

SENATE BILL REPORT

ESSB 5142

As Passed Senate, March 11, 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: 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: 2/18/03, 2/19/03 [DPS].

Passed Senate: 3/11/03, 41-8.

SENATE COMMITTEE ON EDUCATION

Majority Report: That Substitute Senate Bill No. 5142 be substituted therefor, and the substitute bill do pass.

Signed by Senators Johnson, Chair; Zarelli, Vice Chair; Carlson, Eide, Finkbeiner, Rasmussen and Schmidt.

Staff: Heather Lewis-Lechner (786-7448)

Background: Under current law, a student must generally attend the school designated for the geographic attendance area in the school district in which he or she lives. This is called the student's resident district. For parents wanting to enroll their child in a different school, there are two different transfers potentially available: (1) intradistrict transfer, from one school to another school in the same district, or (2) interdistrict transfer, from a school in one district to a school in a different district.

Washington law allows school districts to adopt their own policies governing intradistrict transfers. Interdistrict transfers are governed, in part, by statute. A parent wishing to transfer his or her child to a school in another district must get both a release from the resident district school and an acceptance from the nonresident district. The reasons for release are set out in statute. Schools accepting interdistrict transfers must establish a policy with fair, rational and equitable standards for acceptance or rejection. Possible reasons for rejection are set out in statute. Written notification of approval or rejection of the transfer request is required and parents may appeal the decisions. School districts are strongly encouraged to honor a parental request for a transfer. No school district or school is required to accept a student requesting a transfer if the district or school does not have space, unless the transfer request is under the choice provisions of the newly enacted federal No Child Left Behind Act.

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 ten 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.

There is a reporting requirement regarding the number of students who apply for enrollment under this act and the total number of students applying for any transfer type who are denied enrollment.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill will benefit kids and it will allow our school teachers to be better and more prepared teachers as well as better parents. By allowing children to attend the school where their parents work, teachers and staff will no longer have to split their time and energy between two different schools. This bill will also be an incentive for teachers to stay in our state rather than go elsewhere because they will have an increased commitment to the school where they work and where their children attend classes. This bill gives stability to parents by allowing them to know what school their children will be attending throughout their school career and not have to continually worry each year that the transfer request might not be accepted.

Testimony Against: While we would like to be able to keep parents and children together at one school, there is some concern about the mandate in the bill. We do not want to take rights away from parents who live and pay taxes in a resident area only to then have their children bumped out of a school due to lack of space. There is a question of whether nonresident students should get preferential rights over resident students. Building capacity and classroom size are negotiated and there is a question as to whether those negotiations are going to be waived in order to accommodate the students covered by this bill. School districts should be allowed to have some flexibility, as they do now, to make these decisions.

Testified: PRO: Senator Carlson, Prime Sponsor; Kim Herman, International School PTSA; Doug Nelson, Rubye Hayden, PSE; Tracie Shepard, teacher; Deborah Nissen, Kim Herzog, Tamara Truax, Lucinda Young, WEA. CONCERNS: Barbara Mertens, WASA; Dan Steele, WSSDA.