

E2SHB 1660 - S COMM AMD

By Committee on Early Learning & K-12 Education

NOT CONSIDERED 12/23/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** INTENT. (1) The legislature finds that:

4 (a) Interscholastic athletics and activities are a vital part of
5 enriching students' educational experiences and developing students
6 into responsible adults;

7 (b) Research supports the theory that students who participate in
8 extracurricular activities have:

9 (i) Better grades and higher standardized test scores;

10 (ii) Increased school attendance;

11 (iii) Improved health and wellness; and

12 (iv) Positively enhanced educational experience;

13 (c) Many school districts require associated student body cards
14 to participate in extracurricular activities and many school
15 districts charge a fee for associated student body cards;

16 (d) Many school districts require a participation fee for some
17 extracurricular activities; and

18 (e) The fees associated with obtaining associated student body
19 cards and with participating in extracurricular activities may create
20 an obstacle to participation in extracurricular activities by
21 students who are low income.

22 (2) The legislature intends to reduce the obstacle to
23 participation in extracurricular activities caused by the fees
24 charged to students who are low income by creating equitable access
25 to opportunities that improve academic, social, and emotional
26 outcomes, collecting and analyzing data, and addressing barriers to
27 extracurricular activities participation. The legislature encourages
28 school districts that may experience a significant increase in
29 extracurricular activities participation after implementing this act
30 to implement policies and practices that account for both the costs
31 associated with increased student participation and the increased
32 revenue associated with the collection of additional participation

1 fees and from fund-raising efforts by additional participants who may
2 help earn for the program. These policies and practices may include
3 steering the new participants towards extracurricular activities that
4 can most easily absorb additional participation, such as no-cut
5 activities, and maintaining current transportation costs by not
6 providing additional transportation beyond what additional revenue
7 provides.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
9 RCW to read as follows:

10 DEFINITIONS. The definitions in this section apply throughout
11 sections 3 through 8 of this act and RCW 28A.325.050, unless the
12 context clearly requires otherwise.

13 (1) "Associated student body executive board" means the student
14 leadership group responsible for decision making related to the
15 associated student body at a public school.

16 (2) "Extracurricular activities" means school-based athletic
17 programs. "Extracurricular activities" may also include optional
18 noncredit school clubs.

19 (3) "High school student" means a public school student enrolled
20 in any of grades nine through twelve.

21 (4) "Students who are low income" means students who are eligible
22 to participate in the federal free and reduced-price meals program
23 or, if this data is unavailable, the college bound scholarship
24 program under chapter 28B.118 RCW.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.320
26 RCW to read as follows:

27 DATA COLLECTION, PUBLISHING, AND REPORTING. (1) Beginning April
28 1, 2020, and by April 1st annually thereafter, school districts must
29 collect and report to the associated student body executive board the
30 data related to students in possession of associated student body
31 cards and student participation in school-based athletic programs as
32 described in subsection (3) of this section. School districts with
33 more than one high school must provide each high school's associated
34 student body executive board only the data from each associated
35 student body executive board's respective high school. This data must
36 include at least two weeks of data from the beginning of spring
37 athletics season.

1 (2) Beginning August 31, 2020, and by August 31st annually
2 thereafter, school districts must collect and publish the data
3 related to student possession of an associated student body card and
4 student participation in school-based athletic programs described in
5 subsection (3) of this section and as required under RCW 28A.325.050.

6 (3) Student possession of an associated student body card and
7 student participation in school-based athletic programs data must
8 include:

9 (a) The purchase amount of an associated student body card for
10 high school students;

11 (b) The discounted purchase amount of an associated student body
12 card for high school students who are low income;

13 (c) Athletic program participation fees and any discounted fees
14 for high school students who are low income;

15 (d) The number of high school students who possess an associated
16 student body card;

17 (e) The number of high school students participating in an
18 athletic program;

19 (f) The opportunity gap for student possession of an associated
20 student body card, as calculated under section 4 of this act;

21 (g) The opportunity gap for athletic program participation, as
22 calculated under section 4 of this act;

23 (h) Whether the school district has met the opportunity gap goals
24 described in sections 5 and 6 of this act; and

25 (i) The extracurricular activity opportunity gap reduction plan,
26 as described in section 7 of this act, as applicable.

27 (4) Data collected, reported, and published as required under
28 this section must be from the current school year.

29 (5) Although data on student participation in school clubs is not
30 required under this section, high schools may include it at their
31 discretion.

32 (6) School districts who do not enroll high school students are
33 exempt from this section.

34 (7) Upon request from the superintendent of public instruction,
35 school districts must provide a summary report of the data in this
36 section.

37 (8) The superintendent of public instruction may adopt rules in
38 accordance with chapter 34.05 RCW as necessary to implement this
39 section.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.320
2 RCW to read as follows:

3 CALCULATION OF EXTRACURRICULAR ACTIVITY OPPORTUNITY GAPS. (1) A
4 school district must calculate the opportunity gap for student
5 possession of an associated student body card as the difference
6 between the percentage of high school students who are low income and
7 who possess an associated student body card, and the percentage of
8 high school students who are not low income and who possess an
9 associated student body card.

10 (2) (a) A school district must calculate the opportunity gap for
11 athletic program participation as the difference between the
12 percentage of high school students who are low income and who
13 participated in an athletic program, and the percentage of high
14 school students who are not low income and who participated in an
15 athletic program.

16 (b) Although the calculation is not required to use data on
17 student participation in school clubs, high schools may include it at
18 their discretion.

19 (3) School districts may elect to exclude the number of students
20 who are low income and who are participating in the running start
21 program, as defined in RCW 28A.600.300, when calculating opportunity
22 gaps under this section.

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.320
24 RCW to read as follows:

25 OPPORTUNITY GAP REDUCTION FOR POSSESSION OF AN ASSOCIATED STUDENT
26 BODY CARD. (1) If a high school does not require an associated
27 student body card for participation in any extracurricular activities
28 or to receive any student discounts, the goals in this section do not
29 apply.

30 (2) (a) For a high school that requires an associated student body
31 card for participation in school clubs, the goal is that fifty
32 percent of high school students possess an associated student body
33 card each school year.

34 (b) For a high school that requires an associated student body
35 card for participation in school clubs and school-based athletics,
36 the goal is that seventy percent of high school students possess an
37 associated student body card each school year.

1 (3) For each high school, the opportunity gap for student
2 possession of an associated student body card, as calculated under
3 section 4 of this act, may not exceed the following goals:

4 (a) During the 2020-21 school year, the opportunity gap must be
5 twenty or fewer percentage points;

6 (b) During the 2021-22 school year, the opportunity gap must be
7 sixteen or fewer percentage points;

8 (c) During the 2022-23 school year, the opportunity gap must be
9 twelve or fewer percentage points;

10 (d) During the 2023-24 school year, the opportunity gap must be
11 eight or fewer percentage points; and

12 (e) During the 2024-25 school year, and for each subsequent
13 school year, the opportunity gap must be five or fewer percentage
14 points.

15 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.320
16 RCW to read as follows:

17 OPPORTUNITY GAP REDUCTION FOR EXTRACURRICULAR ACTIVITY
18 PARTICIPATION. For each high school, the opportunity gap for
19 extracurricular activity participation, as calculated under section 4
20 of this act, must not exceed the following goals:

21 (1) During the 2020-21 school year, the opportunity gap must be
22 twenty or fewer percentage points;

23 (2) During the 2021-22 school year, the opportunity gap must be
24 sixteen or fewer percentage points;

25 (3) During the 2022-23 school year, the opportunity gap must be
26 twelve or fewer percentage points;

27 (4) During the 2023-24 school year, the opportunity gap must be
28 eight or fewer percentage points; and

29 (5) During the 2024-25 school year, and for each subsequent
30 school year, the opportunity gap must be five or fewer percentage
31 points.

32 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.320
33 RCW to read as follows:

34 EXTRACURRICULAR ACTIVITY OPPORTUNITY GAP REDUCTION PLAN. (1)(a)
35 Beginning June 1, 2021, and by June 1st annually thereafter, a school
36 district with a high school that does not meet or exceed one or more
37 of the opportunity gap reduction goals described in section 5 or 6 of

1 this act, must develop, submit, and implement an extracurricular
2 activity opportunity gap reduction plan, as required in this section.

3 (b) The plan must be formatted and submitted as directed by the
4 office of the superintendent of public instruction.

5 (c) The plan must be published as required under RCW 28A.325.050.

6 (2) (a) When developing the plan, the school district shall review
7 recommendations from the associated student body executive board.

8 (b) The plan must include at least one element from the list in
9 subsection (3) of this section and must add an additional element
10 from the list for each year that a high school in the school district
11 does not meet one or more of the opportunity gap reduction goals
12 described in section 5 or 6 of this act.

13 (3) The following policies or practices, if included in the plan,
14 must be an enhancement or addition to policies or practices in place
15 at the time of plan submission:

16 (a) A school district-developed policy or practice;

17 (b) Discounting the associated student body card fee for high
18 school students who are low income;

19 (c) Promoting associated student body card possession and
20 extracurricular activity participation for high school students, with
21 an emphasis on students who are low income;

22 (d) Eliminating any requirement that school club members purchase
23 an associated student body card;

24 (e) Applying for the promoting lively activities for youth (PLAY)
25 grant program under section 8 of this act;

26 (f) Eliminating all fees charged to high school students who are
27 low income for participating in extracurricular activities;

28 (g) Enhancing transportation options to and from extracurricular
29 activities;

30 (h) For students for whom transportation is a barrier to
31 participation in extracurricular activities, either reducing this
32 barrier or providing means of remote participation;

33 (i) Scheduling extracurricular activities to meet during lunch
34 time, when possible.

35 (4) The office of the superintendent of public instruction may
36 review the plans submitted under this section and provide feedback
37 and technical assistance to help school districts meet the
38 requirements of this act.

1 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.300

2 RCW to read as follows:

3 PROMOTING LIVELY ACTIVITIES FOR YOUTH (PLAY) GRANT PROGRAM.

4 (1)(a) The promoting lively activities for youth (PLAY) grant program
5 is created to subsidize school districts impacted by discounted
6 associated student body card fees charged to high school students who
7 are low income.

8 (b) The office of the superintendent of public instruction must
9 administer the program.

10 (2)(a) Subject to the availability of amounts appropriated for
11 this specific purpose and beginning in fiscal year 2021, the office
12 of the superintendent of public instruction must allocate funding for
13 the purposes of the promoting lively activities for youth grant
14 program.

15 (b) Grant awards must be prioritized in the following order:

16 (i) Beginning in the 2021-22 school year, high schools that
17 previously received a grant award under this section;

18 (ii) High schools implementing the United States department of
19 agriculture community eligibility provision;

20 (iii) High schools with the highest percentage of students in
21 grades nine through twelve eligible to participate in the federal
22 free and reduced-price meals program; and

23 (iv) High schools located in school districts enrolling five
24 thousand or fewer students.

25 (3) To qualify for a promoting lively activities for youth grant,
26 a high school must:

27 (a) Either:

28 (i) Be implementing the United States department of agriculture
29 community eligibility provision; or

30 (ii) Have greater than twenty-five percent of students in grades
31 nine through twelve eligible to participate in the federal free and
32 reduced-price meals program; and

33 (b) Be impacted by discounts on associated student body card fees
34 charged to high school students who are low income.

35 (4) School district applications for a promoting lively
36 activities for youth grant must include the following data for a
37 qualifying high school:

38 (a) Either the high school's community eligibility provision
39 percentage or the number and overall percentage of high school

1 students who are eligible to participate in the federal free and
2 reduced-price meals program;

3 (b) The number of high school students who possessed an
4 associated student body card in the prior school year;

5 (c) An estimate of the total revenue lost in the current school
6 year due to discounts on associated student body card fees discounted
7 for students who are low income; and

8 (d) A description of how any grant award will be used in the
9 coming year to discount associated student body card fees for
10 students who are low income.

11 (5) Applications are due to the office of the superintendent of
12 public instruction by June 1st each year and the office of the
13 superintendent of public instruction must notify school districts of
14 award decisions by August 10th.

15 (6) The maximum promoting lively activities for youth grant award
16 is five thousand dollars per high school per year. For up to ten
17 years, the office of the superintendent of public instruction may
18 award a repeat grant recipient up to ten percent less than the grant
19 recipient received in the prior school year, regardless of the number
20 of associated student body card fees discounted for high school
21 students who are low income.

22 (7) Schools and school districts that are not publishing
23 associated student body program information and other information as
24 required under RCW 28A.325.050 are ineligible to receive a promoting
25 lively activities for youth grant under this section.

26 (8) By November 1, 2020, and by each November 1st thereafter, and
27 in compliance with RCW 43.01.036, the office of the superintendent of
28 public instruction must report to the appropriate policy and fiscal
29 committees of the legislature the following data:

30 (a) The number of promoting lively activities for youth grant
31 applications;

32 (b) A summary of the information submitted with the applications
33 as required under subsection (4) of this section; and

34 (c) The number and amount of promoting lively activities for
35 youth grants awarded.

36 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.600
37 RCW to read as follows:

38 STREAMLINING FEE COLLECTION. (1) The process for charging and
39 collecting associated student body card fees, school-based athletic

1 program fees, optional noncredit school club fees, and other fees
2 from high school students who are low income must be identical to the
3 process for charging and collecting fees from other students.

4 (2) The legislature recommends, but does not require, that the
5 requirements under subsection (1) of this section are made applicable
6 to students in grades six through eight.

7 **Sec. 10.** RCW 28A.325.010 and 1977 ex.s. c 170 s 1 are each
8 amended to read as follows:

9 FEE WAIVER CLARIFICATION. The board of directors of any common
10 school district may establish and collect a fee from students and
11 nonstudents as a condition to their attendance at, or participation
12 in, any optional noncredit extracurricular event of the district
13 which is of a cultural, social, recreational, or athletic nature:
14 PROVIDED, That in so establishing such fee or fees, the district
15 shall adopt regulations for waiving and reducing such fees (~~in the~~
16 ~~cases of those students whose families, by reason of their low~~
17 ~~income, would have difficulty in paying the entire amount of such~~
18 ~~fees)) for students who are eligible to participate in the federal
19 free or reduced-price meals program and may likewise waive or reduce
20 such fees for nonstudents of the age of sixty-five or over who, by
21 reason of their low income, would have difficulty in paying the
22 entire amount of such fees. An optional comprehensive fee may be
23 established and collected for any combination or all of such events
24 or, in the alternative, a fee may be established and collected as a
25 condition to attendance at any single event. Fees collected pursuant
26 to this section shall be deposited in the associated student body
27 program fund of the school district, and may be expended to defray
28 the costs of optional noncredit extracurricular events of such a
29 cultural, social, recreational, or athletic nature, or to otherwise
30 support the activities and programs of associated student bodies.~~

31 **Sec. 11.** RCW 28A.325.050 and 2014 c 211 s 3 are each amended to
32 read as follows:

33 PUBLISHING OPPORTUNITY GAP PLANS AND DATA. (1) Each school
34 district that has an associated student body program fund must
35 publish the following information about the fund on its web site:

36 (a) The fund balance at the beginning of the school year;

37 (b) Summary data about expenditures and revenues occurring over
38 the course of the school year; and

1 (c) The fund balance at the end of the school year.

2 (2) Beginning in the 2019-20 school year, each school district
3 that has an associated student body must publish the following
4 information on its web site:

5 (a) Data related to high school student possession of an
6 associated student body card and high school student participation in
7 school-based extracurricular activities as required under section 3
8 of this act;

9 (b) The school district's extracurricular activity opportunity
10 gap reduction plan if required under section 7 of this act; and

11 (c) A list of optional noncredit extracurricular event attendance
12 and participation fees and the school district policy for waiving or
13 reducing these fees as described under RCW 28A.325.010.

14 (3) The information under this section must be published for each
15 associated student body of the district and each account within the
16 associated student body program fund.

17 ~~((3))~~ (4) If the school district web site contains separate web
18 sites for schools in the district, the information under this section
19 must be published on the web site of the applicable school of the
20 associated student body.

21 ~~((4))~~ (5) No later than August 31, 2014, school districts must
22 publish the information under this section on their web sites for the
23 2012-13 and 2013-14 school years. School districts must add updated
24 annual information to their web sites by each August 31st, except
25 that school districts are only required to maintain the information
26 on the web site from the previous five years.

27 NEW SECTION. Sec. 12. A new section is added to chapter 28A.630
28 RCW to read as follows:

29 SCHOOL CLUB DATA COLLECTION PILOTS. (1) The office of the
30 superintendent of public instruction shall select four school
31 districts that volunteer to pilot the collection, publishing, and
32 reporting of data related to student participation in school clubs.

33 (2) During the duration of the pilot program described in this
34 section, data on student participation in optional noncredit school-
35 based athletic programs must be collected, published, and reported to
36 the same extent as data on student participation in school-based
37 athletic programs.

38 (3) By January 15, 2021, the office of the superintendent of
39 public instruction, and the selected school districts, must

1 collaborate to compile best practice guidance for collecting,
2 publishing, and reporting data related to student participation in
3 school clubs. The office of the superintendent of public instruction
4 must post this best practice guidance on its web site and must
5 distribute the guidance to school districts.

6 (4) This section expires August 31, 2021.

7 NEW SECTION. **Sec. 13.** Section 8 of this act takes effect
8 September 1, 2019."

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By Committee on Early Learning & K-12 Education

NOT CONSIDERED 12/23/2019

9 On page 1, line 2 of the title, after "activities;" strike the
10 remainder of the title and insert "amending RCW 28A.325.010 and
11 28A.325.050; adding new sections to chapter 28A.320 RCW; adding a new
12 section to chapter 28A.300 RCW; adding a new section to chapter
13 28A.600 RCW; adding a new section to chapter 28A.630 RCW; creating a
14 new section; providing an effective date; and providing an expiration
15 date."

EFFECT: Encourages districts to implement policies and practices that account for both costs and increased revenue, including steering new participants towards extracurricular activities that can easily absorb additional participation and maintain current transportation costs.

--- END ---