

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5142

Chapter 36, Laws of 2003

(partial veto)

58th Legislature
2003 Regular Session

SCHOOL DISTRICT ENROLLMENT--SCHOOL EMPLOYEES

EFFECTIVE DATE: 7/27/03

Passed by the Senate March 11, 2003
YEAS 41 NAYS 8

BRAD OWEN

President of the Senate

Passed by the House April 9, 2003
YEAS 94 NAYS 2

FRANK CHOPP

Speaker of the House of Representatives

Approved April 17, 2003, with the
exception of section 3, which is vetoed.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Milton H. Doumit, Jr.,
Secretary of the Senate of the
State of Washington, do hereby
certify that the attached is
**ENGROSSED SUBSTITUTE SENATE BILL
5142** as passed by the Senate and
the House of Representatives on
the dates hereon set forth.

MILTON H. DOUMIT JR.

Secretary

FILED

April 17, 2003 - 2:25 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5142

Passed Legislature - 2003 Regular Session

State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Education (originally sponsored by Senators Carlson, Eide, Schmidt, Johnson, B. Sheldon, Shin, Kohl-Welles, Rasmussen and Esser)

READ FIRST TIME 02/20/03.

1 AN ACT Relating to permitting children of certificated and
2 classified school employees to enroll at the school where the employee
3 is assigned; amending RCW 28A.225.225 and 28A.225.270; and adding a new
4 section to chapter 28A.320 RCW.

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

6 **Sec. 1.** RCW 28A.225.225 and 1999 c 198 s 2 are each amended to
7 read as follows:

8 (1) Except for students who reside out-of-state, a district shall
9 accept applications from nonresident students who are the children of
10 full-time certificated and classified school employees, and those
11 children shall be permitted to enroll:

12 (a) At the school to which the employee is assigned; or

13 (b) At a school forming the district's K through 12 continuum which
14 includes the school to which the employee is assigned.

15 (2) A district may reject applications under this section if:

16 (a) The student's disciplinary records indicate a history of

1 convictions for offenses or crimes, violent or disruptive behavior, or
2 gang membership;

3 (b) The student has been expelled or suspended from a public school
4 for more than ten consecutive days. Any policy allowing for
5 readmission of expelled or suspended students under this subsection
6 (2)(b) must apply uniformly to both resident and nonresident
7 applicants; or

8 (c) Enrollment of a child under this section would displace a child
9 who is a resident of the district, except that if a child is admitted
10 under subsection (1) of this section, that child shall be permitted to
11 remain enrolled at that school, or in that district's kindergarten
12 through twelfth grade continuum, until he or she has completed his or
13 her schooling.

14 (3) Except as provided in subsection (1) of this section, all
15 districts accepting applications from nonresident students or from
16 students receiving home-based instruction for admission to the
17 district's schools shall consider equally all applications received.
18 Each school district shall adopt a policy establishing rational, fair,
19 and equitable standards for acceptance and rejection of applications by
20 June 30, 1990. The policy may include rejection of a nonresident
21 student if:

22 (a) Acceptance of a nonresident student would result in the
23 district experiencing a financial hardship;

24 (b) The student's disciplinary records indicate a history of
25 convictions for offenses or crimes, violent or disruptive behavior, or
26 gang membership; or

27 (c) The student has been expelled or suspended from a public school
28 for more than ten consecutive days. Any policy allowing for
29 readmission of expelled or suspended students under this subsection
30 ~~((1))~~ (3)(c) must apply uniformly to both resident and nonresident
31 applicants.

32 For purposes of subsections ~~((1))~~ (2)(a) and (3)(b) of this
33 section, "gang" means a group which: (i) Consists of three or more
34 persons; (ii) has identifiable leadership; and (iii) on an ongoing
35 basis, regularly conspires and acts in concert mainly for criminal
36 purposes.

37 ~~((2))~~ (4) The district shall provide to applicants written
38 notification of the approval or denial of the application in a timely

1 manner. If the application is rejected, the notification shall include
2 the reason or reasons for denial and the right to appeal under RCW
3 28A.225.230(3).

4 **Sec. 2.** RCW 28A.225.270 and 1990 1st ex.s. c 9 s 205 are each
5 amended to read as follows:

6 (1) Each school district in the state shall adopt and implement a
7 policy allowing intradistrict enrollment options no later than June 30,
8 1990. Each district shall establish its own policy establishing
9 standards on how the intradistrict enrollment options will be
10 implemented.

11 (2) A district shall permit the children of full-time certificated
12 and classified school employees to enroll at:

13 (a) The school to which the employee is assigned; or

14 (b) A school forming the district's K through 12 continuum which
15 includes the school to which the employee is assigned.

16 (3) For the purposes of this section, "full-time employees" means
17 employees who are employed for the full number of hours and days for
18 their job description.

19 ***NEW SECTION. Sec. 3. A new section is added to chapter 28A.320**
20 **RCW to read as follows:**

21 ***Each school district shall report to the superintendent of public***
22 ***instruction the number of students that apply for enrollment under RCW***
23 ***28A.225.225(1) or 28A.225.270(2) and the number of total students***
24 ***applying for transfers that were denied enrollment. The superintendent***
25 ***of public instruction shall compile the data and report it to the***
26 ***legislature by December 1, 2004.***

**Sec. 3 was vetoed. See message at end of chapter.*

Passed by the Senate March 11, 2003.

Passed by the House April 9, 2003.

Approved by the Governor April 17, 2003, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State April 17, 2003.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 3,
Engrossed Substitute Senate Bill No. 5142 entitled:

"AN ACT Relating to permitting children of certificated and
classified school employees to enroll at the school where the
employee is assigned;"

This bill requires, upon application, that school districts enroll
children of their certificated and classified school employees in
the school to which the employee is assigned, or to one of the

schools in the feeder school system for the school to which the employee is assigned.

Section 3 of this bill would have provided for certain reporting requirements. The veto of this section has been requested by the Superintendent of Public Instruction, and has the concurrence of the bill sponsor and the sponsor of the Section 3 amendment. Nonetheless, I understand that the Superintendent of Public Instruction intends to provide information regarding the provisions of this bill to the legislature by means of a survey. I support this less burdensome approach.

For these reasons, I have vetoed section 3 of Engrossed Substitute Senate Bill No. 5142.

With the exception of section 3, Engrossed Substitute Senate Bill No. 5142 is approved."