

# HOUSE BILL REPORT

## HB 2912

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### As Reported By House Committee On:

Education

**Title:** An act relating to the learning materials loan program.

**Brief Description:** Authorizing learning materials to be loaned to private school students.

**Sponsors:** Representatives Quall, Talcott, B. Thomas and O'Brien.

#### **Brief History:**

##### **Committee Activity:**

Education: 2/4/98, 2/6/98 [DPS].

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Johnson, Chairman; Hickel, Vice Chairman; Linville; Quall; Smith; Sterk; Sump and Talcott.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Cole, Ranking Minority Member; Keiser, Assistant Ranking Minority Member; and Veloria.

**Staff:** Jim Morishima (786-7191).

**Background:** Current law authorizes local school boards to set policies for the selection, granting, and loaning of instructional materials to public school students. Districts also have the authority to enter into joint purchasing agreements with private schools.

**Summary of Substitute Bill:** A local school district may loan learning materials to students who attend private schools in the district. A private school desiring to borrow materials must submit an annual request for learning materials to the public school district in which the private school is located. The school district may then provide the materials through a loan agreement and subject to certain guidelines:

- Districts cannot limit learning material support based on a student's economic status, but may limit such loans to students of state-approved private schools.

- A district may neither buy materials it does not have on hand for purposes of the loans nor loan materials it needs to educate its own students.
- Loaned learning materials cannot promote or deter sectarian or religious activities of the private school. A school district also cannot lend materials designed for religious instruction to the private school.
- Student learning materials eligible for loan are limited to textbooks only.
- The state cannot adopt new laws or rules that directly or indirectly impact the autonomy of a private school in response to a private school student receiving learning materials support.
- All loaned materials will remain the property of the school district at all times.
- To assist the state, the Office of the Superintendent of Public Instruction may identify currently existing, nonsectarian, statewide private school organizations to act as liaisons with the state for approved private schools whose students receive or desire to receive loaned learning materials.

**Substitute Bill Compared to Original Bill:** The substitute bill makes it optional for a public school to loan materials to private school students and limits those materials to textbooks only. The substitute bill also ensures that schools will only loan surplus textbooks. The substitute ensures that the materials will remain the property of the school district instead of the property of Washington. Finally, the substitute removes the appropriation.

**Appropriation:** None.

**Fiscal Note:** Requested on January 29, 1998.

**Effective Date of Substitute Bill:** The bill takes effect on September 1, 1998.

**Testimony For:** This bill puts private school students on an equal footing with home school students who already can borrow materials from public schools. Parents of private school students pay the taxes which pay for public school books as well as the books used by their own children. Some of these parents are from economically disadvantaged backgrounds.

**Testimony Against:** This bill is a mandate and involves lending more than just textbooks. Public schools should not be required to loan materials to private school students. Private school children are not part of the educational mandate of the public schools. The appropriation represents money that could be spent on public school children.

**Testified:** Stephen Dinger, Washington Federation of Independent Schools (pro); Ross Hjelsuth, Life Christian School (pro); Greg Duran, parent (pro); Jessie Dye, Washington Catholic Conference (pro); Jean Ameluxen, Office of Superintendent of Public Instruction (con); Rainer Houser, Washington Association of School Principals (con); Margaret Ham, parent (pro); Ken Mortland, teacher (con); Virginia DeForest, American Association of University Women (con); and Peter Stockwell, teacher (con).