

HOUSE BILL REPORT

ESHB 2330

As Passed Legislature

Title: An act relating to church schools.

Brief Description: Authorizing church schools.

Sponsors: By House Committee on Education (originally sponsored by Representatives Hickel, Johnson, Backlund and D. Sommers).

Brief History:

Committee Activity:

Education: 1/16/98, 1/22/98 [DPS].

Floor Activity:

Passed House: 2/9/98, 71-25.

Passed Legislature.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Johnson, Chairman; Hickel, Vice Chairman; Keiser, Assistant Ranking Minority Member; Linville; Quall; Smith; Sterk; Sump and Talcott.

Minority Report: Do not pass. Signed by 2 members: Representatives Cole, Ranking Minority Member; and Veloria.

Staff: Charlie Gavigan (786-7340).

Background: All parents of children from 8 to 18 years old are required to send these children to school. The children must attend public school unless they are enrolled in a private school, are receiving home-based instruction, are attending an education center, are excused by the school district superintendent under certain circumstances, or are 16 years old and meet certain criteria.

Private schools are subject to less regulation than public schools, although private schools must be approved by the State Board of Education and comply with certain statutory requirements. Private schools must annually file a certification with the Superintendent of Public Instruction that the private school meets these minimum statutory requirements,

and must develop a process to correct any deficiencies. These requirements include: (1) the school year consists of at least 180 school days; (2) all classroom teachers must be certificated by this state except for teachers of religion courses and others with unusual competence who are supervised by a certificated teacher; and (3) the school facilities must be adequate to meet the program offered by the school and meet reasonable health and safety requirements. The private school curriculum must include instruction in basic skills. Private school students are not required to meet student learning goals, obtain a certificate of mastery, or be assessed under the state assessment program. Private schools are authorized to operate an extension program for parents or legal guardians to teach their children.

Private schools must report information on their students required by the Superintendent of Public Instruction to the appropriate educational service district. Private schools must comply with rules relating to private schools promulgated by the State Board of Education.

Summary of Bill: Parents can comply with the requirement that they send their children to school by sending their children to a religiously affiliated exempt school. A religiously affiliated exempt school is a private school that: (1) offers instruction in grades K-12, in any combination including single grade schools; (2) is operated by a ministry of a local church, group of churches, denomination, religiously-affiliated school, or association of churches on a nonprofit basis; and (3) does not receive any state or federal funding.

Religiously affiliated exempt schools are exempt from the minimum requirements that private schools must meet, except that they must have adequate facilities. These schools do not have to be approved by the State Board of Education, and do not have to report their attendance and enrollment.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Education and religion cannot be separated. It can be difficult to get teachers certificated who have the appropriate religious background. Church school teachers are qualified teachers even if they are not certificated. Any regulation of church schools interferes with religious freedom. Some church schools do not obtain the required approval from the State Board of Education because it interferes with their religious freedom; these schools do not like to disobey civil law but feel they must in order to preserve their religious freedom. Church schools have a long history of providing a good education. Parents, who usually must pay tuition at these schools, would not continue to pay tuition if the church schools did a poor job.

Testimony Against: None.

Testified: Representative Hickel, prime sponsor; Jon Buehholz, pastor, Holy Trinity Lutheran Church; Ellen Craswell, citizen; Tom Minnick, Heritage Baptist Fellowship; Gary Prisk, pastor, Bible Baptist Church; Ted Lambert, pastor, Christ the King Lutheran Church; Jonathan Schoeneck, Evergreen Lutheran High School; Ed Bryant, pastor, Evangelical Lutheran School; Roger Norrie, Association of Christian Schools International; Curtis Mantey, Bethany Lutheran School; James Humann, pastor, Salem Lutheran School; Michael Holtzinger, pastor, Valley View Baptist Church; Mark Smith, Faith Baptist Christian Academy; Roy Delia, Cascade Vista Baptist Church; Werner Lemke, Evergreen Lutheran High School; and Steven Dinger, Washington Federation of Independent Schools (all support the bill).