

SENATE BILL REPORT

3SHB 1660

As Passed Senate, March 3, 2020

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 Education (originally sponsored by Representatives Bergquist, Harris, Hudgins, Young, Tarleton, Ybarra, Slatter, Santos, Jinkins, Doglio, Fey, Leavitt, Ormsby and Valdez).

Brief History: Passed House: 2/12/20, 67-28.

Committee Activity: Early Learning & K-12 Education: 2/26/20, 2/28/20 [DP].

Floor Activity:

Passed Senate: 3/03/20, 41-8.

Brief Summary of Third Substitute Bill

- Requires that school districts collect and publish data related to high school 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.
- Directs school boards to adopt a policy and regulations for waiving attendance and extracurricular-participation fees for students who are low-income.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy, Hunt, McCoy, Mullet, Padden, Pedersen, Salomon and Wagoner.

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.

Staff: Benjamin Omdal (786-7442)

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.

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.

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 of July 1, 2019, to June 30, 2020, 130 percent of the poverty level is \$33,475 for a family of four; 185 percent is \$47,638.

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 18 and 21 and have not graduated from high school; or
- are dependent and were adopted between the ages of 14 and 18 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.

Operating Budget Provisos on Fee Collection. The 2019-21 operating budget provides \$250,000 in fiscal year 2021 to OSPI to create and administer a grant program for school districts to reduce ASB fees for students who are eligible to participate in the FRPM program. OSPI must distribute grants for the 2020-21 school year to school districts by August 10, 2020. Grants of \$5,000 per high school per year must be prioritized in the following order: (1) high schools implementing the Community Eligibility Provision; (2) high schools with the highest percentage of students eligible to participate in the FRPM program; and (3) high schools located in school districts enrolling 5000 or fewer students.

In addition, the 2019-21 operating budget provides \$75,000 in total to OSPI to require school districts to collect and report data related to student possession of ASB cards and student participation in school-based athletic programs. Under this proviso, each school district with a high school must collect and publish data on the regular and discounted purchase amounts for ASB cards, regular and discounted athletic program participation fees, student ASB card possession numbers for high school students and students who are eligible for FRPM, and the number of high school students and students who are eligible for FRPM that participate in athletic programs.

Summary of Third Substitute Bill: Definitions. The following terms are defined for the purposes of the bill and provisions relating to ASB funds:

- "Associated student body executive board" means the student leadership group responsible for decision-making related to the associated student body (ASB) at a public school.
- "Extracurricular activities" means school-based athletic programs. It may also include optional noncredit school clubs.
- "High school student" means a public school student enrolled in any of grades 9 through 12.
- "Students who are low income" means students who are eligible to participate in the Free and Reduced-Price Meals Program (FRPM) or, if this data is unavailable, the College Bound Scholarship Program.

Data Collection, Publishing, and Reporting. Beginning April 1, 2021, and by April 1st annually thereafter, school districts must collect and report data related to student ASB card possession and participation in school-based athletics to their ASB executive board. An ASB executive board must be provided with data from its high school only, and the data must include at least two weeks of data from the beginning of the spring athletics season. The data must be published by April 15, 2021, and by April 15th annually thereafter.

The published data must incorporate specific figures, including:

- the total number of high school students and number of students who are low income;
- the purchase amount and discounted purchase amount of an ASB card for high school students;
- the number of high school students who possess an ASB card, including the number of students that are low-income;
- the number of high school students who participate in an athletic program, including the number of students that are low-income;
- the opportunity gaps in 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). School districts must also publish a list of optional noncredit extracurricular event attendance and participation fees and the school district policy for waiving and reducing those fees.

Extracurricular Activity Opportunity Gaps. School districts must calculate the opportunity gap in student possession of an ASB card by subtracting the percentage of high school students who are low income and who possess an ASB card from the percentage high school students who are not low income and possess an ASB card.

Opportunity gaps in athletic program participation are to be calculated by subtracting the percentage of high school students who are low income and participated in an athletic program from the percentage of high school students who are not low income and participated in an athletic program.

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 for participation in school clubs only, 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 in 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 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.

Streamlining Fee Collection. The process for charging and collecting ASB card fees, school-based extracurricular activities fees, and other fees from students in grades nine through twelve who are low income must be identical to the process for charging and collecting fees from other students, except that the fee waivers described below must be automatically applied where applicable. The Legislature recommends, but does not require, that these requirements are made applicable to students in grades six through eight.

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 adopt a policy and regulations for

waiving 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.

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: PRO: Data shows that there are opportunity gaps in student ASB card possession and student athletic participation. Schools need to take a look at policies, try to do better, and see what they can do to reduce these opportunity gaps. There is a national trend in lower rates for low-income student participating in extracurricular activities, which are crucial for student health and academic success. Research shows that cost is the number-one barrier to participating in athletic activities. Multiple barriers exist for immigrant and low-income communities to participate in youth sports and extracurricular activities. Many low-income students cannot afford their ASB fees, and these students should not have to rely upon booster clubs to help low-income students afford ASB fees.

OTHER: Further modifications have made the bill more workable. Districts are still navigating how to conduct data collection and more time is needed before additional requirements. Impacts on opportunity gaps are often outside of the control of the districts.

Persons Testifying: PRO: Representative Steve Bergquist, Prime Sponsor; Julie McCleery, University of Washington; Salihou Fatty, Student; Bilan Aden, Program Director, African Community Housing & Development.

OTHER: Marissa Rathbone, Washington State School Directors' Association.

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