
Education Committee

HB 1025

Brief Description: Providing flexibility for school districts.

Sponsors: Representatives Crouse, Shea, Haler, Chandler, Armstrong, Condotta, Johnson, DeBolt, Nealey, Kretz, McCune, Bailey, Kristiansen, Walsh, Short, Schmick, Klippert, Ross, Angel, Orcutt, Parker and Alexander.

Brief Summary of Bill

- Repeals, modifies, or suspends for two years certain laws pertaining to responsibilities of the Office of Superintendent of Public Instruction (OSPI) and required actions by school districts.
- Allows certain required training to be provided online and not more than every three years.
- Removes responsibility of the OSPI for approving traffic safety education programs and allows school districts to approve courses.

Hearing Date: 2/8/11

Staff: Barbara McLain (786-7383).

Background:

Title 28A of the Revised Code of Washington contains most of the laws pertaining to Washington's public school system. School districts are political subdivisions of the state whose structure, duties, and responsibilities are established by state law, with functions to be carried out under the direction of elected boards of directors. The Superintendent of Public Instruction (SPI) is assigned by the state Constitution to have supervision over all matters pertaining to the common schools, but most of the duties of the Office of the Superintendent of Public Instruction (OSPI) are established in law.

The SPI adopts rules governing the operation and scope of traffic safety education programs, including establishing qualifications for instructors that may exceed those adopted by the

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Department of Licensing (DOL). The DOL licenses private driving schools and instructors and issues driver's learning permits only to those enrolled in programs approved by either the OSPI or the DOL. There are also laws that specify the content of certain traffic education courses.

Summary of Bill:

A number of laws in Title 28A RCW are repealed, suspended, or amended.

The following laws are each repealed:

1. It is the goal of Washington that, by 2010, all districts must have school health advisory committees; only healthy food and beverages are provided during school hours or for school-sponsored activities; all students in 1st through 8th grade must have at least 150 minutes of physical education each week; and physical education must be conducted by appropriately certified teachers.
2. Public schools must annually observe Temperance and Good Citizenship Day, and the OSPI must produce a program for teachers for the day.
3. All students in 1st through 8th grade must receive instruction in physical education as required by the OSPI rules.
4. Any public or private school employee who performs health services must have a job description that lists all of the services that may be required.

The following requirements are modified:

1. School districts must maintain a policy regarding access to nutritious foods and opportunities for developmentally appropriate exercise, but the requirement for an advisory committee to develop a model policy on this topic and the description of the specific elements of the policy are removed.
2. School districts must meet minimum federal standards, but not the OSPI standards, for a preschool program if the district has a program.
3. School districts must have a policy to provide notice of threats of violence or harm to students or staff who are the subject of the threat, but specific procedures for disclosing information about a student's conduct are removed. A requirement for the OSPI to adopt a model policy is removed.
4. School districts must develop and maintain a safe school plan that meets federal requirements for school emergency planning, but the specific elements required to be in the plan, as well as other safety reporting and safety drill requirements, are removed. The OSPI provides guidance to school districts in developing plans within existing resources.
5. Counties may not charge storm water control facility rates or charges to school districts.
6. To the extent possible, training for treating students with asthma and training for responding to a student who may be experiencing anaphylaxis must be offered online and no more than every three years.
7. School districts that offer Highly Capable Programs must follow the OSPI rules regarding identification of students and provision of a program based on the students' unique needs only to the extent funds are available.

The requirement that school districts must have students in elementary, middle, and high school grade levels complete at least one classroom-based assessment in civics is suspended until the 2013-14 school year.

Responsibilities of the OSPI to approve, authorize, and accredit traffic safety education courses and programs are removed. School district reporting requirements are removed.

For purposes of state funding for traffic safety education and recognition by the DOL for drivers' permits, a traffic safety education course is one approved by a school district rather than approved and accredited by the OSPI. A qualified teacher of a traffic safety education course is a certificated teacher who has completed a DOL-approved course in the training of drivers or a DOL-certificated instructor, rather than a teacher specially certified by the OSPI. Specific continuing education requirements are removed.

Laws are repealed that require the OSPI to include the following information in traffic education courses: proper use of left hand lane, effects of alcohol and drug use, motorcycle awareness, and bicyclists and pedestrians.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.