

HOUSE BILL REPORT

HB 2071

As Reported By House Committee On:
Government Administration

Title: An act relating to school site-councils.

Brief Description: Making school site-councils subject to the open public meetings act.

Sponsors: Representatives Wensman, Ballasiotes, Dyer, Schoesler, Smith, Keiser and Cooke.

Brief History:

Committee Activity:

Government Administration: 3/4/97 [DP].

HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

Majority Report: Do pass. Signed by 11 members: Representatives D. Schmidt, Chairman; D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Dunn; Dunshee; Murray; Reams; Smith; L. Thomas; Wensman and Wolfe.

Minority Report: Do not pass. Signed by 2 members: Representatives Gardner, Assistant Ranking Minority Member; and Doumit.

Staff: Bronwyn Mauldin (786-7093).

Background: The Open Public Meetings Act requires that all meetings of the governing body of any public agency be open to the public, with some specified exceptions. A public agency includes all state agencies, committees and commissions, any county, city, school district or other political subdivision of the state, or any subagency of a public agency.

The governing body of a public agency must inform the public of the time and location for all regular meetings. A governing body of a public agency may hold special meetings in addition to regular meetings, but must comply with public notification requirements. Emergency meetings may be held without notification, but only in such cases where fire, flood, or earthquake necessitates expedited action, or to deal with situations where injury or damage to persons or property are certain or likely.

There are several exceptions to the open meeting requirements. The governing body of a public agency may meet in executive session to consider certain issues, such as matters of national security, discussion of the qualification of job applicants or candidates for appointment to public office, and discussion of legal matters relating to agency enforcement. In addition, the Open Public Meetings Act does not apply to proceedings involving issuance, revocation, or denial of certain licenses, discussion by a quasi-judicial body that impact specific named parties and not the general public or a class of people, matters governed by the Administrative Procedure Act, and collective bargaining discussions.

A school site-council is a board made up of teachers, parents, and other persons connected to a single school that acts as the representative of the school in certain situations. A school site-council may make binding decisions for the school, or may only make advisory recommendations to the local school board on behalf of the school, depending on the authority granted by the school board.

Summary of Substitute Bill: All school site-councils are subject to the Open Public Meetings Act. A school site-council is the multi-member board that acts as the representative body of persons connected to a school, if any of its actions are on behalf of the school or school district board, including the approval of grant applications.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: With responsibility for school decisions increasingly devolving to local levels, school site-councils should be subject to the Open Public Meetings Act, especially those school site-councils that make binding decisions for schools. The Open Public Meetings Act may already apply to school site-councils, but some school site-councils see this as voluntary.

Testimony Against: This bill is unnecessary because school site-councils usually have open meetings. The requirements of the Open Public Meetings Act may be especially hard on smaller districts that may not be able to afford the cost of compliance.

Testified: (Pro) Representative Wensman, prime sponsor; Chris Heaton, citizen; and Marvin Young.

(Con) Rainier Houser, Association of Washington School Principles.