

# HOUSE BILL REPORT

## EHB 1363

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### As Passed House:

March 5, 2003

**Title:** An act relating to permitting children of certificated and classified school employees to enroll at the school where the employee is assigned.

**Brief Description:** Permitting the children of certificated and classified school employees to enroll at the school where the employee is assigned.

**Sponsors:** By Representatives McDermott, Anderson, Quall, Haigh, Talcott, McMahan, Jarrett, Schual-Berke, Kenney, Woods, Kagi, Hudgins, Simpson and Bush.

### Brief History:

#### Committee Activity:

Education: 2/10/03, 2/13/03 [DP].

#### Floor Activity:

Passed House: 3/5/03, 95-2.

### Brief Summary of Engrossed Bill

- Requires school districts to let the children of their full-time teachers and classified employees enroll in the district's schools, including the schools where the teachers and classified employees work if the employees live in the state.
- Permits school districts to deny enrollment to the children of employees who don't live in the district if the children have a history of disciplinary problems, as defined.

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## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 11 members: Representatives Quall, Chair; McDermott, Vice Chair; Talcott, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Anderson, Cox, Haigh, Hunter, McMahan, Rockefeller and Santos.

**Staff:** Susan Morrissey (786-7111).

### Background:

In most instances, a public school student must attend school in the school district in

which that student lives. This is called the student's resident district.

For parents wanting to change the location of their child's school enrollment, there are two types of transfers potentially available: (1) intradistrict transfers, from one school to another school in the same district; and (2) interdistrict transfers, from a school in one district to a school in a different district.

Intradistrict transfers are governed by individual district policies. Each district is required to adopt a policy establishing standards on how intradistrict enrollment options will be implemented. These policies are published by the Office of the Superintendent of Public Instruction (OSPI) and also are made available to parents within and outside the district.

Interdistrict transfers are governed, in part, by statute. Any district may make arrangements with any other district for children to attend the school district of choice, and districts are strongly encouraged to honor parental requests for children to attend school in another district. In order to transfer to a nonresident district, a student must get a release from the resident district and an acceptance from the nonresident district.

A district must release a resident student to a nonresident district that agrees to accept the student if: (1) the transfer will likely result in an improved health, safety, financial, or educational condition affecting the student; (2) the school in the nonresident district is more accessible to a parent's place of work or to the location of child care; or (3) there is a special hardship or detrimental condition affecting the student or the immediate family. A district may refuse to release a resident student if the release will adversely affect a district's existing desegregation plan.

A district may, but is not required to, accept applications from nonresident students. Districts that do accept applications must consider all applications equally and must employ fair and equitable standards for the acceptance or rejection of transfer requests. A district may reject a transfer request from a nonresident student if: (1) acceptance would result in a financial hardship for the district; (2) the nonresident student has a history of convictions, violent or disruptive behavior, or gang membership; or (3) the student has been expelled or suspended from school for more than 10 consecutive days.

A nonresident district must provide written notification of the approval or rejection of the transfer request, including the reasons for any denial. Parents may appeal decisions regarding release by the resident district, and decisions regarding acceptance by the nonresident district, to the OSPI. After a review by the OSPI, parents may appeal to superior court.

If a student is allowed to enroll in a nonresident district, the student's attendance is credited to the nonresident school district of enrollment for state apportionment and all other purposes.

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**Summary of Engrossed Bill:**

School districts are required to allow children of full-time certificated and classified school employees who live in Washington to enroll: (1) at the school where the employee is assigned; (2) at a school that feeds into the school where the employee is assigned; or (3) at a school in the district's K-12 continuum that includes the school to which the employee is assigned. If a school in the district uses a lottery for admission, the children of these employees will be considered residents of the school district for the purposes of admission and will be permitted to participate in the lottery.

A district may reject a transfer request from a school employee's child if the student does not live in the school district and either has a history of convictions, violent or disruptive behavior, gang membership, or the student has been expelled or suspended from school for more than 10 consecutive days.

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**Appropriation:** None.**Fiscal Note:** Not Requested.**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.**Testimony For:** Many teachers and other school employees cannot afford to live in the school districts where they teach or work as support staff. Some have long distance commutes that substantially reduce the amount of time they can spend with their own children. This legislation is a no-cost family friendly way to support teachers and other school employees. It helps strengthen the school community and gives teachers and other employees a reason to become even more involved in their schools. It gives teachers an opportunity to see the curriculum they teach through the eyes of their own children. It also helps them get to know the teachers in the schools that feed into and out of the schools in which they teach. It contains safeguards for the districts by permitting them to retain the ability they now have to deny enrollment to those children who have a history of disciplinary problems.**Testimony Against:** School districts face many challenges in attempting to meet the needs of the children who live within their districts. This legislation could result in giving a child who lives outside the district an enrollment preference over a child who lives in the neighborhoods served by a local school. Schools have the option of providing this benefit now, but they shouldn't be required to provide it. Before the state adopts a policy like this, it is important to know how many students might be involved and how

schools might be impacted.

**Testified:** (In support) Representative McDermott, prime sponsor; Bob Ellis, Washington Education Association; Lucinda Young, Washington Education Association; Doug Nelson, Public School Employees of Washington; and Rubye Hayden, Public School Employees of Washington.

(Opposed) Barbara Mertens, Washington Association of School Administrators; and Dan Steele, Washington State School Directors Association.