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Governor



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May 19, 2009

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I have approved, except for Sections 115 and 709, Engrossed Substitute House Bill 2261 entitled:

"AN ACT Relating to education."

In this legislation a number of programs and formulae are to be developed to expand our state's definition of basic education.

Section 115 initiates the development of an early learning program for at-risk three- and four-year olds. The bill indicates that this program is to become part of the definition of basic education. If early childhood education is to become part of our definition of basic education it cannot be made available only to at-risk children. I am deeply and personally committed to providing quality early learning programs for all of our children and will continue to work to develop an early learning program worthy of our earliest learners. I am asking Superintendent of Public Instruction Randy Dorn and Department of Early Learning Director Betty Hyde to work together to bring a proposal forward that ensures all Washington children have the benefit of early childhood education.

One of the several tasks in Engrossed Substitute House Bill 2261 is the creation of funding formulas to support the program components of a new definition of basic education and to develop a timeline for the implementation of the funding formulas along with programmatic changes. Section 709 requires the state to provide a safety net of resources for students identified by school districts as meeting local requirements for participation in a highly capable program, but for which the allocation does not provide enough support.

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Section 709 is not necessary because Section 708 of the bill makes it clear that the highly capable program is not intended to be an entitlement to individual students. This section also has two troubling features: First, local school districts make the determination as to the qualifications for their highly capable programs and the types of programs offered, and by this language locally defined costs are forwarded to the state for payment without regard to other basic education program or other funding needs. Second, the state is required to provide a highly capable program safety net.

As the basic education definition evolves in this legislation, the timeline for implementation of various programs and formulae is left to the Quality Education Council. This specific provision makes the highly capable program the first task for funding, in essence prioritizing this program over all other aspects of basic education funding under consideration. Much work is left to be done to establish standards, guidelines and definitions for what constitutes a highly capable program and what the funding level should be for such a program.

For these reasons I am vetoing Sections 115 and 709 of Engrossed Substitute House Bill 2261.

With the exception of Sections 115 and 709, Engrossed Substitute House Bill 2261 is approved.

Respectfully submitted,

/s/
Christine O. Gregoire
Governor