

# SENATE BILL REPORT

## SB 6147

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As of January 19, 2006

**Title:** An act relating to school districts with an enrollment of less than three thousand students.

**Brief Description:** Exempting small school districts from certain laws and rules.

**Sponsors:** Senators Mulliken and Morton.

**Brief History:**

**Committee Activity:** Early Learning, K-12 & Higher Education: 1/16/06

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### SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

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

**Background:** The state Legislature has authorized local school boards of directors to establish the school districts' educational program offerings and operating policies. The program offerings and district policies must comply with state law and the rules adopted by the Superintendent of Public Instruction and the State Board of Education, unless a waiver is available and the district receives a waiver.

**Summary of Bill:** All school districts with a student enrollment of less than 3,000 full-time equivalent students are exempt from the requirements of each chapter of the education code applicable to public school districts and schools, except for specified laws. Those specified for compliance are the health, safety and civil rights laws, the requirement to administer the Washington Assessment of Student Learning, the requirement to employ certificated teachers (except in exceptional circumstances), the employee record check requirements, the financial and audit requirements, the annual school performance report, the Open Public Meetings Act, and the collective bargaining provisions.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** A similar bill was heard a few years ago and at that time a number of underfunded and unfunded mandates were identified. This takes money out of the classroom. An example is the Becca bill and how costly it is to very small school districts who have their own methods of addressing truancy because of the advantages that a small community has with everyone knowing every student. Much of the big manual that has the laws and rules with which all school districts must comply addresses the needs of the larger school districts but are a burden on the smaller districts. When the Legislature passes mandates without providing funding it is very difficult for the smaller districts. This bill would allow the

smaller school districts to accomplish their job without the accountability that is necessary with the larger school districts.

**Testimony Against:** We agree that there should not be unfunded mandates imposed on school districts. However, we are not sure that this bill is the best way to address the issue. Some very important things could be removed without sufficient review. If there are laws that shouldn't be there for some districts, then they shouldn't be there for any of the school districts. We are concerned that this bill is formatted in a way that references statutes without setting them forth in full, which is a constitutional requirement. Washington Learns is now conducting a comprehensive education study to determine what it is we want of the public schools, what it is schools are expected to do, and what are the pieces required for school accountability. This is the kind of issue that Washington Learns should address in the recommendations that they will make to the Legislature.

**Who Testified:** PRO: Senator Joyce Mulliken (prime sponsor); Suellen White (superintendent, Easton school district).

CON: Barbara Mertens, (Washington Association of School Administrators); Dan Steele (Washington State School Directors' Association); Lucinda Young (Washington Education Association).