

SENATE BILL REPORT

SB 5020

As Reported by Senate Committee On:
Early Learning & K-12 Education, January 19, 2023

Title: An act relating to elementary education starting at six years of age.

Brief Description: Concerning elementary education starting at six years of age.

Sponsors: Senators Wellman, Dhingra, Hunt, Kuderer, Lias, Mullet, Nobles, Valdez and Wilson, C..

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/11/23, 1/19/23 [DP-WM, DNP].

Brief Summary of Bill

- Lowers the minimum age for compulsory school attendance from eight to six years old.
- Amends truancy provisions to align with this change.
- Requires parents who intend to have their children receive home-based instruction to file an annual declaration of intent and keep certain records beginning when a child is six instead of eight years old.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass and be referred to Committee on Ways & Means.

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

Minority Report: Do not pass.

Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

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.

Staff: Ailey Kato (786-7434)

Background: School Attendance. Current state law requires each school district's K-12 program of basic education to be accessible to all students who are five years old and less than 21. The Office of the Superintendent of Public Instruction (OSPI) and school districts have authority to establish uniform entry qualifications, including birth date requirements, for admission to kindergarten and first grade. An OSPI rule provides that generally a child must be five years old as of midnight of August 31st of the year of entry to be entitled to enter kindergarten.

Parents of children who are eight and under 18 years old must cause their children to attend a public school of the district in which the child resides unless the child is:

- attending an approved private school;
- receiving home-based instruction; or
- meets other exceptions provided by law.

The beginning age for compulsory school attendance varies by state, ranging from five to eight years old. Washington State is the only state with the beginning age of eight.

Truancy. If a child fails to attend school without valid justification, public schools must take certain actions. If these actions are not successful, the school district must file a truancy petition after a certain number of absences if the child is under 17 years old.

If a parent enrolls a child who is six or seven years old, the child must attend school even though the child is below eight. Current state law includes separate truancy provisions for these younger ages that are similar to the truancy provisions for older children.

Home-Based Instruction. Home-based instruction requires a parent to annually file a declaration of intent to provide their child with home-based instruction beginning when the child is eight years old until 18. Parents must also keep certain records and annually administer a standardized achievement test.

Summary of Bill: School Attendance. The minimum age for compulsory school attendance is lowered from eight to six years old.

A child may attend either the public school of the district in which the child resides or another public school in the state unless the child meets one of the exceptions provided by law.

Truancy. The separate truancy provision that addresses children who are six and seven years old is repealed because children who are six and seven years old are included under the main truancy law. The differences in the way children who are six and seven years are treated under current truancy law are maintained.

School districts must file a truancy petition if a child is required to attend school and is under 18 instead of 17 years old.

Home-Based Instruction. Parents must annually file a declaration of intent to provide their child with home-based instruction and keep certain records beginning when the child is six years old instead of eight. The annual administration of a standardized achievement test remains at eight years old.

Effective Date. The act takes effect August 1, 2023. However, certain school district requirements related to absences and truancy take effect August 1, 2024, if a local school board district board of directors determines it is unable to comply with the August 1, 2023 date. School districts that make this determination and consequently delay the effective date of the new requirements must inform OSPI.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony: PRO: Most other states require elementary education before age 8. Washington State has promoted early learning and recognized that learning begins early. This bill does not require children to go to school. These learning activities can occur outside of school through play and other activities. Parents can be some of their children's best teachers.

CON: Each child is unique and requires different timing for learning and formal education. Parents know what is best for their child, not the government. Nothing stops a parent who wants to send their child to school at age 6 if that is their choice. Parents want the opportunity to be able to try homeschooling without having to file a declaration of intent and having the administrative burden of keeping certain records. It's demoralizing and confusing to have to keep sufficient records when teaching younger children. Studies have shown that there are increased negative consequences when children start formal education at an earlier age. Unstructured play is important in early childhood, and Washington State is leading the way by recognizing children's developmental needs by starting formal education at 8. This bill takes away parents' decision-making regarding their children's upbringing.

Persons Testifying: PRO: Senator Lisa Wellman, Prime Sponsor.

CON: Julie Barrett, Conservative Ladies of Washington; Danielle Lankester, Parent / Educator; Leah Anaya, Washington Moms For America; Jen Garrison Stuber, Advocacy

Chair, Washington Homeschool Organization; Kayla Abshire; Leslie Williams, CLW;
Bonnie Ruiz.

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