

SENATE BILL REPORT

2SHB 2167

As of March 26, 2009

Title: An act relating to flexibility in the education system.

Brief Description: Providing flexibility in the education system.

Sponsors: House Committee on Ways & Means (originally sponsored by Representatives Maxwell, Priest, Green, Quall, Moeller, White, Orwall, Sullivan, Van De Wege, Liias and Probst).

Brief History: Passed House: 3/09/09, 96-1.

Committee Activity: Early Learning & K-12 Education: 3/26/09.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Kimberly Cushing (786-7421)

Background: Title 28A of the Revised Code of Washington encompasses the laws related to the common schools and establishes the organizational structure of the common school system. ("Common schools" are public schools operating a program for kindergarten through twelfth grade or any part thereof.) Separate chapters define the roles and responsibilities of the Office of the Superintendent of Public Instruction (OSPI), the State Board of Education (SBE), educational service districts (ESDs), and school districts.

Other chapters of Title 28A define requirements for health screening and requirements, traffic safety, compulsory school attendance and admission, compulsory course work and activities, awards, and academic achievement and accountability.

Summary of Bill: A number of laws related to information, notice and reporting, and required actions by school districts in the areas of curriculum, courses, assessments, and student plans are repealed, suspended, or modified.

The following requirements are repealed:

- OSPI must include information in traffic education courses on the proper use of the left-hand lane, motorcycle awareness, and driving safely among bicyclists and pedestrians;
- any course in Washington State history and government must include content areas such as commerce, the Constitution, state geography, and state history and culture;

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- OSPI must require districts to annually inform high school students that employers may request transcripts;
- school districts are encouraged to adopt curriculum for a family preservation education program;
- on or before January 1, 2002, OSPI must make a report on grants awarded under the Washington Civil Liberties Public Education Program;
- school districts must provide information about the Running Start programs to students in grades 10 through 12, including online courses;
- OSPI must encourage districts to use community service as an alternative to suspension and distribute information on existing programs;
- OSPI must submit an application to the United State Department of Education to request flexibility in the state's assessment to conduct a pilot project in selected districts;
- the school-to-work transition projects must meet certain requirements; and
- student learning plans are required for 5th and 8th through 12th grade students who were not successful on the Washington Assessment of Student Learning or who may not be on track to graduate due to credit deficiencies or absences.

The following requirements are suspended until July 1, 2011:

- OSPI must provide an annual report to the Legislature on the educational experiences and progress of students in foster care;
- school districts must provide all high school students with the option to take a common math college readiness test, beginning in the fall of 2009 and subject to funding; and
- OSPI, by the 2010-11 school year, must develop assessments of the technology learning standards and make them available for voluntary use.

The following requirements are suspended until the 2011-12 school year:

- school districts must conduct classroom-based assessments in civics in elementary grades; and
- OSPI must provide high schools with contact information for programs offering college credit, and high schools must publish entrance requirements and the availability of local programs that lead to college credits.

The following requirements are modified to allow online notice or information, or to provide written information only at the request of a parent:

- OSPI must provide online notice of the State Board of Health rules regarding contagious diseases only when there are significant changes;
- OSPI must provide online access to, rather than printing and distributing, rules and forms for visual and auditory screening;
- public and private schools must provide online access to information about the meningococcal and human papillomavirus diseases, unless a parent specifically requests the information in writing;
- schools must provide online information to students and parents about compulsory attendance laws, unless a parent specifically requests the information in writing;
- OSPI must annually provide online access to information regarding enrollment options, unless a parent specifically requests the information in writing;

- school districts must annually provide online information about intradistrict and interdistrict enrollment options, unless a parent specifically requests the information in writing;
- schools must provide notice of the school's pesticide use policy and methods on request rather than annually; and
- schools must provide online information to parents about opportunities available to students through educational pathways, unless a parent specifically requests the information in writing.

The following requirements are modified:

- a school district that has received approval for its plan for using funds for the Learning Assistance Program is not required to resubmit a plan unless the district has made a significant change. OSPI must establish guidelines defining a "significant change;"
- OSPI cannot require school districts to use classroom-based assessments in social studies, arts, and health and fitness and must clearly communicate that districts have the option to use other strategies chosen by the district. Verification reports can require districts to report only information needed to assure compliance; and
- the state education technology plan can impose on school districts only what is necessary to meet federal requirements or eligibility for a federal telecommunications subsidy.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on March 23, 2009.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: All school districts are challenged with mountains of unfunded mandates; this impacts their ability to serve our children. In this time of severe budget concerns, we can relieve some of these burden on school districts by repealing or suspending certain requirements. The mandates addressed in the bill are no longer useful or necessary or could be suspended for a few years without affecting the health and safety of our students. Repealing student learning plans will free up much staff time. While online notification is important, there will need to be adjustments because some parents do not have access and some do not speak English as their first language. If a mandate is good, it must be funded.

Persons Testifying: PRO: Representative Maxwell, prime sponsor; Lucinda Young, Washington Education Association; Barbara Mertens, Washington Association of School Administrators; Mitch Denning, Alliance of Educational Associations.