

SHB 1176 - H AMD 104

By Representative Boehnke

ADOPTED 02/24/2021

1 Strike everything after the enacting clause and insert the
2 following:

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4 "Sec. 1. RCW 28A.635.060 and 1997 c 266 s 13 are each amended
5 to read as follows:

6 (1) Any pupil who defaces or otherwise injures any school
7 property, or property belonging to a school contractor, employee, or
8 another student, is subject to suspension and punishment. If any
9 property of the school district, a contractor of the district, an
10 employee, or another student has been lost or willfully cut,
11 defaced, or injured, the school district may withhold the grades,
12 diploma, and transcripts of the pupil responsible for the damage or
13 loss until the pupil or the pupil's parent or guardian has paid for
14 the damages, except that the school district must release the
15 pupil's grades and transcripts three years after the pupil exits the
16 school district. If the student is suspended, the student may not be
17 readmitted until the student or parents or legal guardian has made
18 payment in full or until directed by the superintendent of schools.
19 If the property damaged is a school bus owned and operated by or
20 contracted to any school district, a student suspended for the
21 damage may not be permitted to enter or ride any school bus until
22 the student or parent or legal guardian has made payment in full or
23 until directed by the superintendent. When the pupil and parent or
24 guardian are unable to pay for the damages, the school district
25 shall provide a program of (~~voluntary work~~) community service
26 opportunities for the pupil (~~in lieu~~) instead of the payment of
27 monetary damages. Upon completion of (~~voluntary work~~) community

1 service the grades, diploma, and transcripts of the pupil shall be
2 released. The parent or guardian of such pupil shall be liable for
3 damages as otherwise provided by law.

4 (2) When informing either the pupil or the pupil's parent or
5 guardian that the pupil's grades, diploma, or transcripts are being
6 withheld as allowed under subsection (1) of this section, a school
7 district must provide the following information:

8 (a) The school district may waive the payment of the monetary
9 damage in part or in full;

10 (b) The pupil may make the payment of monetary damages;

11 (c) The pupil may participate in a program of community service
12 opportunities for the pupil instead of the payment of monetary
13 damages; and

14 (d) The school district must release the pupil's grades and
15 transcripts three years after the pupil exits the school district.
16 When the pupil has already exited the school district, the school
17 district must inform the pupil of the date on which the school
18 district is obligated to release the pupil's grades and transcripts.

19 (3) Before any penalties are assessed under this section, a
20 school district board of directors shall adopt procedures which
21 insure that pupils' rights to due process are protected.

22 ((+3)) (4) If the department of social and health services or a
23 child-placing agency licensed by the department has been granted
24 custody of a child, that child's records, if requested by the
25 department or agency, are not to be withheld for nonpayment of
26 school fees or any other reason.

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28 **Sec. 2.** RCW 28A.325.050 and 2020 c 13 s 10 are each amended to
29 read as follows:

30 (1) Each school district that has an associated student body
31 program fund must publish the following information about the fund
32 on its web site:

33 (a) The fund balance at the beginning of the school year;

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1 (b) Summary data about expenditures and revenues occurring over
2 the course of the school year; and

3 (c) The fund balance at the end of the school year.

4 (2) Beginning in the 2020-21 school year, each school district
5 that has an associated student body must publish the following
6 information on its web site:

7 (a) Data related to high school student possession of an
8 associated student body card and high school student participation
9 in school-based extracurricular activities collected under RCW 28A.
10 320.540;

11 (b) The school district's extracurricular activity opportunity
12 gap reduction plan if required under RCW 28A.320.580; and

13 (c) A list of optional noncredit extracurricular event
14 attendance and participation fees and the school district policy for
15 waiving and reducing these fees as described under RCW 28A.325.010.

16 (3) Each school district that has an associated student body
17 must publish the following information on its web site: How many
18 former students who were enrolled in the school district within the
19 previous three years are subject to the withholding of their grades,
20 diplomas, or transcripts as permitted under RCW 28A.635.060; and how
21 many of these former students were eligible for the federal free or
22 reduced-price meals program in their last year of enrollment in the
23 school district.

24 (4) The information under this section must be published for
25 each associated student body of the district and each account within
26 the associated student body program fund.

27 (~~(4)~~) (5) If the school district web site contains separate
28 web sites for schools in the district, the information under this
29 section must be published on the web site of the applicable school
30 of the associated student body.

31 (~~(5)~~) (6) School districts must add updated annual information
32 to their web sites by each August 31st, except that school districts
33 are only required to maintain the information on the web site from
34 the previous five years.

1 (~~(6)~~) (7) For purposes of this section, the definitions in RCW
2 28A.320.530 apply."

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4 Correct the title.

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EFFECT:

(1) Removes all provisions in the underlying bill.

(2) Requires school districts that withhold the grades, diploma, or transcripts of a student who is responsible for damaging or losing school property, or property belonging to a contractor of the district, an employee, or another student, to release the student's grades and transcripts three years after the student exits the school district.

(3) Requires school districts, when informing the student or the student's parent or guardian that the student's grades, diploma, or transcripts are being withheld, to provide specified information about restitution options and the district's obligation to release the grades and transcripts after three years.

(4) Modifies requirements related to the publishing of data about students with withheld diplomas as provided in the underlying bill by directing each school district that has an Associated Student Body to publish information on its website related to the number and characteristics of people whose grades, diplomas, or transcripts were withheld due to property loss or damage by students during the previous three years.

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