
HOUSE BILL 2131

State of Washington

67th Legislature

2022 Regular Session

By Representative Klippert

Read first time 02/28/22. Referred to Committee on Education.

1 AN ACT Relating to providing parents and their children with more
2 choices for a quality K-12 education through the family empowerment
3 scholarship program; amending RCW 83.100.230; adding a new section to
4 chapter 28A.150 RCW; adding a new section to chapter 28B.77 RCW; and
5 creating a new section.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that:

8 (a) According to the Washington Constitution, it is "the
9 paramount duty" of the state government to make "ample provision" for
10 the basic education of all children residing within its borders,
11 without distinction or preference on account of race, color, economic
12 status, or sex;

13 (b) Test scores and other standard measurements of student
14 achievement indicate that Washington's K-12 students are struggling
15 and their proficiency in basic skills, particularly in reading and
16 mathematics, has been in decline for several years;

17 (c) Parents and family members are and should be the primary
18 decision makers about their children's well-being, including about
19 what is best for their children's K-12 education;

1 (d) Washington state should empower and support parents,
2 families, and K-12 students to choose the educational environment
3 that best suits each student's needs;

4 (e) The state has authorized various education options, including
5 traditional public schools, charter schools, some of which focus on
6 educating children who are members of racial minority groups, home-
7 based instruction, and private schools. However an inequity remains,
8 families with greater financial means can choose from among these
9 options, while families that do not have such means cannot. This
10 inequity traps some K-12 students in failing schools or schools that
11 do not meet their needs; and

12 (f) The recent COVID-19 pandemic has made the societal cost of
13 this inequity plain and apparent.

14 (2) Therefore, the legislature intends to establish a more
15 equitable funding program that empowers parents and families to make
16 choices while providing greater educational equity, enrichment, and
17 achievement. This program will use a system of vouchers and
18 scholarship moneys to assure a uniform quality education for all of
19 Washington's K-12 students.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.150
21 RCW to read as follows:

22 (1) The family empowerment scholarship program is established.
23 The goal of the program is to empower parents and families to choose
24 an educational environment and program that will prepare their
25 students for postsecondary education, gainful employment or
26 entrepreneurship, and a successful future, regardless of the parents'
27 income level or zip code, by providing funding that includes only
28 those minimum state controls necessary to ensure the proper
29 administration of the program.

30 (2) The council must administer the program in accordance with
31 this section and section 3 of this act.

32 (3) To apply for the program, the parent of an eligible student
33 must submit an application to the council in the manner and by the
34 deadline set by the council.

35 (4) Subject to the availability of amounts appropriated for this
36 specific purpose, the council must annually award 100,000
37 scholarships of \$11,500 each on a first come, first serve basis, with
38 priority for participating students whose agreement is automatically
39 renewed under subsection (6) of this section.

1 (5) To participate in the program and receive a scholarship
2 award, the parent of an eligible student must sign, and submit to the
3 council, an agreement that obligates the parent to:

4 (a) Home-school the participating student in compliance with the
5 home-based instruction requirements of RCW 28A.225.010 and
6 28A.200.010, or enroll the participating student in a private school;

7 (b) Use the scholarship award only for the participating student
8 and only for the following purposes:

9 (i) Curricula and other materials necessary to provide home-based
10 instruction;

11 (ii) Tuition, fees, or both at a private school;

12 (iii) Textbooks required by a private school;

13 (iv) Tutoring and other services with a direct nexus to
14 academics;

15 (v) Computer hardware or other technological devices;

16 (vi) Tuition, fees, or both for a private online learning
17 program;

18 (vii) Fees for nationally standardized norm-referenced
19 achievement tests, advanced placement examinations, and any
20 examinations related to college or university admission;

21 (viii) Uniforms required to attend a private school; and

22 (ix) Costs for annual standardized testing or the academic
23 progress assessment required under RCW 28A.200.010 for participating
24 students receiving home-based instruction; and

25 (c) Withdraw from or not enroll in the public school the
26 participating student attends or is eligible to attend, and release
27 the public school and, if applicable, the school district, from all
28 obligations to provide an education or education services to the
29 participating student.

30 (6) Agreements signed and submitted to the council automatically
31 renew annually unless:

32 (a) The parent of a participating student submits a request in
33 writing to the council to withdraw from the program or fails to
34 comply with the provisions of the agreement. The termination of an
35 agreement due to a failure to comply with its provisions must be
36 based on a willful disregard of program requirements and may not be
37 based upon a good-faith error by a parent;

38 (b) The participating student graduates from high school or earns
39 a high school equivalency certificate under RCW 28B.50.536; or

1 (c) The participating student is ineligible to attend a public
2 school in the state.

3 (7) The definitions in this subsection apply throughout this
4 section unless the context clearly requires otherwise.

5 (a) "Agreement" means the contract developed by the council and
6 signed by the parent of an eligible student that is consistent with
7 the requirements of this section and section 3 of this act and
8 establishes the obligations of the parent and the council.

9 (b) "Council" means the student achievement council created under
10 chapter 28B.77 RCW.

11 (c) "Eligible student" means a person residing in Washington who
12 is at least five years of age and less than 21 years of age, unless
13 the person is ineligible to attend a public school in the state.

14 (d) "Home-based instruction" has the same meaning as in RCW
15 28A.225.010.

16 (e) "Parent" means a parent, guardian, or other person or entity
17 having legal custody of a child.

18 (f) "Participating student" means a student whose parent has
19 submitted a signed agreement to the council and been awarded
20 scholarship funds.

21 (g) "Private school" means a school approved under chapter
22 28A.195 RCW.

23 (h) "Program" means the family empowerment scholarship program.

24 (i) "Public school" has the same meaning as in RCW 28A.150.010.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.77
26 RCW to read as follows:

27 (1) The council must administer the family empowerment
28 scholarship program established under section 2 of this act in
29 accordance with this section and section 2 of this act.

30 (2) In administering the family empowerment scholarship program,
31 the council must:

32 (a) Create and implement an application process that includes a
33 standard application form and annual deadlines;

34 (b) Review and prioritize applications;

35 (c) Notify applicants of their award status before July 1st;

36 (d) Develop an agreement and process to receive signed
37 agreements;

38 (e) Develop and implement a method of awarding scholarship funds
39 to the parent of a participating student; and

1 (f) Create and implement a process to automatically renew the
2 agreement of the parent of a participating student if the
3 requirements in section 2 of this act are met.

4 (3) The council may not add additional eligibility, agreement, or
5 other requirements that impose barriers or burdens to parents
6 applying for the family empowerment scholarship program.

7 (4) The definitions in this subsection apply throughout this
8 section unless the context clearly requires otherwise.

9 (a) "Agreement" has the same meaning as in section 2 of this act.

10 (b) "Participating student" has the same meaning as in section 2
11 of this act.

12 **Sec. 4.** RCW 83.100.230 and 2021 c 199 s 105 are each amended to
13 read as follows:

14 The education legacy trust account is created in the state
15 treasury. Money in the account may be spent only after appropriation.
16 Expenditures from the account may be used only for support of the
17 common schools, funding the family empowerment scholarship program
18 established under section 2 of this act, and for expanding access to
19 higher education through funding for new enrollments and financial
20 aid, early learning and child care programs, and other educational
21 improvement efforts.

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