

# SENATE BILL REPORT

## SB 6236

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As of January 24, 2024

**Title:** An act relating to filing a declaration of intent to provide home-based instruction.

**Brief Description:** Filing a declaration of intent to provide home-based instruction.

**Sponsors:** Senators Wellman, Hunt and Nobles.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/24/24.

**Brief Summary of Bill**

- Requires a parent who intends for their child to receive home-based instruction to file a signed declaration of intent in the school years when their child turns six and seven.
- Provides that this requirement does not modify the compulsory attendance or home-based instruction requirements, which begin at age eight.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Ailey Kato (786-7434)

**Background:** School Attendance. Parents of children who are 8 and under 18 years old must cause their children to attend a public school of the district in which the child resides unless the child is:

- attending an approved private school;
- receiving home-based instruction; or
- meets other exceptions provided by law.

Home-Based Instruction. Home-based instruction requires a parent to annually file a

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declaration of intent to provide their child with home-based instruction beginning when the child is 8 years old until 18.

The signed declaration must be filed with the superintendent of the school district where the parent resides by September 15th of the school year, or within two weeks of the beginning of any public school quarter, trimester, or semester. The signed declaration must include the name and age of the child, specify whether a certificated person will be supervising the instruction, and be written in a format prescribed by the Superintendent of Public Instruction.

Parents must also keep certain records and annually administer a standardized achievement test.

**Summary of Bill:** A parent who intends for their child to receive home-based instruction must file a signed declaration of intent in the school year when the child turns six years old and in the school year when the child turns seven years old.

The signed declaration must be filed with the superintendent of the school district where the parent resides by September 15th of the school year, or within two weeks of the beginning of any public school quarter, trimester, or semester. The signed declaration must include the name and age of the child and be written in a format prescribed by the Superintendent of Public Instruction.

The requirement to file a signed declaration of intent in the school year when a child turns six and seven does not modify the compulsory attendance requirements or home-based instruction requirements, which begin at age eight.

Parent is defined as a parent, guardian, or person having legal custody of a child.

**Appropriation:** None.

**Fiscal Note:** Requested on January 17, 2024.

**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: It is important to understand how many students will be attending schools. Since families who decide to home school do not need to do anything until age eight, it is unclear whether these students will be attending public school or getting home-based instruction.

CON: This law creates two classes of citizens: parents who are considering providing home-based instruction and parents who are waiting to send their children to school until

age eight. Requirements are only being put on the first class, which discriminates against these parents. This bill puts unnecessary regulatory burdens on schools, which should be focused on education not paperwork. Requiring a declaration of intent appears to be contrary to the compulsory attendance laws, and it would cause confusion. It is not clear how this data collection would be enforced. This bill is unnecessary government overreach.

**Persons Testifying:** PRO: Senator Lisa Wellman, Prime Sponsor.

CON: Jennifer Garrison Stuber, Washington Homeschool Organization; Kevin Boden, Home School Legal Defense Association; Jennifer Child, Homeschool Mom; Julie Barrett, Conservative Ladies of Washington; Jennifer Heine-Withee.

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