

HOUSE BILL REPORT

EHB 1478

As Passed House:

March 2, 2023

Title: An act relating to a statement of student rights that reaffirms and promotes the constitutional and statutory rights of public school students.

Brief Description: Establishing a statement of student rights.

Sponsors: Representatives Timmons, Sandlin, Santos, Ryu, Ramel and Pollet.

Brief History:

Committee Activity:

Education: 1/30/23, 2/9/23 [DP].

Floor Activity:

Passed House: 3/2/23, 61-35.

Brief Summary of Engrossed Bill

- Establishes a Statement of Student Rights (Statement) for public school students.
- Requires each school district, charter school, and state-tribal education compact school to develop student-focused educational and promotional materials that incorporate the Statement and to include the materials into required civics instruction.
- Directs the Office of the Superintendent of Public Instruction to make the Statement available on its website.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass. Signed by 9 members: Representatives Santos, Chair; Shavers, Vice Chair; Bergquist, Callan, Ortiz-Self, Pollet, Sandlin, Stonier and Timmons.

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

Minority Report: Do not pass. Signed by 5 members: Representatives Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Eslick, McClintock and Steele.

Minority Report: Without recommendation. Signed by 1 member: Representative Harris.

Staff: Ethan Moreno (786-7386).

Background:

Civics and Civics-Related Instruction.

Stand-Alone Civics Course. Each school district that operates a high school must provide a mandatory one-half credit stand-alone course in civics for each high school student. Credit awarded to students who complete the civics course must be applied to course credit requirements in social studies that are required for high school graduation.

The minimum contents of the civics course are established in statute. Examples of the required contents include:

- federal, state, tribal, and local government organization and procedures;
- rights and responsibilities of citizens addressed in the Washington and United States Constitutions;
- electoral issues, including elections, ballot measures, initiatives, and referenda; and
- the study and completion of the civics component of the federally administered naturalization test required of persons seeking to become naturalized United States citizens.

Compulsory Study of Constitutions. The study of the United States Constitution and the Washington Constitution are a prerequisite to graduation from public and private high schools in the state.

Temperance and Good Citizenship Day. On or about each January 16, public schools are required to observe "Temperance and Good Citizenship Day." The Superintendent of Public Instruction is required to prepare and distribute pertinent materials to teachers for the day.

Social studies teachers are required on Temperance and Good Citizenship Day to coordinate a voter registration event in history and social studies classes attended by high school seniors. The teachers must make voter sign-up and registration materials available to all students.

The Office of the Superintendent of Public Instruction.

In addition to its constitutional charge of supervising all matters pertaining to public schools, the Superintendent of Public Instruction and its office has numerous and broad responsibilities prescribed in statute, including:

- making rules and regulations necessary for the administration of public education requirements;
- preparing courses of study and other materials and books for the discharge of education duties;
- fulfilling financial responsibilities, including distributing legislatively allocated funds to districts for the operation of the public school system, and awarding numerous state and federally funded grants; and
- satisfying numerous reporting and other duties assigned by the Legislature.

Summary of Engrossed Bill:

Statement of Student Rights.

The Statement of Student Rights (Statement) is established for public school students. The Statement, which is not intended to be a comprehensive delineation of student rights or the manner in which they are derived, provides examples of student rights derived from the federal and state constitutions, and federal and state statutes. Examples of the delineated rights, by source, are described below.

Public school students are subject to the Declaration of Independence and the United States Constitution and its privileges and protections, including:

- the free exercise of religion;
- the freedom of speech;
- the right to petition the government for a redress of grievances;
- the freedom from unreasonable searches and seizures;
- the right to equal protection of the laws; and
- the right to life, liberty, and the pursuit of happiness.

Public school students are subject to numerous privileges and protections derived from federal statutes, examples of which include:

- the right to be free from discrimination with regard to accessing education programs and activities offered by a recipient of federal financial assistance;
- the right of students with disabilities to receive special education and related services that address their individual needs; and
- the right of students with disabilities to be free from discrimination with regard to accessing education programs and facilities.

Public school students are subject to the Washington Constitution and its privileges and protections, including:

- the freedom to speak, write, and publish on all subjects;
- the right to absolute freedom of conscience in all matters of religious sentiment, belief, and worship;
- the right to attend public schools that are funded in a manner that is consistent with the state's paramount duty of making ample provision for the education of all children residing within its borders;

- the right to have schools that are maintained wholly or partially by public funds free from sectarian control or influence; and
- the right for minors to receive an education while residing in a criminal justice facility.

Public school students are subject to numerous privileges and protections derived from Washington statutes, examples of which include:

- the right to access, without tuition, a school district's kindergarten through twelfth grade basic education program for students of qualifying age;
- the right to a basic education that provides students with opportunities to develop the knowledge and skills necessary to meet state-established graduation requirements, which are intended to provide students with the opportunity to graduate with a meaningful diploma that prepares them for postsecondary education, gainful employment, and citizenship; and
- due process rights related to disciplinary measures and education access.

Implementation Duties.

Each school district, charter school, and state-tribal education compact school must develop student-focused educational and promotional materials that incorporate the Statement. A link to the materials must be made available on school district, charter school, and state-tribal education compact school websites, social media platforms, and other communication channels used by students. The materials must also be incorporated into the education curriculum provided to students in the mandatory one-half credit civics course.

The Office of the Superintendent of Public Instruction must make the Statement available on its website and is encouraged to include the Statement in materials provided to teachers for Temperance and Good Citizenship Day.

Appropriation: None.

Fiscal Note: Requested on March 3, 2023.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is intended to provide students with student rights information that is digestible and readily available. Civics education is paramount to developing engaged and informed citizens.

This bill does not establish or change rights, but will make students more aware of their rights. An informed citizen is a good citizen. Students will benefit from this knowledge in life and in school. The students will eventually become more informed voters. It is

important for students to know their rights, as they begin having rights at age 13.

(Opposed) This bill seems to be blatantly political and encourages improper activism. The language of the bill seems deliberately vague. The bill is individual-focused, not student-focused, and implies that public school students have rights that other students do not.

Persons Testifying: (In support) Representative Joe Timmons, prime sponsor; Morgan Thomas, North Mason School District; and Maria Roth, The Arc of King County.

(Opposed) Christina Callahan, Conservative Ladies of Washington.

Persons Signed In To Testify But Not Testifying: None.