

# SENATE BILL REPORT

## SHB 2803

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As Reported By Senate Committee On:  
Education, February 24, 2000

**Title:** An act relating to the Washington assessments of student learning.

**Brief Description:** Allowing private school students and students receiving home-based education to take the Washington assessments of student learning at district expense.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Lambert, Koster, Benson, Talcott, Cox, D. Schmidt, Esser, Lantz and Rockefeller).

**Brief History:**

**Committee Activity:** Education: 2/17/2000, 2/24/2000 [DPA, DNP].

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### SENATE COMMITTEE ON EDUCATION

**Majority Report:** Do pass as amended.

Signed by Senators McAuliffe, Chair; Eide, Vice Chair; Benton, Brown, Goings, Kohl-Welles, Rasmussen and Swecker.

**Minority Report:** Do not pass.

Signed by Senator Hochstatter.

**Staff:** Susan Mielke (786-7422)

**Background:** Fourth grade public school students are currently required to take the Washington Assessment of Student Learning (WASL) in reading, writing, communication and mathematics. Next year seventh and tenth grade public school students will be required to take the WASL in reading, writing, communication, mathematics, and science.

Current law specifically provides that private school and home-based instruction students will not be required to take the WASL; however, they may choose to do so. Private schools may contract with the assessment contractor to obtain the tests and have the tests scored. The cost is approximately \$23 per test.

Additionally, private school or home-based instruction students may enroll as a part-time public school students to take a course or receive an ancillary service, including academic testing. The Superintendent of Public Instruction (SPI) must reimburse the school district for the costs of the part-time students.

**Summary of Amended Bill:** Individual private school or home-based instruction students may take the WASL through the local school district as an ancillary service and at no cost to the student.

Educational service districts (ESDs) provide an alternative testing site for private, home-based instruction and public school students to take the WASL. SPI must pay for the test and the scoring for students who take the test at the ESD.

**Amended Bill Compared to Substitute Bill:** The ability for private or home-based instruction students to take the WASL through the local school district as an ancillary service and at no cost to the student is retained, but it codifies the language in their respective sections of the education code. ESDs provide an alternative testing site for private, home-based instruction, and public school students to take the WASL. SPI must pay for the test and the scoring for students who take the test at the ESD.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** This bill clarifies the current law that permits private and home-schooled students to take the WASL at a public school. But some parents do not believe that putting their child into a different school to take a test would be providing the best testing environment. It is more convenient for private school students to take the test at their own school. Most private schools cannot afford to spend the money for the tests. Providing the test to private school students furthers an important secular interest because the state should know how all our students are performing academically. If there is a constitutional problem, then the courts should be allowed to decide it. Additionally, parents should be able to tell how private schools are performing in comparison with the public schools so that parents can choose the best school for their child.

**Testimony Against:** There are serious constitutionality questions about this bill since it would provide assistance to religious schools. The Washington Constitution is clear. Public money cannot go to any institutions with sectarian control or influence. Providing the test and the scoring for free is no different than handing the institutions money. When the tests were piloted, the state did pay for private schools to participate but was advised by the office of the Attorney General that this was a constitutional violation and the private schools needed to pay. Additionally, it is unadvisable to distribute the WASL to a broader student population before the test is found valid and reliable. Funds are scarce after the passage of I-695. It would be irresponsible to increase spending on non-critical programs such as this.

**Testified:** PRO: Representative Kathy Lambert, prime sponsor; Jim Boldt, Seattle Christian School; Brian Peterson, Seattle Christian School; Phil Watkins, Seabury School; Gary Swinyar, Buena Vista Seventh-Day Adventist Elementary School; Dave Arbaugh, citizen; Dan Sherman, WFIS; Bob Minnerly, SBE; CONCERNS: Jennifer Wallace, Governor's Office; Dwayne Slate, WSSDA; Ken Kanikeberg, OSPI; CON: Marda Kirkwood, Citizens United for Responsible Education.