

SENATE BILL REPORT

SB 5340

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 10, 2021

Title: An act relating to qualifications for school board directors.

Brief Description: Concerning qualifications for school board directors.

Sponsors: Senators Salomon, Das, Dhingra, Hunt, Lovelett, Nguyen and Saldaña.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/01/21, 2/10/21 [DPS, DNP].

Brief Summary of First Substitute Bill

- Expands the eligibility criteria for school board directors to allow lawful permanent residents to qualify, rather than only United States citizens.
- Provides that a school board director does not need to be a registered voter to qualify, but still must be at least 18 years old and reside within the district.
- Provides that a person who has been convicted of a felony whose right to vote has not been restored is ineligible for the office of school director.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5340 be substituted therefor, and the substitute bill do pass.

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

Minority Report: Do not pass.

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

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.

Staff: Alexandra Fairfortune (786-7416)

Background: School Board Director Elections. Each member of a school district board of directors is elected by the registered voters of the school district to serve a term of four or six years. Some school districts are divided into director districts, where school directors are elected by the residents of their respective district for a term of two, four, or six years.

Individuals are eligible to run for the office of school director if they are a citizen of the United States and the state of Washington, and are a registered voter of the school district or director district.

Voter Eligibility. Individuals are eligible to vote in the state of Washington if they are:

- a citizen of the United States;
- a legal resident of Washington State;
- at least 18 years old by Election Day;
- not disqualified from voting due to a court order; and
- not under Department of Corrections supervision for a Washington felony conviction.

Summary of Bill (First Substitute): The eligibility criteria for qualifying as a school director candidate are modified. An individual is eligible to run for the office of school director if they are at least 18 years old, a United States citizen or lawful permanent resident, a resident of Washington, and a resident of the school district or director district. The requirement that an individual be a registered voter of the school district or director district is eliminated.

A person who has been convicted of a felony and whose right to vote has not been restored is ineligible for the office of school director.

Declaration of candidacy forms for school director candidates must be modified to reflect the new criteria.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (First Substitute):

- Provides that a person who has been convicted of a felony and whose right to vote has not been restored is ineligible for the office of school director, and revises the candidacy declaration provision to reflect this change.
- Amends an additional statute that requires citizenship and elector status to hold elective public office in Washington, exempting school directors of those requirements.

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 Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: A highly qualified, deeply committed legal permanent resident in Shoreline was going to be appointed as a school board director, but was denied ten minutes before the ceremony because she was not a citizen or registered voter. Legal permanent residents are active community members who are employed, pay taxes, and are involved in schools. The opportunity to serve would add diversity to the school board so the board better reflects the population of the community and the students. Historically, board members are white and speak only English. Legal permanent residents bring important experiences from home countries, speak multiple languages, and see opportunity gaps for students of color. The state should not put up barriers to prevent people from serving, as it communicates their talents are not appreciated or welcome. Any qualified member should have an opportunity to serve, and the bill should be expanded to include all residents who want to run for open seats.

CON: To those that have chosen the path of citizenship, it is a privilege and an honor. All elected officials should know there is a heightened responsibility because they are also a stakeholder in their district.

Persons Testifying: PRO: Senator Jesse Salomon, Prime Sponsor; Meghan Jernigan, Shoreline School Board; Lucinda Young, Washington Education Association; Sara Betnel, Shoreline School Board; Naomi Hillyard; Lama Chikh; Roxana Norouzi, OneAmerica; Rocío Carrión; Leslie Donozo.

CON: Sharon Hanek.

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