

SENATE BILL REPORT

EHB 1363

As Reported By Senate Committee On:
Education, April 2, 2003

Title: An act relating to permitting children of certificated and classified school employees to enroll at the school where the employee is assigned.

Brief Description: Permitting the children of certificated and classified school employees to enroll at the school where the employee is assigned.

Sponsors: Representatives McDermott, Anderson, Quall, Haigh, Talcott, McMahan, Jarrett, Schual-Berke, Kenney, Woods, Kagi, Hudgins, Simpson and Bush.

Brief History:

Committee Activity: Education: 4/2/03 [DPA].

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended.

Signed by Senators Johnson, Chair; Zarelli, Vice Chair; Carlson, Eide, Finkbeiner, McAuliffe, Rasmussen and Schmidt.

Staff: Heather Lewis-Lechner (786-7448)

Background: Under current law, a student must generally attend the school designated for the geographic attendance area in the school district in which he or she lives. This is called the student's resident district. For parents wanting to enroll their child in a different school, there are two different transfers potentially available: (1) intradistrict transfer, from one school to another school in the same district, or (2) interdistrict transfer, from a school in one district to a school in a different district.

Washington law allows school districts to adopt their own policies governing intradistrict transfers. Interdistrict transfers are governed, in part, by statute. A parent wishing to transfer his or her child to a school in another district must get both a release from the resident district school and an acceptance from the nonresident district. The reasons for release are set out in statute. Schools accepting interdistrict transfers must establish a policy with fair, rational and equitable standards for acceptance or rejection. Possible reasons for rejection are set out in statute. Written notification of approval or rejection of the transfer request is required and parents may appeal the decisions. School districts are strongly encouraged to honor a parental request for a transfer. No school district or school is required to accept a student requesting a transfer if the district or school does not have space unless the transfer request is under the choice provisions of the newly enacted federal No Child Left Behind Act.

Summary of Amended Bill: School districts are required to allow children of full-time certificated and classified employees to enroll (1) at a school where the employee is assigned

or (2) at a school in the district's K-12 continuum that includes the school to which the employee is assigned. This requirement does not apply to students who reside out of state.

For interdistrict transfers, the nonresident school district may reject a transfer request if the nonresident student (1) has a history of convictions, violent or disruptive behavior, or gang membership, (2) the student has been expelled or suspended from school for more than ten consecutive days or (3) enrollment of a child under this section would displace a child who is a resident of the district, except that if a child is admitted under this section, that child must be permitted to remain enrolled until he or she completes his or her schooling.

There is an ongoing reporting requirement regarding the number of students who apply for enrollment and are denied enrollment.

Amended Bill Compared to Original Bill: The House language concerning a school that uses a lottery system for enrollment purposes is removed. Each school district must report to the Office of the Superintendent of Public Instruction (OSPI) the number of students that apply for enrollment under this new law, and the total number of students applying for transfer that were denied enrollment. OSPI must compile the data and report back to the Legislature by December 1, 2004, and every four years thereafter. For a child attempting to transfer into a different district under the provisions of this bill, the school district is allowed to deny enrollment to that child if enrolling that child would displace a child who is a resident of the school district or if the enrollment would place the school at its enrollment capacity. If a child is initially enrolled at a school under the provisions created by this bill, then the child may remain at the school until he or she has completed his or her schooling. A statement is added to clarify that the provisions of this bill only apply to students who reside in the state of Washington.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: We are in support of the striking amendment. The striker addresses the concerns that WEA had with the original House bill's language. This bill meets the needs of the teachers and the school districts, and we are appreciative of your willingness to keep this bill moving.

Testimony Against: None.

Testified: Representative McDermott, prime sponsor (pro); Lucinda Young, WEA (pro).