

SENATE BILL REPORT

ESHB 2311

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 23, 2018
Ways & Means, February 26, 2018

Title: An act relating to reducing barriers to student participation in extracurricular activities.

Brief Description: Reducing barriers to student participation in extracurricular activities.

Sponsors: House Committee on Education (originally sponsored by Representatives Bergquist, Harris, Hudgins, Tarleton, Slatter, Haler, Reeves, Doglio, Muri, Graves and Young).

Brief History: Passed House: 1/31/18, 62-32.

Committee Activity: Early Learning & K-12 Education: 2/15/18, 2/23/18 [DPA-WM].
Ways & Means: 2/26/18 [w/oRec, DNP].

Brief Summary of Amended Bill

- Requires that the process for charging and collecting fees from low-income public high school students must be identical to that for other students.
- Requires that schools make efforts to automatically charge discounted fee rates or streamline fee-collection processes for eligible students.
- Limits student physical examination requirements to one examination every 24 months, unless recommended by a medical authority.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Rolfes, Vice Chair; Zeiger, Ranking Member; Billig, Hawkins, Hunt, Mullet, Padden, Pedersen and Rivers.

Staff: Benjamin Omdal (786-7442)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That it be referred without recommendation.

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.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair; Billig, Carlyle, Conway, Darneille, Hasegawa, Hunt, Keiser, Mullet, Palumbo, Pedersen, Ranker, Rivers and Van De Wege.

Minority Report: Do not pass.

Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member; Bailey, Becker, Brown, Schoesler, Wagoner and Warnick.

Staff: Julie Murray (786-7711)

Background: WIAA. In Washington State, school boards may delegate control, supervision, and regulation of extracurricular activities to the WIAA or any other voluntary nonprofit entity. There are currently over 400 public and private high schools that are members of the WIAA, and approximately 400 middle and junior high schools as well.

The WIAA oversees athletics and fine arts competitions, including 120 state championship events in sports, debate, drama, and music.

The WIAA does not receive financial support from tax dollars or from the state of Washington. Instead, the WIAA is primarily funded through ticket sales to events.

Student Fees. The school board of each district may establish and collect fees from students and nonstudents at optional noncredit extracurricular events. However, districts must adopt regulations for waiving and reducing these fees for students whose families would have difficulty paying the entire amount due to low income.

In addition, fees are often collected by an associated student body (ASB) organization. Many ASBs allow for the purchase of a student identification card, which is then used for various purposes. ASB cards are sometimes required for participation in certain school-sponsored activities, including athletics. Fees may also be charged for participation in other student organizations, including career and technical student organizations (CTSOs).

Schools have also charged fees for participation in school activities, including athletics. While prices have varied at the district level, many schools have charged fees up to \$200 or more per sport. Schools with this pay-to-play model often have had reductions or waivers for low-income students.

Free-and-Reduced-Price Meals. In order for students to qualify for free meals, their family's income must be at or below 130 percent of the federal poverty level. Students whose family's income is between 130 percent and 185 percent of the federal poverty level are eligible for reduced price meals. For the period of July 1, 2017, to June 30, 2018, 130 percent of the poverty level is \$31,980 for a family of four; 185 percent is \$44,510.

Physical Examinations. Physical examinations for extracurricular activities held by the WIAA are currently governed by WIAA rules. For the 2017-18 school year, the WIAA requires that students must undergo a thorough medical examination and be approved by a medical authority licensed to perform a physical exam, prior to the first practice. These examinations are valid for 24 consecutive months, unless limited by the school district or the medical authority who performed the exam.

Summary of Amended Bill: Fee Collection Process. Public high schools must have identical processes for charging and collecting fees from low-income students and all other students.

To the extent possible, schools must:

- make efforts to automatically charge discounted fee rates to eligible students; or
- make every effort to streamline the process and increase participation in the activities for which the fees are collected.

Physical Examinations. Students may not be required to complete more than one physical examination every 24 months in order to participate in extracurricular activities, unless recommended by a medical authority

EFFECT OF EARLY LEARNING & K-12 EDUCATION COMMITTEE AMENDMENT(S):

- Removes all previous provisions relating to fee collection with language that requires public high schools to: (1) have identical processes for charging and collecting fees for all students; (2) make efforts to automatically charge discounted fee rates for eligible students; and (3) make every effort to streamline fee collection processes and increase participation.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Proposed Striking Amendment (Early Learning & K-12 Education): *The committee recommended a different version of the bill than what was heard.* PRO: There is a correlation between student participation in activities and student success; reducing the barriers to organizations and activities can help lower-income students have access to these opportunities. Participating in an organization helps to create a dynamic school environment. Organized sports are a way for students to interact with other students in a positive way, but there are less ways to do so than before.

CON: Bill language does not give direction on how school districts would be able to recover the lost revenue from the fees. Fee limits would result in lost funds for ASB activities, and this cost would have to be made up somewhere. School districts may be forced to cut non-varsity athletic programs to recover lost revenue. Limiting fees to career and technical organizations would result in cuts to these organizations. Because the state does not fund the activities that are funded by fees, the state should leave fee-setting decisions to local districts. CTSOs are an inter-curricular activity that should not be included

OTHER: Increasing fees for students that do not qualify as low-income is not the best way to increase access to these activities, as such an action would hurt middle-income families.

Individual districts have unique circumstances, and having one set fee for all schools might not be the best way to solve this issue. Statewide fee limitations could be an unfunded mandate for local districts. Staff training and professional development can be used to eliminate negative social effects of applying for low-income programs. Schools already fundraise to supply funds for student participants.

Persons Testifying (Early Learning & K-12 Education): PRO: Representative Steve Bergquist, Prime Sponsor; Suzie Hanson, Washington Federation of Independent Schools; Mike Oechsner, Washington Future Business Leaders of America; Alexander Selby, Future Business Leaders of America; Emilia Murphy, citizen; Justin Olney, citizen; Megan Bloomingdale, citizen; Tim Knue, Washington-Association for Career and Technical Education.

CON: Charlie Brown, Bethel School District; Deborah Yearsley, Clover Park School District, ASB; Brisa Hernandez, Family, Career, and Community Leaders of America; Kevin Reimer, Director of Activities, Athletics and the Arts, North Thurston Public Schools; Michelle Ledbetter, Pierce County Skills Center.

OTHER: Dan Steele, Washington Association of School Administrators, Washington Association of School Business Officials; Jessica Vavrus, Washington State School Directors' Association; Jim Stoffer, Sequim School Board, Washington State School Directors' Association, Legislative Committee; Melissa Gombosky, Evergreen and Vancouver Public Schools; Emma Tarsi, Area 7 President, Washington Distributive Education Clubs of America (DECA); Roz Thompson, Association of Washington School Principals.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): No one.

Staff Summary of Public Testimony on Bill as Amended by Early Learning & K-12 Education (Ways & Means): No public hearing was held.

Persons Testifying (Ways & Means): N/A

Persons Signed In To Testify But Not Testifying (Ways & Means): N/A