

SENATE BILL REPORT

ESHB 1176

As of March 17, 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.

Brief Summary of Bill

- Limits the ability of a school district to withhold the grades and transcript of a student who is responsible for damaging certain property to three years after the student exits the school district.
- Requires that school districts, when informing either a pupil or the pupil's parent or guardian that the pupil's grades, diploma, or transcripts are being withheld due to damaging property, provide information on payment, community service, and the three-year withholding limit.
- Directs each school district that has an associated student body to publish information on the number of students subject to the withholding of their grades, diplomas, or transcripts in the last three years, and how many of these students were eligible for free or reduced-price meals in their last year of enrollment in the district.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Benjamin Omdal (786-7442)

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.

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.

Associated Student Body. An associated student body (ASB) is a formal student organization at a school. An ASB is approved and regulated by the school board. School districts with one or more ASB programs must publish certain information about each ASB fund on the school or school district website each year.

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 Bill: Limits on Withholding. A school district withholding a student's grades, diploma, and transcript for damaging property must release the pupil's grades and transcripts three years after the pupil exits the school district. If the pupil and parent or guardian are unable to pay for damages, the district shall provide a program of community service opportunities for the pupil.

Notice of Withholding. When informing the pupil or the pupil's parent or guardian the pupil's grades, diploma, or transcripts will be withheld for damaging property, a school district must provide information on:

- the school district's ability to waive the payment of the monetary damage in part or in full;
- how the pupil may pay monetary damages;
- community service opportunities for the pupil instead of paying monetary damages; and
- the school district release of the pupil's grades and transcripts three years after the pupil exits the school district, or if the pupil has already left the school district, the district must inform the pupil the date on which the school district is obligated to release the pupil's grades and transcripts.

Reporting. Each school district with an ASB must publish the number of former students enrolled in the district within the last three years who were subject to grades, diploma, or transcript withholding, as well as how many of these former students were eligible for the

federal free or reduced-price meals program in their last year 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: 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.