

SENATE BILL REPORT

SB 6086

As of February 1, 2012

Title: An act relating to single-sex classes.

Brief Description: Authorizing single-sex classes under specified circumstances.

Sponsors: Senators Swecker, Ericksen and Hill.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/01/12.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Lidia Mori (786-7755)

Background: Washington state law RCW 28A.640.020(d) applies specifically to course offerings and requires that classes be provided to all students without regard to sex, except in some limited circumstances. Separation by sex is permitted during sessions on sex education or gym classes.

In 2006 the United States Department of Education issued regulations authorizing public schools to offer single-sex education options under certain conditions. Generally speaking, they are permitted when each single-sex class is based on the school's objective of improving the educational achievement of its students and when the single-sex nature of the class is substantially related to achieving that objective or to meeting the particular, identified educational needs of the school's students and the single sex nature of the class is substantially related to achieving that objective. In addition, the single-sex education must be implemented in an evenhanded manner, student enrollment in the classes must be completely voluntary, and the school must provide to all other students a substantially equal coeducational class in the same subject.

A 2011 New York Times education article points out that "There were only two single-sex public schools in the mid-1990s; today, there are more than 500 public schools in 40 states that offer some single-sex academic classes or, more rarely, are entirely single sex." The article goes on to cite case studies that show some benefit of single-sex classes, but says, "like lots of other educational research, it's mixed."

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: Washington public schools are permitted to provide single-sex classes if the single-sex class is substantially related to achieving the school's objective of improving the educational achievement of its students or if the single-sex nature of the class is substantially related to meeting the particular, identified educational needs of the school's students. Student enrollment in a single-sex class must be completely voluntary. A school that provides a single-sex class must provide a substantially equal single-sex class for students of the excluded sex.

The school that provides the single-sex class must conduct periodic evaluations at least every two years to ensure that the single-sex classes are substantially related to the achievement of the objective for the classes.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Each child is different. Whatever turns the switch on for their learning is important. Jason Lee Middle School looked at what federal law allowed and decided to offer same-sex classes. They heard from the parents and kids that participated in the classes and the feedback was that it was a very positive experience. This bill would not create any mandates; no one would be excluded. This bill only gives schools an innovative option. The bill would require no funding to implement. The passage of the federal law that allows same-sex classes was a coming together of both sides of the aisle, Senator Kay Bailey Hutchison, a republican, and then Senator Hillary Rodham Clinton, a democrat. There is a gender gap between boys and girls in achievement, especially in schools of poverty. The single-gender classes at Jason Lee Middle School were only offered for sixth-grade academic core classes, and co-ed classes were also offered. The curriculum and the teachers were exactly the same for boys and girls. There was a gender gap between the boys and the girls; the boys were 12-13 points behind the girls coming into the fall and when an interim math assessment was performed, the boys had closed that gap. In 2000, a principal in Seattle instituted single gender classes at an elementary school because of a high discipline problem, about 80 percent concerning boys. The number of children being sent to the principal's office went from about 30 a day to one or two after switching to same sex classes. The boys were able to focus on academics and so were the girls. Their performance on the Washington assessment of student learning went from the 10-30 percentile listing to 73 percentile and outperformed the entire state in writing, going from the low 20 percentile to 53 percentile. We believe offering single-gender classes will eliminate discrimination between the genders. From parents at Jason Lee, there was not one complaint about single-gender classes.

CON: We believe offering single-sex classes is illegal. Many of these single-sex class programs do not comply with the federal regulations. We believe the regulations are illegal too. Washington's Equal Rights Amendment is very specific, and the genders cannot be treated differently. There is evidence that a lot of these programs are based on faulty

research. Dr. Leonard Sax advances stereotypes in his books on the subject. This is not a practice Washington should adopt, because it has potential for serious harm, without solid evidence-based practices to support it. The research does not appear to justify segregating girls and boys. Not every grade-schooler will get to make his or her choice; it will be the parents that make the choice.

OTHER: Superintendent Dorn is supportive of this option to offer single-sex classes because he believes that lower-achieving schools need to be bold and innovative. We understand that because of a school's size and funding, it may not be able to implement single-sex classes. There is a risk of unintentional discrimination, so the option should be allowed but be closely monitored.

Persons Testifying: PRO: Senator Regala, prime sponsor; Jonathan R. Kellett, Tacoma Public Schools, Jason Lee Middle School.

CON: Shankar Narayan, ACLU; Lonnie Johns Brown, National Organization for Women and WA State Organization for Women.

OTHER: Shawn Lewis, OSPI.