

# SENATE BILL REPORT

## ESHB 2330

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As Reported By Senate Committee On:  
Education, February 20, 1998

**Title:** An act relating to church schools.

**Brief Description:** Authorizing church schools.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Hickel, Johnson, Backlund and D. Sommers).

**Brief History:**

**Committee Activity:** Education: 2/20/98 [DP, DNP].

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### SENATE COMMITTEE ON EDUCATION

**Majority Report:** Do pass.

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

**Minority Report:** Do not pass.

Signed by Senators McAuliffe and Rasmussen.

**Staff:** William Bridges (786-7424)

**Background:** Parents of children eight to 18 years old must send their children to public school unless the children (1) attend state-approved private schools; (2) receive home-based instruction; (3) attend education centers; (4) are excused by the school district superintendent under certain circumstances; or (5) are 16 years old and meet certain criteria.

As of October 1997, there were 469 state-approved private schools enrolling 78,697 children or 7.36 percent of the total student population attending either public or state-approved private schools. State-approved private schools are less regulated than public schools. However, state-approved private schools must comply with some statutory requirements, including the following: (1) a minimum 180-day school year; (2) teachers that must be certificated in Washington except for teachers of religion courses and others with unusual competence who are supervised by a certificated teacher; (3) school facilities must be adequate for the offered programs and meet reasonable health and safety requirements; and (4) the curriculum must include instruction in certain basic skills. State-approved private schools must annually certify to the Superintendent of Public Instruction that they have satisfied the minimum requirements.

Some students in Washington attend unapproved private schools, some of which are operated by religious organizations. There are no official figures regarding the number of such schools or their enrollment.

**Summary of Bill:** Parents can satisfy the compulsory attendance law by sending their children to a religiously affiliated exempt school. A religiously affiliated exempt school is a private school that: (1) offers instruction in grades K-12, in any combination including single grade schools; (2) is operated by a ministry of a local church, group of churches, denomination, religiously-affiliated organization, or association of churches on a nonprofit basis; and (3) does not receive any state or federal funding.

Religiously affiliated exempt schools are not subject to the minimum requirements that state-approved private schools must meet, except that they must have adequate facilities. Religiously affiliated exempt schools do not have to be approved by the State Board of Education, and do not have to report their attendance and enrollment.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Testimony For:** Education and religion cannot be separated. It can be difficult to get teachers certificated who have the appropriate religious background. Church school teachers are qualified teachers even if they are not certificated in Washington. Any regulation of church schools interferes with religious freedom. Some church schools do not obtain the required approval from the State Board of Education because it interferes with their religious freedom. Church schools have a long history of providing a good education. Church schools have operated successfully in the free market; parents would not continue to pay tuition if the church schools did a poor job. Some schools pay the costs of teacher certification and this takes money away from other services and materials. The bill received bipartisan support in the House. It will prevent parents who send their children to unapproved religious schools from being prosecuted under the compulsory attendance law. It will prevent public schools from refusing to accept transfers from unapproved religious schools.

**Testimony Against:** None. But some witnesses expressed concerns. While church schools must still have adequate facilities, the bill does not specify any criteria. Church schools should have to report their enrollment. There is no procedure to verify if church schools receive no public funds. There is no procedure for designating religiously affiliated exempt schools. The public may be confused that all religiously affiliated schools are not state approved; Catholic schools, for example, are religiously affiliated but state approved.

**Testified:** Representative Hickel, prime sponsor (pro); Randi Abrams, Jewish Federation (pro); Edward Bryant, pastor, ELS Lutheran Schools (pro); Jon Buchholz, pastor, Holy Trinity Lutheran Church (pro); Steven Dinger, WA Federation of Independent Schools (concerns); Jessie Dye, Catholic Conference (concerns); Mike Holtzinger, pastor, Valley View Baptist Church (pro); James Humann, pastor, Salem Lutheran Church (pro); Curtis Mantey, principal, Bethany Lutheran School (pro); Gary Meyer, Faith Lutheran School (concerns); Gary Prisk, pastor, Bible Baptist Church (pro).