

SENATE BILL REPORT

ESHB 1176

As Passed Senate - Amended, April 6, 2021

Title: An act relating to access to higher education.

Brief Description: Concerning access to higher education.

Sponsors: House Committee on Education (originally sponsored by Representatives Paul, Boehnke, Kloba, Callan, Davis, Dolan, Riccelli, Bergquist, Lekanoff and Shewmake; by request of State Board for Community and Technical Colleges).

Brief History: Passed House: 2/24/21, 77-20.

Committee Activity: Early Learning & K-12 Education: 3/17/21, 3/22/21 [DPA, DNP, w/oRec].

Floor Activity: Passed Senate - Amended: 4/6/21, 25-23.

Brief Summary of Amended Bill

- Removes the ability of a school district to withhold the grades and transcript of a student who is responsible for damaging certain property until payment is made for the damages.
- Directs each school district to publish information on the number of students subject to the withholding of their diplomas during the previous three school years, and how many of these students were eligible for free or reduced-price meals in their last two years of enrollment in the district.
- Removes the authority of public and private schools to withhold a transferring student's official transcript due to unpaid fines for damaging property or unpaid tuition, fees, or fines at an approved private school.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Hunt and Pedersen.

Minority Report: Do not pass.

Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Minority Report: That it be referred without recommendation.

Signed by Senator Mullet.

Staff: Benjamin Omdal (786-7442)

Background: Withholding of Grades, Diplomas, and Transcripts. If any property of a school district, a contractor of the district, an employee, or another student has been lost or willfully cut, defaced, or injured, a school district may withhold the grades, diploma, and transcripts of a pupil responsible. A district may withhold these items until the pupil or the pupil's parent or guardian has paid for the damages.

If the pupil and parent or guardian are unable to pay for the damages, the school district shall provide a program of voluntary work for the pupil in lieu of the payment of monetary damages. The grades, diploma, and transcripts of the pupil shall be released upon completion of the work. The parent or guardian shall be liable for damages as otherwise provided by law.

Enrolling Students in Different Districts—Withholding Transcripts. If a student who is enrolling in a different school has not paid a fine or fee for defacing or injuring school property, or tuition, fees, or fines at an approved private school, the sending school may withhold the student's official transcript. The sending school, however, must transmit information about the student's academic performance, special placement, immunization records, records of disciplinary action, and history of violent behavior or other specified offense.

If the official transcript is withheld because of unpaid tuition, fees, or fines, the enrolling school must notify both the student and parent or guardian that the official transcript will not be sent until the financial obligation is met, and that failure to have an official transcript may result in failure to graduate or exclusion from extracurricular activities.

Free and Reduced Price Meals. For a student to qualify for free school meals, the student's family income must be at or below 130 percent of the federal poverty level. Students whose families have an income between 130 percent and 185 percent of the federal poverty level are eligible for reduced-price meals.

Summary of Amended Bill: Limits on Withholding. A school district may withhold a student's diploma for damaging property until the pupil or the pupil's parents or guardians have paid for the damages, but provisions allowing for the withholding of grades and transcripts are removed from statute. If the pupil and parent or guardian is unable to pay for

damages, the district shall provide a program of community service opportunities for the pupil.

School and school bus readmittance requirements are modified. The requirement that prohibits school districts from readmitting suspended students until the student or the student's parent or guardian has made payment in full for the damages, or until directed by the superintendent of schools, is repealed. Provisions barring students who have damaged a district or contracted school bus from entering or riding any school bus until the student or the student's parent or guardian has paid in full for the damages, or until directed by the superintendent, are also repealed.

Enrolling Students in Different Districts—Withholding Transcripts. Public and private schools may no longer withhold a transferring student's official transcript due to: an unpaid fine or fee for damaging school property or property belonging to other specified parties; or unpaid tuition, fees, or fines at an approved private school.

Reporting. Each school district must publish the number of former students enrolled in the district who were subject to diploma withholding during the previous three school years, as well as how many of these former students were eligible for the federal free or reduced-price meals program in their last two years of enrollment in the district.

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: The withholding of grades, transcripts, and diplomas prevents students from accessing higher education, particularly students of color who are disproportionately impacted by withholding. Denying students access to their educational records is a violation of federal law.

OTHER: The bill should be returned to the previous version that disallowed districts from withholding transcripts. The withholding of transcripts prevents students from being able to move forward in their life, such as joining the military or moving into higher education. The current statute creates unnecessary and inequitable barriers for students.

Persons Testifying: PRO: Representative Dave Paul, Prime Sponsor; Troy Goracke, State Board for Community and Technical Colleges.

OTHER: Lucinda Young, Washington Education Association; Joshua Lynch, Office of Superintendent of Public Instruction.

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