform and financing can the court order the state to undertake?**

Some legislators worry that by adopting the expanded definition of basic education, the court will have the constitutional authority it needs to immediately demand the legislature to pony up the \$3 billion price tag - even perhaps forcing the legislature to raise taxes to do so.

This scenario is highly unlikely because, just like the legislature, courts operate within parameters set by fiscal and political realities.

**Given the current economy, it's highly unlikely for our state court to order the legislature to come up with \$3 billion immediately. The history of school finance litigation suggests that courts are more likely to allow states to gradually increase funding over a period of time. Courts (which after all are ruled by elected judges) are well aware of the need for tax increases to be supported by the public.**

**Courts can act as a catalyst for change; they can ensure that education reform remains on the legislative agenda. They raise the stakes for not taking action. They can bring more public attention to the problem. They can help educate the electorate and the legislators of need for more school funding.**

But in the end, it's the voters that matter. Voters, convinced of the need to reform schools are the ones who will persuade their legislators to authorize the funding.

**One implication of this lesson is that, right now, we do not have enough public support for a large increase in education funding. Attaching a revenue package to HB 2261 or SB 6048 will likely provoke opposition and could kill it.**

Why force the issue at this time? As events unfold in the coming year, we have a better chance of garnering additional public support for increased school funding from more voters, including teachers.

**Let's be prepared for the future by putting a legally enforceable plan in place by expanding the definition of basic education. Please support HB 2261. Thank you.**

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