

SENATE BILL REPORT

ESHB 2816

As Passed Senate - Amended, March 6, 2020

Title: An act relating to nurturing positive social and emotional school and classroom climates.

Brief Description: Nurturing positive social and emotional school and classroom climates.

Sponsors: House Committee on Education (originally sponsored by Representatives Corry, Steele, Caldier, Van Werven, Eslick, Chambers and Boehnke).

Brief History: Passed House: 2/18/20, 95-2.

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

Floor Activity:

Passed Senate - Amended: 3/06/20, 33-15.

Brief Summary of Amended Bill

- Directs the Washington State School Directors' Association to develop and update a model policy and procedure for nurturing a positive social and emotional school and classroom climate.
- Requires school districts to adopt elements of the model that protect the integrity of learning environments and allows school districts to adopt other elements of the model by the beginning of the 2021-22 school year.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended.

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

Staff: Ailey Kato (786-7434)

Background: Social-Emotional Learning Benchmarks and Developmental Indicators. In 2015, a budget proviso directed the Office of the Superintendent of Public Instruction (OSPI) to convene a work group to recommend comprehensive benchmarks for developmentally appropriate interpersonal and decision-making knowledge and skills of social-emotional learning (SEL) for grades K-12.

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.

In 2017, a budget proviso directed OSPI to continue this work group to identify and articulate grade-level developmental indicators for each of the SEL benchmarks, solicit feedback, and develop best practices or guidance.

Social-Emotional Learning Committee. In 2019, a permanent SEL Committee was established to promote and expand SEL. The SEL Committee has a number of duties including developing and implementing a statewide framework for SEL that is trauma-informed, culturally sustaining, and developmentally appropriate.

Teacher and Principal Evaluations. Classroom teacher and principal evaluations are based on specified statutory criteria. One of the criteria for teacher evaluations is fostering and managing a safe, positive learning environment. One of the criteria for principal evaluations is creating a school culture that promotes the ongoing improvement of learning and teaching for students and staff, and another is providing for school safety.

Students' Right to Education. In *Plyler v. Doe* (1982), the United States Supreme Court found certain restrictions on providing free educational access and funding for undocumented students were unconstitutional. The court found that not providing free educational access to undocumented students violated the Equal Protection Clause under the fourteenth amendment. The court held any such state restriction must be justified by a substantial state interest. Public schools may not engage in any practices that chill the right of access to school.

Summary of Amended Bill: WSSDA must develop a model policy and procedure for nurturing a positive social and emotional school and classroom climate. The goal of the model is to support and promote action plans that create, maintain, and nurture physically, emotionally, and intellectually safe, respectful, and positive school and classroom environments that foster equitable, ethical, social, emotional, and academic education for all students. The model must including the following elements:

- align with the work of the SEL Committee and SEL standards and benchmarks;
- recognize that there is not one best way to address this topic and consider each school's history, strengths, needs, and goals;
- define and describe the essential elements of a positive social and emotional school and classroom climate;
- recognize the important role of families; and
- describe a framework for an improvement process.

In developing the model, WSSDA must:

- consult with OSPI and organizations with expertise in social and emotional health and in equity, race, and inclusive learning environments;
- work with the SEL Committee to align the improvement framework with SEL;
- consider the relationship between the model policies and procedures related to student behaviors and student discipline; and
- review research and examples of restorative practices, collaborative and proactive practices, trauma-sensitive and trauma-informed practices, classroom management, and other topics.

The model must be posted publicly on WSSDA's website by March 1, 2021. WSSDA must update the model periodically to align with the work of the SEL Committee, and updates must be posted within a reasonable time.

By the beginning of the 2021-22 school year, school districts may adopt a policy and procedure for promoting a positive school and classroom climate consistent with the WSSDA model. School districts may periodically review for consistency with updated versions of the model.

The model must also protect the integrity of learning environments with the following elements:

- school districts must provide information to the parents and guardians of enrolled students regarding students' rights to a free public education, regardless of immigration status or religious beliefs; and
- school districts must provide meaningful access to this information for families with limited English proficiency.

These elements may be included in a separate model policy and procedure.

By the beginning of the 2021-22 school year, each school district must adopt or amend if necessary policies and procedures that, at a minimum, incorporate these elements. School districts must periodically review for consistency with updated versions of the model.

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 Engrossed Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Many students drop out of school because of things happening at school not at home. This bill will address systemic issues and help shift the paradigm. A model policy from the state will help schools improve and not marginalize or label children.

Persons Testifying: PRO: Katrina Bretsch, People for People/Educator/Coordinator for Open Doors YVCC; Gabrielle Gilbert, citizen.

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