

SENATE BILL REPORT

ESHB 1378

As Reported By Senate Committee On:
Education, April 4, 1997

Title: An act relating to providing educational opportunities for students.

Brief Description: Providing educational opportunities for students with different learning needs.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Radcliff, H. Sommers, D. Sommers, Carlson, Johnson, Sump, Costa, Mitchell, Poulsen, Linville, Dunshee, Cooke, Mason, Keiser, Wood, Kenney and Kessler).

Brief History:

Committee Activity: Education: 3/27/97, 4/4/97 [DPA-WM].

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Hochstatter, Chair; Finkbeiner, Vice Chair; Goings, Johnson, McAuliffe, Rasmussen and Zarelli.

Staff: Karen Carter (786-7424)

Background: School districts must provide instructional programs to a wide variety of children with very different learning needs. Students who are academically at-risk, or who have had discipline problems at school present a unique challenge to districts. An alternative learning environment may be considered.

Options now available include alternative learning programs within school districts, vocational skill centers, education centers for drop-outs, as well as other public and private education programs that operate outside of the school district.

School boards have corporate powers that permit the district to enter into contracts for alternative education services. Rules have also been promulgated by the Superintendent of Public Instruction (SPI) that pertain to alternative education services.

Alternative Learning Experiences. An "alternative learning experience" is an individualized course of study for students who are not home-schooled or attend a private school. While school boards set policy for alternative learning experiences, the state has defined minimum expectations. School boards must adopt a resolution to allow expanded educational options after a public hearing. School districts must adopt a written plan that describes how the student's performance will be supervised, evaluated and recorded by district staff and further, must monitor the contract's execution. The contractor must comply with any applicable laws and satisfy funding, staffing or enrollment requirements.

Skill Centers. Skill centers offer classes that are three periods long, which are taught by vocationally certified instructors. There are eight skill centers in Washington: Sno-Isle; Spokane; New Market; Yakima; Tri-Tech; Clark County; Kitsap Peninsula; and Sea-Tac. Each skill center functions as a multi-district cooperative, and acts as an extension of local high schools at off-site locations.

Education Centers. The Legislature authorized education center services for public school dropouts. Education centers operate on a client-centered basis with specific attention given to diagnosing the student's learning needs and working to improve the student's motivation and academic performance. Certified teachers must provide the instruction. Students may take the general education development (GED) test, or re-enter public school if they demonstrate satisfactory performance. Students must have dropped out of school for 30 days prior to applying, or be referred to an education center by a public school official prior to being out of school 30 days. Students who have been expelled or suspended may enroll in education centers.

Other Schools. School districts may accept transfer applications from students who do not reside in the district. School boards must establish policies for admitting nonresident students and for allowing intra-district transfers.

Summary of Amended Bill: In finding that school districts must provide instructional programs to students who are academically at-risk, or who have been disciplined due to behavioral problems, and acknowledging that their learning needs vary, entrance criteria for education centers are modified, and contract options for districts seeking an alternative learning environment for such students are codified.

Contracts for Alternative Education Services. School boards may contract with alternative education service providers that include, but are not limited to:

- alternative education programs not operated by the school district;
- education centers;
- skill centers;
- dropout prevention programs;
- other schools; and
- other public or private organizations, excluding sectarian or religious organizations.

Students who are likely to be expelled, suspended, subject to disciplinary actions, or who are academically at-risk are eligible for educational services from these entities.

The contract between the school district and the provider must specify the learning standards the student is expected to achieve. School districts may require a student who would otherwise be expelled or suspended to attend an alternative education program as a condition of continued enrollment. However, the student's placement must be determined jointly by the school district, the service provider, and the student's parent or legal guardian.

The Superintendent of Public Instruction is directed to adopt rules for reporting and documenting enrollment of eligible students placed with alternative education service providers. Students may re-enter school at an appropriate grade level, and those age 16 or older may take the GED test.

Education Centers. For the purpose of state funding, criteria for eligible common school drop-outs is rewritten by this act, but only one substantive change is made to current law.

The age of an eligible common school dropout for enrollment purposes is lowered from 13 to 12. Enabling language is modified to encourage school districts to "explore cooperation" with education centers pursuant to this act.

Amended Bill Compared to Substitute Bill: The Superintendent of Public Instruction is expected to develop rules for reporting and documenting enrollment of eligible students placed with alternative education service providers. Rather than calling for a rule, language codifies that students may re-enter school at an appropriate grade level.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on March 20, 1997.

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

Testimony For: It is important to have alternatives for students who are failing academically or who repeatedly require discipline by teachers and principals. This bill affirms districts' authority to contract and sends an important message: the state wants schools to work with parents and alternative education providers, both public and private where appropriate, to find diversion options before contemplating actions with serious repercussion: that of suspending or expelling an enrolled student.

Testimony Against: None

Testified: Representative Radcliff, original prime sponsor; Sharon Case, Washington Association of Education Centers; PRO: Stephen Dinger, Washington Federation of Independent Schools; Dwayne Slate, WSSDA; Rainier Houser, AWSP.