

SENATE BILL REPORT

SB 5191

As of January 25, 2012

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

Brief Description: Providing flexibility in the education system.

Sponsors: Senators Hobbs, King, Hewitt, Haugen, Ranker, Litzow, Kilmer, Hill, McAuliffe, Harper, White, Tom, Rockefeller, Becker and Parlette.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/31/11, 2/02/11 [DPS]; 1/25/12.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5191 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Harper, Vice Chair; Litzow, Ranking Minority Member; Eide, Fain, Hill, Hobbs, King, Nelson, Rockefeller and Tom.

Staff: Stephanie Christensen (786-7405)

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 12th grade or any part thereof. Separate chapters define the roles and responsibilities of the Superintendent of Public Instruction (SPI), 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 course work and activities, and academic achievement and accountability.

Summary of Bill (Proposed Second Substitute): The following laws in Title 28A RCW are repealed, suspended until July 1, 2015, or amended.

The following laws are each repealed:

- SPI must provide information about the immunization program.
- SPI must include information on the proper use of the left-hand lane in traffic safety courses.
- SPI must include information on motorcycle awareness in traffic safety courses.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- SPI must include information on driving safely among bicyclists and pedestrians in traffic safety courses.
- Public schools must observe Temperance and Good Citizenship Day. Annually the Office of Superintendent of Public Instruction (OSPI) must produce a program for teachers for the day.
- SPI, the Office of the Attorney General, and the Washington State Bar Association must develop a volunteer-based conflict resolution and mediation program for use in community groups.
- If schools operate garden or farms for educational purposes, students must be given the opportunity to be involved and must learn about both organic and conventional growing methods.
- Student Learning Plans are required for eighth grade students who were not successful on any or all of the content areas of the state assessment or who may not be on track to graduate due to credit deficiencies or absences.

The following programs or requirements established by law are each suspended until July 1, 2015:

- The Legislature established the Washington Civil Liberties Public Education Program, which provides grants to educate the public or develop presentations to schools or other interested parties. SPI's requirement to allocate grants under the Washington Civil Liberties Public Education Program is suspended, unless private funds are available.
- SPI must review current policies and assess the adequacy of programs for children with incarcerated parents and adopt additional policies. SPI must gather information and data on these children and participate in the Children of Incarcerated Parents Advisory Committee.

The following laws are amended:

- To the extent funds are available, public school districts must comply with high-performance public buildings requirements, and all major facility projects of public school districts receiving any funding in a state capital budget must be designed and constructed to at least the Leadership in Energy and Environmental Design silver standard or the Washington Sustainable School design protocol.
- Public and private schools must provide access to information about the meningococcal and human papillomavirus diseases and their vaccinations. Online access is sufficient, unless a parent specifically requests the information in writing.
- Beginning with the 2013-14 year, SPI must provide high schools the contact information for programs offering college credit, including online advanced placement classes. These schools must publish entrance requirements and availability of local programs that lead to college credits.
- SPI must collect, and disseminate to districts, information on child abuse and neglect prevention curriculum and adopt rules for the prevention of child abuse for curriculum use. Providing online access to this information is sufficient, unless a parent specifically requests the information in writing.
- OSPI must not require annual training for child abuse and neglect. OSPI may consider offering training every four years. It is clarified that this does not apply to new employees who must receive training within the first year of their hire date.

School districts are encouraged to work with private or nonprofit entities that have the ability to provide the appropriate training for staff.

- OSPI must not require annual training in conflict resolution and other violence prevention topics. The training may be offered every four years.
- To the extent funds are available, every school district must provide free instruction in lip reading to children and adults disabled by defective hearing whenever it appears to be in the best interest of the school district and the adults concerned.
- School districts must notify the parents of alleged victims of sexual misconduct; the notification must include information regarding their rights under the Public Records Act. The information must be provided annually; online access satisfies the requirement, unless a parent specifically requests the information in writing.
- The members of the boards of directors of Washington's school districts are no longer required to become members of the Washington School Directors' Association (WSSDA). The WSSDA dues for each member school district are payable on the first day of January.
- A school district's sexual harassment policy must be provided to each employee. The districts may choose to provide a copy of the policy online. OSPI must not require annual training to address sexual harassment policies. Beginning in 2013, training may be offered every four years, except for new employees who must receive training within the first year of their hire date.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Proposed Second Substitute): Suspended programs are suspended until July 1, 2015, rather than July 1, 2013.

Appropriation: None.

Fiscal Note: Available.

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: Trying to remove as many unfunded mandates as possible to ease the burden on school districts. Student Learning Plans have not worked well and should be eliminated.

OTHER: There should be an amendment that removes sections 12 and 13.

Persons Testifying: PRO: Senator Hobbes, prime sponsor; Yoshe Revelle; Lucinda Young, WA Education Assn.

OTHER: Jerry Bender, Assn. of WA School Principals; Marie Sullivan, WA State School Directors' Assn.