

# HOUSE BILL REPORT

## ESSB 5142

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### As Passed House:

April 9, 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 Senate Committee on Education (originally sponsored by Senators Carlson, Eide, Schmidt, Johnson, B. Sheldon, Shin, Kohl-Welles, Rasmussen and Esser).

### Brief History:

#### Committee Activity:

Education: 3/26/03, 3/27/03 [DP].

#### Floor Activity:

Passed House: 4/9/03, 94-2.

### Brief Summary of Engrossed Substitute Bill

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

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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 the 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 Bill:**

School districts must allow children of full-time certificated and classified employees to enroll (1) at a school where the employee is assigned, or (2) at a school in the district's K-12 continuum that includes the school to which the employee is assigned. This requirement does not apply to students who reside out of state.

For interdistrict transfers, the nonresident school district may reject a transfer request if the nonresident student (1) has a history of convictions, violent or disruptive behavior, or gang membership; (2) the student has been expelled or suspended from school for more than 10 consecutive days; or (3) enrollment of a child under this section would displace a child who is a resident of the district, except that if a child is admitted under this section, that child must be permitted to remain enrolled until he or she completes his or her schooling.

School districts must report to the OSPI the number of students who apply for and are denied enrollment under these sections. The OSPI must compile and report the data to the Legislature by December 1, 2004.

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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:** This is a great bill for teachers and other school employees. It would be even better if language permitting a school district to deny enrollment to the children of teachers if the children displace resident students was modified to say that the children will be admitted but will not displace resident students.

**Testimony Against:** None.

**Testified:** Lucinda Young, Washington Education Association.