

SENATE BILL REPORT

SB 6474

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 1, 2018

Title: An act relating to creating a pilot project for tribal compact schools that accommodates cultural and agricultural events in school attendance requirements.

Brief Description: Creating a pilot project for tribal compact schools.

Sponsors: Senators McCoy, Sheldon, Chase, Conway, Frockt, Hasegawa, Hunt, Kuderer, Palumbo, Rolfes, Saldaña and Van De Wege.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/30/18, 2/01/18 [DPS-WM].

Brief Summary of First Substitute Bill

- Creates a pilot project for Tribal Compact Schools to explore and implement options with respect to: school attendance and calendar requirements; accommodating cultural and agricultural events; and replacing graduating testing requirements with culturally relevant and community-based standards.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 6474 be substituted therefor, and the substitute bill do pass 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)

Background: Tribal Compact Schools. The Legislature authorized the Office of the Superintendent of Public Instruction (OSPI) to enter into state-tribal education compacts in 2013. The schools created by these compacts (Tribal Compact Schools) are exempt from existing statutes and rules regarding school administration, and are subject to the terms agreed upon between the tribes and OSPI.

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.

While Tribal Compact Schools are exempt from most state educational statutes, the compacts generally contain provisions that the schools will follow state curriculum and calendar standards set in Washington law.

There are currently six operating Tribal Compact Schools: Chief Kitsap Academy (Suquamish), Lummi Nation Schools, Muckleshoot Tribal School, Quileute Tribal School, and Wa He Lut Indian School.

Washington School Attendance and Calendar Requirements. Washington State requires schools to have a minimum of 180 instructional days per school year. However, schools may submit a request for a waiver from this requirement for purposes of economy and efficiency. In addition, Washington law provides that a child may be excused from school without penalty for a reason of faith or conscience, or an organized religious activity.

Summary of Bill (First Substitute): A pilot project is established for Tribal Compact Schools to explore and implement options with respect to:

- school attendance and calendar requirements for the purposes of accommodating cultural and agricultural events; and
- replacing graduation testing requirements with culturally relevant and community-based standards.

Various options in implementation of the project include, but are not limited to:

- obtaining waivers to the 180-day calendar requirement;
- counting student participation in cultural or agricultural programs as instructional days or as excused absences; and
- expanding the two-day limit of excused absences.

Tribal Compact Schools participating in the project must submit a report to the Legislature every four years and include a recommendation on whether the project should be modified, continued, or expanded. The pilot project shall expire August 1, 2030.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (First Substitute):

- Adds fisheries events as a type of event for the schools to explore and determine whether and how to accommodate.
- The Office of Native Education within the OSPI must collaborate with each tribal education compact school participating in the pilot project.
- The Office of Native Education must review any terms of the compact that relate to the school's pilot project.
- If appropriate, the Superintendent of Public Instruction must convene a government-to-government meeting with the tribal compact school for the purpose of revising the compact to reflect the terms of the pilot project.
- Tribal compact schools participating in the pilot must report to the OSPI and the Legislature every two years, instead of every four years, and include recommendations.
- The pilot project expires August 1, 2023, instead of 2030.

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 Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Much learning for tribal students occurs outside of the classroom, often in conjunction with cultural events. Having a pilot project for Tribal Compact Schools would provide an opportunity to have flexible requirements to accommodate cultural activities.

Persons Testifying: PRO: Senator John McCoy, Prime Sponsor; Gayle Pauley, OSPI Assistant Superintendent, Special Programs and Federal Accountability.

Persons Signed In To Testify But Not Testifying: No one.