

# SENATE BILL REPORT

## E2SHB 1660

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, April 1, 2019  
Ways & Means, April 9, 2019

**Title:** An act relating to the participation of students who are low income in extracurricular activities.

**Brief Description:** Concerning the participation of students who are low income in extracurricular activities.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Bergquist, Harris, Hudgins, Young, Tarleton, Ybarra, Slatter, Santos, Jinkins, Doglio, Fey, Leavitt, Ormsby and Valdez).

**Brief History:** Passed House: 3/12/19, 62-36.

**Committee Activity:** Early Learning & K-12 Education: 3/25/19, 4/01/19 [DPA-WM].  
Ways & Means: 4/05/19, 4/09/19 [DPA (EDU), w/oRec, DNP].

### Brief Summary of Amended Bill

- Requires that school districts with high schools collect and publish data related to student possession of associated student body (ASB) cards and student participation in athletic programs.
- Defines certain goals for high schools related to the opportunity gaps in student possession of ASB cards and student participation in athletic programs.
- Requires school districts that do not meet these goals to develop, submit, and implement a plan to reduce opportunity gaps.
- Creates the Promoting Lively Activities for Youth Grant Program to subsidize school districts impacted by discounted ASB card fees charged to students who are low income.
- Requires school boards to discount extracurricular activity participation fees for students who are low income.
- Directs the Office of the Superintendent of Public Instruction to select four school districts to pilot the collection, publishing, and reporting of

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*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.*

data related to student participation in school clubs, and to distribute a compilation of best practices on the topic.

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## 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; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy, Hunt, McCoy, Mullet, Padden, Pedersen, Salomon and Wagoner.

**Staff:** Benjamin Omdal (786-7442)

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## SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Bailey, Billig, Carlyle, Conway, Darneille, Hasegawa, Hunt, Keiser, Lias, Palumbo, Pedersen, Rivers, Van De Wege and Wagoner.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Schoesler.

**Minority Report:** Do not pass.

Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker and Warnick.

**Staff:** Kayla Hammer (786-7305)

**Background:** 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.

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.

Free-and-Reduced-Price Meals. In order for students to qualify for free meals, their families' income must be at or below 130 percent of the federal poverty level. Students whose families have income between 130 percent and 185 percent of the federal poverty level are eligible for reduced price meals. For the period July 1, 2018, to June 30, 2019, 130 percent of the poverty level is \$32,630 for a family of four; 185 percent is \$46,435.

The Community Eligibility Provision of the federal Healthy, Hunger-Free Kids Act provides an alternative to household applications for free or reduced priced meals (FRPM) by

allowing schools with high numbers of low-income students to serve free meals to all enrolled students.

College Bound Scholarship Program. The College Bound Scholarship (CBS) Program was established in 2007 to provide guaranteed four-year tuition to students from low-income families. The first CBS awards were granted to the graduating high school class of 2012. Eligible students for the CBS include those who:

- qualify for free or reduced-price lunches in the seventh-grade;
- are dependent on the state for care and are either in grades 7 through 12 or between the ages of eighteen and twenty-one and have not graduated from high school; or
- are dependent and were adopted between the ages of fourteen and eighteen with an adoption agreement that continues eligibility for the CBS program.

To receive the CBS, the student must graduate high school having fulfilled the CBS pledge requirements. Upon graduation, the student's family income will be assessed, and if it does not exceed 65 percent of the state median family income, the student will receive a scholarship.

**Summary of Amended Bill:** Extracurricular Data Reporting. Beginning April 1, 2020, and by April 1st annually thereafter, school districts must collect data on student ASB card possession and school-based athletic program participation and report the data to the ASB executive board. Beginning August 31, 2020, and by August 31st annually thereafter, districts must collect and publish this data.

This data must include:

- the purchase amount of an ASB card for high school students;
- the discounted purchase amount of an ASB card for high school students who are low-income;
- the number of students who possess an ASB card;
- the number of high school students participating in an athletic program;
- the opportunity gaps for student possession of an ASB card and athletic participation; and
- the extracurricular opportunity gap reduction plan, as applicable.

High schools may include data on student participation in school clubs, and must provide a summary report of the data upon request from the Office of the Superintendent of Public Instruction (OSPI).

Extracurricular Activity Opportunity Gaps. School districts must calculate the opportunity gap for student possession of an ASB card as the difference between the percentages of possession between high school students who are low income and high school students who are not low income. Opportunity gaps for athletic program participation are to be the difference in the percentages of participation between high school students who are low income and high school students who are not low income.

High schools may include data on student participation in school clubs, and districts may elect to exclude students who are low income and participating in Running Start.

Opportunity Gap Reduction. High schools must meet specified goals for student possession of ASB cards and student participation in athletic activities, such as:

- for a high school that requires an ASB card only for participation in school clubs, a goal of 50 percent student possession of an ASB card each school year;
- for a high school that requires an ASB card for participation in school clubs and school-based athletics, a goal of 70 percent student possession of an ASB card each school year;
- for high schools that require an ASB card for participation in any extracurricular activities or to receive any student discounts, the goal for the opportunity gap for student ASB card possession reduces from 20 percentage points in the 2020-21 school year to 5 percentage points beginning in the 2024-25 school year; and
- for all high schools, the goal for the opportunity gap in extracurricular activity participation reduces from 20 percentage points in the 2020-21 school year to 5 percentage points beginning in the 2024-25 school year.

Extracurricular Activity Opportunity Gap Reduction Plan. Beginning June 1, 2021, and by June 1st annually thereafter, a school district with a high school that does not meet or exceed one or more of the opportunity gap reduction goals must develop, submit, and implement an extracurricular activity opportunity gap reduction plan.

When developing the plan, the school district must review recommendations from the ASB executive board. The plan must include at least one element from a list of policies and practices designed to reduce the opportunity gap, such as a school district-developed policy or practice, discounting the ASB card fee for high school students who are low income, or promoting ASB card possession and extracurricular activity participation for high school students, among others. School districts must add an additional element from the list for each year that a high school in the school district does not meet one or more of the opportunity gap reduction goals.

The plan must be published on the high school's ASB website. OSPI may review the plans and provide feedback and technical assistance to help school districts meet these requirements.

Promoting Lively Activities for Youth Grant Program. The Promoting Lively Activities for Youth (PLAY) Grant Program must be administered by OSPI. Subject to state funding, and beginning in fiscal year 2021, OSPI must allocate grants to high schools impacted by discounts on ASB card fees charged to high school students who are low income and that either are implementing the Community Eligibility Provision (CEP); or have greater than 25 percent of high school students eligible to participate in the FRPM program. Application deadlines and criteria are specified.

The maximum PLAY grant award is \$5,000 per high school per year. Grant awards must be prioritized in the following order:

- beginning in the 2021-22 school year, high schools that previously received a PLAY grant award;
- high schools implementing the CEP;
- high schools with the highest percentage of students eligible to participate in the FRPM program; and

- high schools located in school districts enrolling 5,000 or fewer students.

By November 1, 2020, and by each November 1st thereafter, OSPI must report to the Legislature the number of PLAY grant applications, a summary of the information submitted with the applications, and the number and amount of grants awarded.

Streamlining Fee Collection. The process for charging and collecting ASB card fees, school-based extracurricular activities fees, and other fees from high school students who are low income must be identical to the process for charging and collecting fees from other students.

Fee Waivers. In addition to attendance fees, a school board may establish and collect participation fees for any optional noncredit extracurricular event of the district. For both attendance and participation fees, the school board must waive and reduce the fees for students who are eligible to participate in the FRPM program, as opposed for students whose families would have difficulty in paying the whole amount due to their low income.

School districts must publish a list of optional noncredit extracurricular event attendance and participation fees and the district policy for waiving or reducing those fees on the ASB website.

School Club Data Collection Pilots. OSPI must select four school districts that volunteer to pilot the collection, publishing, and reporting of data related to student participation in school clubs during the 2019-20 and 2020-21 school years. By January 15, 2021, OSPI, and the selected school districts must collaborate to compile best practice guidance on this topic and OSPI must disseminate this best practice guidance.

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

- Encourages school 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.

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on April 2, 2019.

**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 Engrossed Second Substitute House Bill (Early Learning & K-12 Education):** *The committee recommended a different version of the bill than what was heard.* PRO: There is often a large discrepancy between possession statistics and participation between students who are low-income and those who are not. Small-scale efforts have demonstrated the opportunity gaps that exist as well as the participation increases that come from addressing these gaps. Student participation in athletics and

activities leads to better academic performance. This bill helps address the social-emotional well-being of students as well. Opportunity gaps cannot be addressed adequately without gathering the data. Current participation policies do not allow for the same opportunities for students who are low-income. Data shows that participation in activities helps increase graduation rates and academic performance.

OTHER: School district directors support the intent of the bill, but concerns remain over diminishing local control. Athletics are one of the hallmark activities under local control, and districts often have large control over these types of activities.

**Persons Testifying (Early Learning & K-12 Education):** PRO: Representative Steve Bergquist, Prime Sponsor; Katherine Mahoney, Office of the Superintendent of Public Instruction; Gabriel Anselmo, citizen.

OTHER: Jessica Vavrus, Washington State School Directors' Association.

**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):** PRO: When students play sports it has a positive impact. Many low-income students cannot partake due to the costs associated. There are some schools unable to support their low-income students and the hope is that this would address that issue.

OTHER: I support the intent of the bill to reduce opportunity gaps for low-income students. There are unknown costly impacts of sections five and six.

**Persons Testifying (Ways & Means):** PRO: Dave Mastin, OSPI.

OTHER: Jessica Vavrus, Washington State School Directors' Association.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.