

SENATE BILL REPORT

SHB 1715

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 28, 2020

Title: An act relating to removing the ability of school districts to withhold grades and transcripts of pupils.

Brief Description: Removing school districts' ability to withhold pupils' grades and transcripts.

Sponsors: House Committee on Education (originally sponsored by Representatives Entenman, Boehnke, Jinkins, Ortiz-Self, Bergquist and Pollet; by request of State Board for Community and Technical Colleges).

Brief History: Passed House: 3/06/19, 66-30; 1/27/20, 65-32.

Committee Activity: Early Learning & K-12 Education: 3/25/19, 4/01/19 [DPA, DNP]; 2/24/20, 2/28/20 [DPA, DNP].

Brief Summary of Amended Bill

- Removes the ability of a school district to withhold the grades and transcript of a student who is responsible for damaging certain property until payment is made for the damages.
- Requires that school districts, when informing either a pupil or the pupil's parent or guardian that the pupil's diploma is being withheld due to failure to pay for damaged property, provide information on payment and community service.
- Directs each school district that has an associated student body to publish information on the number of students subject to the withholding of their diplomas for damaging property in the last five years, and how many of these students were eligible for free or reduced-price meals in their last year of enrollment in the district.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt, McCoy, Mullet, Pedersen and Salomon.

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.

Minority Report: Do not pass.

Signed by Senators Hawkins, Ranking Member; Holy, Padden and Wagoner.

Staff: Benjamin Omdal (786-7442)

Background: Withholding of Grades, Diplomas, and Transcripts. If any property of a school district, a contractor of the district, an employee, or another student has been lost or willfully cut, defaced, or injured, a school district may withhold the grades, diploma, and transcripts of a pupil responsible. A district may withhold these items until the pupil or the pupil's parent or guardian has paid for the damages.

If the pupil and parent or guardian are unable to pay for the damages, the school district shall provide a program of voluntary work for the pupil in lieu of the payment of monetary damages. The grades, diploma, and transcripts of the pupil shall be released upon completion of the work. The parent or guardian shall be liable for damages as otherwise provided by law.

Associated Student Body. An associated student body (ASB) is a formal student organization at a school. An ASB is approved of and regulated by the school board. School districts with one or more ASB programs must publish certain information about each ASB fund on the school or school district website each year.

Free and Reduced Price Meals. For a student to qualify for free school meals, the student's family income must be at or below 130 percent of the federal poverty level. Students whose families have an income between 130 percent and 185 percent of the federal poverty level are eligible for reduced-price meals.

Student Suspension and Expulsion. State law requires that the Superintendent of Public Instruction adopt and distribute rules prescribing the substantive and procedural due process guarantees of pupils in public schools. These rules must authorize school districts to use informal due process procedures in connection with the short-term suspension of students to the extent constitutionally permissible, including a hearing and appeal process. An expulsion or suspension may not be for an indefinite period of time and school districts may not impose suspension or expulsion as a form of discretionary discipline. Districts are also required to develop written procedures for administering discipline at each school within a district, subject to limitations by law.

Summary of Amended Bill: Limits on Withholding. A school district may withhold a student's diploma for damaging property until the pupil or the pupil's parents or guardians have paid for the damages, but provisions allowing for the withholding of grades and transcripts are removed from state law. If the pupil and parent or guardian is unable to pay for damages, the district shall provide a program of community service opportunities for the pupil.

Students that damage property may be subject to discipline. Suspensions for the damage of property must follow current statutory provisions on suspensions and expulsions.

Notice of Withholding. When informing the pupil or the pupil's parent or guardian the pupil's grades, diploma, or transcripts will be withheld for damaging property, a school district must provide information on:

- the school district's ability to waive the payment of the monetary damage in part or in full;
- how the pupil may pay monetary damages; and
- community service opportunities for the pupil instead of paying monetary damages.

Reporting. Each school district with an ASB must publish the number of former students enrolled in the district within the last five years whose diplomas were withheld for the failure to pay for property damage, as well as how many of these former students were eligible for the federal free or reduced-price meals program in their last year of enrollment in the district.

EFFECT OF EARLY LEARNING & K-12 EDUCATION COMMITTEE AMENDMENT(S):

- Allows for the withholding of diplomas until the repayment of property damages, but not grades or transcripts.
- Removes provisions allowing for the withholding of grades and transcripts for five years.
- Specifies that suspensions for the damage of property must follow current statutory provisions on suspensions and expulsions.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Substitute House Bill (Regular Session 2019): *The committee recommended a different version of the bill than what was heard.* PRO: Fines prohibit individuals from receiving an official or unofficial transcript. Many people who are attempting to earn their diploma cannot afford the fee, which can create a barrier in continuing education. Denying students access to their educational record could result in litigation under FERPA.

OTHER: The original bill had language that OSPI supported due to it being more in line with current educational goals.

Persons Testifying: PRO: Troy Goracke, State Board for Community and Technical Colleges; Angela Holley, South Puget Sound Community College.

OTHER: Deb Came, Assistant Superintendent, Assessment and Student Information, OSPI.

Persons Signed In To Testify But Not Testifying: No one.

Staff Summary of Public Testimony on Substitute House Bill (Regular Session 2020):

The committee recommended a different version of the bill than what was heard. PRO: Students charged for fees are often members of historically disadvantaged students. The withholding of student educational information is a violation of federal law. For many students, fines are the result of difficult life circumstances. It is the right policy to remove barriers to student advancement. Not being able to pay for fines is an issue of equity.

Persons Testifying: PRO: Troy Goracke, Policy Associate, State Board for Community and Technical Colleges; Nicole Walker, South Puget Sound Community College; Joshua Lynch, Office of Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying: No one.