
HOUSE BILL 2038

State of Washington

68th Legislature

2024 Regular Session

By Representatives McClintock, Couture, Waters, Rude, Jacobsen, Cheney, and Griffey

Prefiled 12/22/23. Read first time 01/08/24. Referred to Committee on Education.

1 AN ACT Relating to collecting data on student transfers and
2 withdrawals from public schools and school districts; amending RCW
3 28A.200.010; adding a new section to chapter 28A.300 RCW; and
4 creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that
7 emerging trends in recent years show a decline in enrollment in
8 elementary and secondary public schools and an increase in the number
9 of students participating in private schools and home-based
10 instruction.

11 (2) Between the 2018-19 and 2022-23 school years, the number of
12 students enrolled in private schools increased by more than 10
13 percent to almost 82,000 students and the number of students
14 registered for home-based instruction statewide increased by 28
15 percent to more than 28,000 students. During this same four-year
16 period, however, public school enrollment declined by more than
17 20,000, a decrease of more than two percent.

18 (3) The legislature finds that the increasingly frequent parental
19 preferences for nonpublic education options have occurred without a
20 corresponding collection of data that could help school officials,
21 policymakers, and the public: (a) More fully understand why parents

1 are forgoing public schools; and (b) make informed choices in the
2 shared objective of supporting the education needs of all students.

3 (4) The legislature, therefore, intends to direct the office of
4 the superintendent of public instruction to create and administer a
5 voluntary survey for parents to complete when they transfer or
6 withdraw students from public schools or school districts.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
8 RCW to read as follows:

9 (1) The office of the superintendent of public instruction shall
10 create an online survey for parents or guardians to complete, at
11 their option, upon transferring or withdrawing a student from a
12 public school or school district. The purpose of the survey, which
13 must be operational by September 1, 2024, is to collect data for
14 school officials, policymakers, and the public regarding the reasons
15 that parents or guardians transfer or withdraw students from public
16 schools and school districts.

17 (2)(a) Public schools must notify parents or guardians of the
18 survey and provide a link to the survey upon receiving a request from
19 a parent or guardian to transfer or withdraw a student.

20 (b) Each school district that maintains a website must post a
21 link to the survey on their website and the homepage for each school
22 within the district. Public schools and school districts should make
23 the survey link available through their internet-based communications
24 and other digital and nondigital communications.

25 (3)(a) Beginning December 1, 2025, and annually thereafter, the
26 office of the superintendent of public instruction shall provide a
27 summary of the data received through the survey during the previous
28 12 months to:

29 (i) The public schools and school districts from which survey
30 responses from parents or guardians originated; and

31 (ii) The education and fiscal committees of the legislature.
32 Summaries provided in accordance with this subsection (3)(a) must
33 conform to RCW 43.01.036.

34 (b) The office of the superintendent of public instruction shall
35 post and maintain on its website the data summaries required by (a)
36 of this subsection (3).

37 (4) For the purposes of this section, "public schools" has the
38 same meaning as in RCW 28A.150.010.

1 **Sec. 3.** RCW 28A.200.010 and 2019 c 252 s 109 are each amended to
2 read as follows:

3 (1) Each parent whose child is receiving home-based instruction
4 under RCW 28A.225.010(4) shall have the duty to:

5 (a) File annually a signed declaration of intent that he or she
6 is planning to cause his or her child to receive home-based
7 instruction. The statement shall include the name and age of the
8 child, shall specify whether a certificated person will be
9 supervising the instruction, and shall be written in a format
10 prescribed by the superintendent of public instruction. Each parent
11 shall file the statement by September 15th of the school year or
12 within two weeks of the beginning of any public school quarter,
13 trimester, or semester with the superintendent of the public school
14 district within which the parent resides or the district that accepts
15 the transfer, and the student shall be deemed a transfer student of
16 the nonresident district. Parents may apply for transfer under RCW
17 28A.225.220;

18 (b) Ensure that test scores or annual academic progress
19 assessments and immunization records, together with any other records
20 that are kept relating to the instructional and educational
21 activities provided, are forwarded to any other public or private
22 school to which the child transfers. At the time of a transfer to a
23 public school, the superintendent of the local school district in
24 which the child enrolls may require a standardized achievement test
25 to be administered and shall have the authority to determine the
26 appropriate grade and course level placement of the child after
27 consultation with parents and review of the child's records; and

28 (c) Ensure that a standardized achievement test approved by the
29 state board of education is administered annually to the child by a
30 qualified individual or that an annual assessment of the student's
31 academic progress is written by a certificated person who is
32 currently working in the field of education. The state board of
33 education shall not require these children to meet the student
34 learning goals, learn the state learning standards, or take the
35 assessments under RCW 28A.655.070. The standardized test administered
36 or the annual academic progress assessment written shall be made a
37 part of the child's permanent records. If, as a result of the annual
38 test or assessment, it is determined that the child is not making
39 reasonable progress consistent with his or her age or stage of

1 development, the parent shall make a good faith effort to remedy any
2 deficiency.

3 (2) A school district superintendent who receives a declaration
4 in accordance with subsection (1) of this section for a student who
5 is withdrawing from a public school to receive home-based instruction
6 shall provide the parents with a link to the survey required by
7 section 2 of this act.

8 (3) Failure of a parent to comply with the duties in this section
9 shall be deemed a failure of such parent's child to attend school
10 without valid justification under RCW 28A.225.020. Parents who do
11 comply with the duties set forth in this section shall be presumed to
12 be providing home-based instruction as set forth in RCW
13 28A.225.010(4).

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