

WSCC 2017 LEGISLATIVE REPORT CATHOLIC SCHOOLS

Early Learning, Child Care, Before and After School Programs, K-12 Education

Bills that Passed

Education Funding Policy Revisions – [House Bill 2242](#): This bill is the education funding policy revision bill designed to get the state closer to fully funding basic education as required by the state's Constitution. The bill covers salary allocations, local-district based levies, the state property tax switch, categorical programs such as the Learning Assistance Program and Transitional Bilingual Instruction.

Siting of Schools and School Facilities – [House Bill 2243](#): The Growth Management Act (GMA) was adopted in 1990 to establish land use designation and environmental protection requirements for all counties and cities. Under the GMA, local governments are required to adopt comprehensive land use plans and development regulations. These plans have had an impact on the availability and cost of land available for building schools. **HB 2243** amends the GMA to provide that the law does not prohibit a county from authorizing the extension of public facilities and utilities to serve a school located in a rural area that serves students from a rural area and an urban area. The GMA does not prohibit the expansion, modernization, or placement of portable classrooms at an existing school in a rural area. The Department of Commerce will submit a report to the legislature in 2023 that addresses the siting of schools in rural areas.

Professional Paraeducator Certification – [House Bill 1115](#): Paraeducators are key partners in classrooms who work under the supervision of teachers to provide various levels of support, including instructional duties, assisting with classroom management, and acting as translators. **HB 1115** requires paraeducators to meet certain minimum employment standards by September 1, 2018. It creates a general paraeducator certificate, optional paraeducator subject matter certificates in special education and English language learner, and an advanced paraeducator certificate. The bill also expands scholarship eligibility for paraeducators to become teachers.

School-Based and Court-Based Efforts to Reduce Truancy – [House Bill 1170](#): In Washington, when a child who is 8 years of age and under 18 years of age has unexcused absences, schools and school districts must take certain steps to eliminate or reduce the child's absences. **HB 1170** provides revisions to state truancy laws. It requires schools to conduct school conferences with parents after three unexcused absences, rather than two. The application of the Washington Assessment of the Risks and Needs of Students (WARNS) or other assessment is only required for middle and high school students. New steps are required with respect to students with individualized education plans (IEP) or 504 plans. In addition, community truancy boards must include members who receive a variety of training, rather than require that all CTB members receive all of the various types of training. **HB 1170** also makes changes to the court process provisions.

Professional Certification for Teachers and School Administrators - [House Bill 1341](#): School teacher and administrator preparation and certification programs are governed by the Professional Educator Standards Board. Washington has two levels of certification for classroom teachers and two levels for administrators: residency and professional. **HB 1341** provides changes to these programs. For

residency certificate renewal, the PESB must adopt rules by September 1, 2017 allowing teachers and principals with at least two years of experience, who hold or have held a residency certificate and have not achieved the professional certificate, to renew their residency certificate in five-year intervals based on completion of 10 credits or 100-clock hours. In addition, the PESB is no longer directed to require professional teacher certification. The Professional Educator Collaborative is established to make recommendations to improve and strengthen state policies, programs, and pathways that lead to highly effective educators at each level of the public school system.

Grade Level Progression and Graduation for Certain Students – [House Bill 1444](#): Facilitating grade progression and graduation of certain students can be a challenge for school districts. School district boards of directors may determine the amount of instructional hours necessary for a student to acquire a quality education in the district, as long as the number of hours is not fewer than state requirements. Districts are further authorized to establish the final curriculum standards, consistent with state law and rules, relevant to the particular needs of district students or the unusual characteristics of the district. Children who are dependents of the state and in foster care are provided course waivers if similar coursework has been completed in another district. **HB 1444** directs school districts to provide facilitation assistance for homeless students, and children who qualify as an at-risk-youth (ARY) or a child in need of services (CHINS), in addition to helping to facilitate on-time grade level progression and graduation for children who are found dependent.

Sunscreen Products at School – [Senate Bill 5404](#): Current state law allows public school districts and private schools to administer oral and topical medication, eye drops, ear drops, and nasal spray when a student is in the custody of the school, but administration of medication is not required. In order to administer medication, public school districts and private schools must meet certain requirements including receipt of written, current, unexpired requests from a parent or guardian and a licensed health professional. According to the state's 2015 Guidelines for Medication Administration in Schools, the Office of Superintendent of Public Instruction (OSPI) has interpreted current law to include over-the-counter medication. **SB 5404** states that state law regarding the administration of medication at school-grades kindergarten through twelve-does not apply to topical sunscreen products regulated by the FDA for over-the-counter use. Any person, including students, parents, and school personnel, may possess topical sunscreen products. For student use, a sunscreen product must be supplied by a parent or guardian. **SB 5404** also encourages schools to educate students about sun safety guidelines. The act does not create any civil liability on the part of the state or any state agency, officer, employee, agent, political subdivision, or school district.

Alternative Routes to Teacher Certification Program Requirements – [House Bill 1654](#): The Professional Educators Standards Board (PESB) provides grant funding to support alternative route teacher preparation programs. These grants are available to preparation programs, school districts, and teacher candidates. Applicants are selected based on their commitment and ability to partner with one another in order to create effective alternative route programs. The PESB provides technical assistance and guidance in creating strong partnerships, developing clear expectations, and understanding the regional and state needs of districts. **HB 1654** requires the PESB to construct rules with respect to alternative route programs that address the competitive grant process and program design. The PESB must uphold criteria for the program that is innovative and reflects evidence-based practice, ensure that approved partnerships reflect district engagement in their resident alternative route program as an integral part of their future workforce development.

Establishing a Coordinated Credit Policy on AP Exams – [Senate Bill 5234](#): Advanced Placement exams allow high school students to earn college credits and skip introductory college classes if the student achieves a minimum score required by an institution of higher learning. Each college and

university makes its own decisions about awarding credit and placement. Most institutions have a written policy that informs prospective students of what the minimum score for which a credit is earned and how many credits are earned. **SB 5234** directs the Washington Student Achievement Council (WSAC), the higher education board, to establish an evidence-based system-wide policy for granting undergraduate course credits to students who have earned a minimum score of three on AP exams.

Creating the Department of Children, Youth, and Families – [House Bill 1661](#): In February of 2016, Governor Jay Inslee issued an executive order establishing the Blue Ribbon Commission on Delivery of Services to Children and Families and directing the Commission to recommend the organizational structure for a new department focused solely on children and families. **HB 1661** implements the Commission's recommendations. The aim is to improve the delivery of early learning, child welfare, and juvenile justice services through the establishment of one state agency. The bill creates the Department of Children, Youth and Families. By July 1, 2018 the new Department is responsible for the functions presently performed by the Department of Early Learning, the child welfare functions of the DSHS Children's Administration, and the juvenile justice functions of the DSHS Juvenile Rehabilitation Administration.

Children's Mental Health – [House Bill 1713](#): The legislature established the Children's Mental Health Work Group in 2016 to identify barriers to accessing mental health services for children and families, and to advise the legislature on statewide mental health services for this population. The recommendations created the genesis for **HB 1713** which requires the Health Care Authority (HCA) to oversee the coordination of mental health resources and services for Medicaid-eligible children. HCA must also report annually to the legislature on the number of children's mental health providers available in the previous year, the languages spoken by those providers, and the overall percentage of providers who were actively accepting new patients. Beginning January 2018, providers must be reimbursed for behavioral health services provided through telemedicine. Health plans are required to cover annual depression screenings for children aged 12-18 and mothers of children aged birth to six months. **HB 1713** also requires OSPI to pilot a lead staff person for children's mental health and substance use disorder treatment services in two ESDs. The Department of Early Learning (DEL) must establish a child care consultation program to provide child care providers with evidence-based, trauma-informed, and best-practice resources regarding caring for infants and young children who present behavioral concerns or symptoms of trauma. The DEL may contract with an entity with expertise in child development and early learning programs in order to operate the program.

Dual Language in Early Learning and K-12 Education – [House Bill 1445](#): Over the last few years legislators have adopted several measures to support English language learners, including a seal of biliteracy award, easing transitions in K-12 and monitoring the racial and ethnic data of teachers. A dual language (DL) program is an instructional model that provides content-based instruction to students in two languages, generally English and a target language other than English that is spoken in the local community, for example Spanish, Somali, Vietnamese, Russian, Arabic, native languages, or indigenous languages. The goal of DL programs is usually for the students, over a number of years of participation in the program, to become proficient and literate in both languages, while also meeting high academic standards in all subject areas. **HB 1445** directs the Office of the Superintendent of Public Instruction (OSPI) to develop and administer the K-12 dual language (DL) grant program to grow capacity for DL programs in the common schools. The bill specifies that the OSPI must facilitate DL learning cohorts, provide technical assistance and support to school districts establishing or expanding DL programs. The Professional Educator Standards Board (PESB) is required to administer the bilingual educator initiative to recruit, mentor, prepare, and financially support bilingual high school students to become future

bilingual teachers and counselors. The bill also requires the Department of Early Learning to work with community partners to support outreach and education for parents and families around the benefits of native language development and retention, as well as the benefits of DL learning, create culturally responsive resources on DL learning, and support DL learning communities for teachers and coaches.

Local Pathways to Increase Efficiency in Early Learning Opportunities – [Senate Bill 5107](#): In 2015, the Early Start Act created the Early Start Account (ESA) to provide funds to improve the quality of early care and education programming. Local governments are encouraged to collaborate with the Department of Early Learning (DEL) when establishing local early learning programs and may contribute funds to the ESA for initial investments to build capacity and quality in local early care and education programming, and to reduce copayments charged to parents and caregivers. **SB 5107** allows the ESA to also receive funds from other community sources, including school districts, institutions of higher education, and nonprofit organizations. The bill allows expenditures to be authorized by the Director of the DEL or the Director's designee. Funds must be used for specified purposes identified in writing by the contributor. The purposes must be to build capacity and quality in local early care and education programming; reduce copayments charged to parents and caregivers; or expand access and eligibility in the ECEAP.

Financing Early Learning Facilities – [House Bill 1777](#): Recognizing the need for additional early learning facilities to meet the state's commitment to providing high quality early learning opportunities for low-income children and the mandate to provide ECEAP to all eligible children, **HB 1777** was introduced to create a means to provide funding and support for more facilities. The bills establish the Early Learning Facilities Revolving Account (ELFRA) to provide grants and loans for the planning, renovation, and construction of early learning facilities.

Academic, Innovation and Mentoring (AIM) Program – [Senate Bill 5258](#): Research has shown that students engaged in extended learning opportunity programs have higher graduation rates and lower dropout rates. **SB 5258** creates the Washington Academic, Innovation, and Mentoring (AIM) program to establish neighborhood programs after school and during the summer in fifty communities statewide. The programs will include educational services, social-emotional learning, mentoring, and recreational activities for youth who are six to eighteen years of age. Eligible entities must meet specified requirements, including: ensuring that 60 percent or more of the program participants qualify for free or reduced price lunch; having an existing partnership with the local school district and commitment to develop a formalized data-sharing agreement; combining academics and social-emotional learning; conduct national criminal background checks for all employees and volunteers who work with children; and be faculty-based and have adopted standards for care including health and safety standards. Nonprofit entities applying for funding as a statewide network must: have an existing infrastructure or network of grant-eligible entities; provide after-school and summer programs with youth development services; and be facility-based with proven recreational, educational, and character-building programs for youth who are six to eighteen years of age.

Working Connections Child Care (WCCC) Eligibility for Vulnerable Children – [House Bill 1624](#): In Washington state, up to 33,000 households may receive Working Connections Child Care services at any given time. If the WCCC participation reaches the paid caseload maximum of 33,000 households, the DSHS implements a wait list. In the event of a wait list, certain groups will receive priority access to the WCCC. These groups include children in foster care, families receiving TANF benefits, children with special needs, and children experiencing homelessness, among others. **HB 1624** allows families with children who are residing with the parent or legal guardian and have received child welfare services, child

protective services, or a family assessment response in the previous six months to qualify for WCCC for twelve months of eligibility.

Early Childhood Education and Assistance Program Enrollment – [Senate Bill 5901](#): The Early Start Act was adopted in 2015 and included provisions requiring statewide implementation of the Early Childhood Education and Assistance Program for 3 and 4-year olds to be achieved by the 2020-2021 school year. It was expected that the program enrollment was to be implemented in phases, but is dependent upon funding. **Senate Bill 5901** changes the entitlement for all children for the Early Childhood Education and Assistance Program to begin in the 2022-23

Bills that Failed

School Bus Safety – [House Bill 1246/Senate Bill 5503](#): The National Highway Traffic Safety Administration (NHTSA) establishes federal safety requirements for school buses, including requirements for structural integrity, periodic inspections, and school bus seating and restraining barriers. Neither the federal government nor Washington State requires passenger seat belts for large school buses with a GVWR greater than 10,000 pounds. **HB 1246** would have required every school bus manufactured or assembled after September 1, 2018, to be equipped with a shoulder harness-type safety belt assembly for each passenger position and required every school bus to be equipped with an automated school bus safety camera for detecting vehicle infractions involving the school bus. **SB 5503** would have required all school buses purchased after September 1, 2017 to have a safety belt for each bus rider.

School Safety Drills – [House Bill 1279](#): In Washington State, schools and school districts are required to develop comprehensive safe school plans and conduct no less than one safety-related drill each month that school is in session. **HB 1279** would have revised the list of nine safety-related drills that schools must conduct per year by specifying that schools teach three basic functional drills: shelter-in-place, lockdown, and evacuation. The drills would have incorporated an earthquake drill and a pedestrian evacuation drill for schools in mapped tsunami hazard zones.

Graduation Requirements – [House Bill 1509](#): Minimum course credit requirements for students in the graduating classes of 2017 and 2018 obligate these students to complete 20 credits in specified subject areas. Unless a one- or two-year extension waiver is granted by the State Board of Education (SBE) to a requesting school district, students in the graduating class of 2019 and subsequent classes will be required to complete 24 credits in specified subject areas. School districts and counselors are struggling to make the logistics of the twenty-four credit system actually work for students. **HB 1509** would have directed the SBE to eliminate the twenty-four credit requirement and replace it with a 21-credit requirement.

Rules of the Washington Interscholastic Activities Association – [Senate Bill 5583](#): This bill would have mandated that any proposed rules, policies, and amendments to be applied by the Washington Interscholastic Activities Association (WIAA) or other such voluntary nonprofit entity and any proposed repeal of any rules and policies must be proposed and made available to the legislature and the public by January 1st of the year of the proposed adoption or repeal. The rules, policies, and amendments could not be adopted or repealed until after the end of the regular legislative session of that year.

Lead Contamination in School Drinking Water – [Senate Bill 5745](#): In May 2016, Governor Inslee directed the Department of Health (DOH) and the State Board of Health (SBOH) to develop policy and budget proposals with the goal of removing lead service lines and other lead components from water systems within 15 years. **SB 5745** would have required public water systems to replace lead-containing

service lines to public schools and early childhood programs by July 1, 2020, and require the State Board of Health to adopt rules on state-wide testing for lead in drinking water and drinking water fixtures at public schools.

Amending Constitution to Allow Public Schools Not Free from Sectarian Control – [Senate Joint Resolution 8203](#):

In 1875 Congressman James G. Blaine proposed an amendment to the U.S. Constitution prohibiting state governments from funding religious schools with public money. Although the federal amendment failed, many states added provisions to their constitutions that accomplish what Congressman Blaine could not. While Blaine Amendments may seem benign on their face, they are marred by controversy. It is widely acknowledged among scholars and even Supreme Court justices that they were largely enacted to discriminate against the wave of Catholic immigrants that came to this country in the nineteenth century. These immigrants were frustrated with the generic Protestantism that was taught in the public schools at the time and fought for public funding for Catholic schools. Lawmakers responded by passing Blaine Amendments to ensure public funding was only for public schools. The Blaine amendment remains in effect today in Washington State. **SJR 8203** would have proposed an amendment to the state Constitution that would delete the section in the Constitution that the state would make provision “for the establishment and maintenance of systems of public schools free from sectarian control...”

Aligning OSPI Background Check Authority with DEL – [Senate Bill 5605](#): By request of the Superintendent of Public Instruction, this bill sought to provide changes to the current background check requirements for both the Office of the Superintendent of Public Instruction and the Department of Early Learning. This bill would have allowed school districts and other educational entities to request background checks for prospective volunteers and given OSPI authority to charge fees for background checks.

Expanding Civics Education in Schools – [Senate Bill 5668/House Bill 1896](#): In Washington State, school districts are required to provide opportunities for every student to develop the knowledge and skills essential to know and apply the core concepts and principles of civics and history, including different cultures and participation in representative government. These bills would have established an expanded civics education teacher training program within the Office of the Superintendent of Public Instruction (OSPI).

Background Checks for Early Learning Providers - [Senate Bill 5246/House Bill 1735](#): This legislation was requested by the Department of Early Learning (DEL) to allow DEL access to all records held by the Department of Social and Health Services pertaining to abuse or neglect allegations and investigations. Concerns were raised about allowing DEL access to DSHS investigations that had an unfounded allegations and were part of confidential child welfare records.

Curriculum for the Prevention of Sexual Abuse – [House Bill 1539](#): The National Sexual Violence Resource Center reports that one in four girls and one in six boys will be sexually abused before they turn 18 years old. Recent studies have indicated that high quality, evidence-based curricula on the prevention of sexual abuse is effective. **HB 1539** would have established an Erin's Law Legislative Task Force to adopt a model curriculum for the prevention of sexual abuse of students in kindergarten through grade 12.