

SENATE BILL REPORT

SB 5753

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 21, 2013

Title: An act relating to flexibility in the education system.

Brief Description: Providing flexibility in the education system.

Sponsors: Senators Hobbs, Tom, Hewitt, King and McAuliffe.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/20/13, 2/21/13 [DPS, DNP, w/oRec].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5753 be substituted therefor, and the substitute bill do pass.

Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Brown, Fain, Hill and Rivers.

Minority Report: Do not pass.

Signed by Senators Rolfes, Assistant Ranking Member; Cleveland and Mullet.

Minority Report: That it be referred without recommendation.

Signed by Senator Billig.

Staff: Susan Mielke (786-7422)

Background: Current law contains a number of requirements for the Office of Superintendent of Public Instruction (OSPI), school districts, and schools to complete. These requirements include providing information, specific programs, and training.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): The following laws are repealed, suspended until July 1, 2015, or amended.

The repealed laws include the following:

- OSPI must provide information about the immunization program;

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- OSPI must include information on the proper use of the left-hand lane in traffic safety courses;
- OSPI must include information on motorcycle awareness in traffic safety courses;
- OSPI must include information on driving safely among bicyclists and pedestrians in traffic safety courses;
- public schools must observe Temperance and Good Citizenship Day, and OSPI must annually produce a program for teachers for the day;
- OSPI, the Office of the Attorney General, and the Washington State Bar Association must develop a volunteer-based conflict resolution and mediation program for use in community groups;
- if schools operate garden or farms for educational purposes, students must be given the opportunity to be involved and must learn about both organic and conventional growing methods; and
- Student Learning Plans are required for eighth grade students who were not successful on any or all of the content areas of the state assessment or who may not be on track to graduate due to credit deficiencies or absences.

The following programs or requirements established by law are each suspended until July 1, 2015:

- The Washington Civil Liberties Public Education Program, which provides grants to educate the public or develop presentations to schools or other interested parties. OSPI's requirement to allocate grants under the Washington Civil Liberties Public Education Program is suspended, unless private funds are available.
- That OSPI must review current policies and assess the adequacy of programs for children with incarcerated parents and adopt additional policies. Also, that OSPI must gather information and data on these children and participate in the Children of Incarcerated Parents Advisory Committee.
- That OSPI must provide high schools the contact information for programs offering college credit, including online advanced placement classes, and that the schools must publish entrance requirements and availability of local programs that lead to college credits.

The amended laws include the following:

- To the extent funds are available, public school districts must comply with high-performance public buildings requirements, and all major facility projects of public school districts receiving any funding in a state capital budget must be designed and constructed to at least the Leadership in Energy and Environmental Design silver standard or the Washington Sustainable School design protocol.
- Public and private schools must provide access to information about the meningococcal and human papillomavirus diseases and their vaccinations. Online access is sufficient, unless a parent specifically requests the information in writing.
- OSPI must collect, and disseminate to districts, information on child abuse and neglect prevention curriculum and adopt rules for the prevention of child abuse for curriculum use. Providing online access to this information is sufficient, unless a parent specifically requests the information in writing.
- OSPI must not require annual training for child abuse and neglect. OSPI may consider offering training every four years. It is clarified that this does not apply to new employees who must receive training within the first year of their hire date.

School districts are encouraged to work with private or nonprofit entities that have the ability to provide the appropriate training for staff.

- OSPI must not require annual training in conflict resolution and other violence prevention topics. The training may be offered every four years.
- To the extent funds are available, every school district must provide free instruction in lip reading to children and adults disabled by defective hearing whenever it appears to be in the best interest of the school district and the adults concerned.
- A school district's sexual harassment policy must be provided to each employee. The districts may choose to provide a copy of the policy online. Annual training is not required, except for new employees who must receive training within the first year of their hire date.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Substitute): Removes the sections making it permissive rather than mandatory for school directors to be members of the Washington State School Directors' Association (WSSDA). Removes the provision permitting school districts to provide online access to school employee discipline instead of school districts notifying parents of students alleged to be a victim, target, or recipient of sexual misconduct by a school employee of the parents' rights to request the public records regarding the school employee discipline.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony on Proposed Substitute as Heard in Committee:
PRO: Our schools are burdened by so many unfunded mandates. This bill tries to provide some relief from some of those, such as observing Temperance Day.

CON: We appreciate the intent of this bill in providing flexibility and savings for school districts. We are concerned with not keeping the requirement for school directors to be a member of WSSDA. More than half of the board members have less than five years of experience and it is critical to have a resource for them to go to that provides support and training.

OTHER: We appreciate the intent and the effort that has gone into this bill but the same bill has been introduced multiple times before and it did not make it through the entire legislative process. We strongly support the suspension of the two green building requirements. We support removing the provision making WSSDA permissive. WSSDA gives the school board directors a universal voice and that is important.

Persons Testifying: PRO: Senator Steve Hobbs, prime sponsor.

CON: Mari Taylor, WSSDA.

OTHER: Dan Steele, WA Assn. of School Administrators.