

HOUSE BILL REPORT

HB 1690

As Reported By House Committee On:

Education

Title: An act relating to mandates on school districts.

Brief Description: Eliminating some mandates on school districts.

Sponsors: Representatives McMorris, Brumsickle, L. Thomas, Mulliken, Sherstad, Talcott, McMahan, Thompson, Elliot, Fuhrman, D. Schmidt, Clements and Benton.

Brief History:

Committee Activity:

Education: 2/14/95, 2/24/95 [DPS].

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Brumsickle, Chairman; Elliot, Vice Chairman; Johnson, Vice Chairman; Fuhrman; McMahan; Pelesky; Smith; Talcott; B. Thomas and Thompson.

Minority Report: Do not pass. Signed by 6 members: Representatives Poulsen, Assistant Ranking Minority Member; Dickerson; G. Fisher; Hatfield; Radcliff and Veloria.

Staff: Robert Butts (786-7111).

Background: School board members, district administrators, and teachers are expressing increased concern about the number of mandates and reports that are required by the state. These mandates and reporting requirements take time and resources to complete, which may mean fewer funds are available to the classroom.

Mandates, reports, and other requirements referenced in this legislation include:

"Basic education" compliance: Current law requires the State Board of Education (SBE) and the Superintendent of Public Instruction (SPI) to adopt rules and ensure compliance with the program requirements of the "Basic Education act" and related requirements. To meet this responsibility, the state requires that each school district annually complete a "M-808 Form." The form includes questions concerning

compliance with the following: program hour offerings, basic skills/work skills, classroom teacher contact hours, K-3/4-12 student/classroom ratios, 180 school year, student to certificated staff ratios, certification of personnel, health and safety, discipline, standardized transcripts, and other matters.

Revenue-to-program report: Questions are often raised by legislators, the Governor, and others regarding the percentage of federal, state, and local funds that are expended for specific school district programs, such as special education, transportation, and vocational education. In order to provide this information, districts are required to annually report the percentage of federal, state, and local funds for major programs. This report is known as "F-196, Part V."

Paperwork reduction: Current law requires SPI to make every effort to reduce the amount of paperwork required for allocating funds to school districts and to integrate and standardize information requests.

School construction art projects: Current law requires the SBE and SPI to allocate for art projects 1/2 of 1 percent of all state funds allocated for new school construction. The funds are provided to the Washington Arts Commission, which makes decisions regarding the use of the money in consultation with SPI and school districts.

Medicaid reimbursement: Many school districts provide medical services in their special education programs that are eligible for reimbursement through Title XIX of the Federal Social Security act, also known as Medicaid. In 1994, the Legislature required that all school districts participate in a program to seek reimbursement from the federal government for eligible medical services. In addition, if a school district does not comply with the requirement, a portion of its block grant is withheld. School districts have expressed concern about the cost of completing the paperwork required for the reimbursement.

Audits: Current state law directs the state auditor to complete financial audits of school districts on a periodic basis. According to a schedule adopted by the state auditor, audits of first class districts are conducted annually, and audits of second class districts are conducted every two or three years. The cost of the audits are paid for by the school district being audited. School district officials have expressed concern about the cost of these audits.

AIDS employee training: Current law requires that public school employees receive training on the prevention, transmission, and treatment of AIDS. SPI has developed training material, and all employees and new employees are required to attend a training session.

Educational "Choice" report: In 1990, the Legislature adopted legislation designed to increase the ability of parents and students to attend the public school of their choice. The legislation also included a requirement that SPI annually collect and maintain information on the number of student transfers in and out of school districts, and reasons why students chose to transfer. School district officials have expressed concern that the paperwork required to meet the reporting requirement is excessive.

Summary of Substitute Bill:

"Basic education" compliance report: Authority of the SBE to ensure compliance with the program requirements of the basic education act is deleted. Instead, responsibility for compliance will rest with school boards.

Revenue-to-program report: SPI is prohibited from annually requesting information on the sources of revenue for specific state categorical programs in school districts.

Paperwork reduction: SPI is directed to report to the Legislature by December 1, 1995, on specific actions it has taken in calendar year 1995 to meet statutory paperwork reduction requirements.

School construction art projects: Current law is repealed that requires 1/2 of 1 percent of state funds for new school construction be used for art projects.

Medicaid reimbursement: Second class school districts (fewer than 2,000 students) are exempted from participating in the Medicaid reimbursement program.

Audits: The state auditor is directed to audit school districts every three years, unless a more frequent audit is required as a condition of a grant or the state auditor has evidence that a more frequent audit of an individual school district is needed.

AIDS employee training: A requirement is repealed that all public school employees receive training in AIDS prevention, transmission, and treatment. SPI would be required, however, to continue to make information available to districts that choose to provide the training.

Educational "Choice" report: A requirement is repealed that directs SPI to collect information on student transfers.

Substitute Bill Compared to Original Bill: Provisions were removed that would have repealed the statewide ban on corporal punishment in schools and would have removed a requirement that school districts require background checks, with fingerprints, for new employees. Several technical changes were made.

Appropriation: None.

Fiscal Note: Requested on February 6, 1995.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed, except for sections 2 and 4 which take effect September 1, 2000, unless a law is enacted stating that a school accountability and academic assessment system is not in place.

Testimony For: This bill was developed to reduce the number of unnecessary mandates that have been placed on school districts by the Legislature. The mandates in the bill were selected after contacting school district superintendents in northeast Washington and asking what state requirements were especially burdensome.

Testimony Against:

Corporal Punishment: Corporal punishment cannot be used in jails, why would we want to allow it in our schools. Allowing corporal punishment back in our classrooms will lead to child abuse in schools.

Record check/fingerprinting: The background check requirement has kept many undesirable individuals from working in our schools. If it becomes discretionary on the part of schools, the FBI will refuse to complete checks for those schools that choose to require the background check.

AIDS employee training: AIDS is spreading rapidly in the young adult population. It is essential that school employees be knowledgeable about AIDS.

School construction art projects: Art in our schools has a lasting impact. For some students, it may be the only art they are exposed to. This program is a good investment: it is less than \$1 per student per year.

Testified: Representative Cathy McMorris, prime sponsor, (pro); (Opposed to repeal of statewide ban on corporal punishment): Barbara Mertens, Washington Association of School Administrators (supports intent of bill, however); Mike Leigh, citizen; Rory Laughery, Washington Academy of Family Physicians; Bonnie Riach, Washington Council for Prevention of Child Abuse and Neglect; Randolph Bak, Washington Chapter American Academy of Pediatrics; Barbara Casey and Debbie Severe, Washington State PTA; Clifford Cooper, retired teacher; Larry Davis, State Board of Education; Tom Nogler, Child Abuse Prevention Association of Washington; Jean Ameluxen, Superintendent of Public Instruction; and Peter Berliner, Children's Alliance.

(Opposed to record check/fingerprinting amendment): Bonnie Riach, Washington Council for Prevention of Child Abuse and Neglect; Barbara Casey, Washington State

PTA; Larry Davis, State Board of Education; and Jean Ameluxen, Superintendent of Public Instruction.

(Opposed to repealing mandatory AIDS employee training): Mike Leigh, citizen; Barbara Casey, Washington State PTA; and Jean Ameluxen, Superintendent of Public Instruction.

(Opposed to repealing sections allocating funding for school building art): Karen Gose, Candy Gamble and Linda Lamb, Washington State Arts Commission.

(Supports modifying funding for school building art): Larry Davis, State Board of Education.