

health. The task force shall report back to the appropriate committees of the legislature by January 1, 1990.

Passed the Senate April 1, 1990.

Passed the House April 1, 1990.

Approved by the Governor April 5, 1990.

Filed in Office of Secretary of State April 5, 1990.

## CHAPTER 9

[Second Substitute House Bill No. 2379]

### STUDENT ENROLLMENT OPTIONS

AN ACT Relating to student enrollment options; amending RCW 28A.225.220, 28A.225.230, 28A.230.090, and 28B.15.067; adding new sections to Title 28A RCW; creating new sections; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

### LEARNING BY CHOICE

#### PART I

#### FAMILY INVOLVEMENT

NEW SECTION. Sec. 101. The legislature finds that academic achievement of Washington students can and should be improved. The legislature further finds that student success depends, in large part, on increased parental involvement in their children's education.

In order to take another step toward improving education in Washington, it is the purpose of this act to enhance the ability of parents to exercise choice in where they prefer their children attend school; inform parents of their options under local policies and state law for the intradistrict and interdistrict enrollment of their children; and provide additional program opportunities for secondary students.

#### PART II

#### FAMILY CHOICE

Sec. 201. Section 28A.58.240, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 130, Laws of 1969 and RCW 28A.225.220 are each amended to read as follows:

(1) Any board of directors may make agreements with adults (~~wish-~~ing) choosing to attend school (~~or with the directors of other districts for the attendance of children in the school district of either as may be best accommodated therein~~): PROVIDED, That unless such arrangements are approved by the state superintendent of public instruction, a reasonable tuition charge, fixed by the state superintendent of public instruction, shall be paid by such students as best may be accommodated therein.

(2) A district is strongly encouraged to honor the request of a parent or guardian for his or her child to attend a school in another district.

(3) A district shall release a student to a nonresident district that agrees to accept the student if:

(a) A financial, educational, safety, or health condition affecting the student would likely be reasonably improved as a result of the transfer; or

(b) Attendance at the school in the nonresident district is more accessible to the parent's place of work or to the location of child care; or

(c) There is a special hardship or detrimental condition.

(4) A district may deny the request of a resident student to transfer to a nonresident district if the release of the student would adversely affect the district's existing desegregation plan.

(5) For the purpose of helping a district assess the quality of its education program, a resident school district may request an optional exit interview or questionnaire with the parents or guardians of a child transferring to another district. No parent or guardian may be forced to attend such an interview or complete the questionnaire.

(6) School districts may establish annual transfer fees for nonresident students enrolled under subsection (3) of this section and section 203 of this 1990 act. Until rules are adopted under section 202 of this 1990 act for the calculation of the transfer fee, the transfer fee shall be calculated by the same formula as the fees authorized under section 10, chapter 130, Laws of 1969. These fees, if applied, shall be applied uniformly for all such nonresident students except as provided in this section. The superintendent of public instruction, from available funds, shall pay any transfer fees for low-income students assessed by districts under this section. All ((tuition money)) transfer fees must be paid over to the county treasurer within thirty days of its collection for the credit of the district in which such students attend. Reimbursement of a high school district for cost of educating high school pupils of a nonhigh school district shall not be deemed a ((tuition charge)) transfer fee as affecting the apportionment of current state school funds.

**NEW SECTION. Sec. 202. TRANSFER FEE STUDY.** (1) The superintendent of public instruction shall provide the legislature and the governor by December 1, 1990, a recommendation on the method for the calculation of a transfer fee and an estimate of the state funds needed to pay any transfer fee for low-income students assessed by districts under RCW 28A.225.220(6). The superintendent shall indicate the low-income eligibility criteria used in developing the cost estimate.

(2) This section expires December 31, 1990.

**NEW SECTION. Sec. 203.** A new section is added to Title 28A RCW to read as follows:

**INTERDISTRICT TRANSFER PROCEDURES.** (1) All districts accepting applications from nonresident students for admission to the district's schools shall consider equally all applications received. Each school

district shall adopt a policy establishing rational, fair, and equitable standards for acceptance and rejection of applications by June 30, 1990.

(2) The district shall provide to applicants written notification of the approval or denial of the application in a timely manner. If the application is rejected, the notification shall include the reason or reasons for denial and the right to appeal under RCW 28A.225.230(3).

Sec. 204. Section 1, chapter 66, Laws of 1975 1st ex. sess. as last amended by section 236, chapter 33, Laws of 1990 and RCW 28A.225.230 are each amended to read as follows:

(1) The decision of a school district within which a student under the age of twenty-one years resides or of a school district within which such a student under the age of twenty-one years was last enrolled and is considered to be a resident for attendance purposes by operation of law, to deny such student's request for release to a nonresident school district (~~(by an agreement)~~) pursuant to RCW 28A.225.220 may be appealed to the superintendent of public instruction or his or her designee: PROVIDED, That the school district of proposed transfer is willing to accept the student.

(2) The superintendent of public instruction or his or her designee shall hear the appeal and examine the evidence. The superintendent of public instruction may order the resident district to release such a student who is under the age of twenty-one years (~~(in the event he or she or his or her designee finds that a special hardship or detrimental condition of a financial, educational, safety or health nature affecting the student or the student's immediate family or custodian may likely be significantly alleviated as a result of the transfer)~~) if the requirements of RCW 28A.225.220 have been met. The decision of the superintendent of public instruction may be appealed to superior court pursuant to chapter 34.05 RCW, the administrative procedure act, as now or hereafter amended.

(3) The decision of a school district to deny the request for accepting the transfer of a nonresident student under section 203 of this 1990 act may be appealed to the superintendent of public instruction or his or her designee. The superintendent or his or her designee shall hear the appeal and examine the evidence. The superintendent of public instruction may order the district to accept the nonresident student if the district did not comply with the standards and procedures adopted under section 203 of this 1990 act. The decision of the superintendent of public instruction may be appealed to the superior court under chapter 34.05 RCW.

NEW SECTION. Sec. 205. A new section is added to Title 28A RCW to read as follows:

**INTRADISTRICT TRANSFER POLICIES.** Each school district in the state shall adopt and implement a policy allowing intradistrict enrollment options no later than June 30, 1990. Each district shall establish its own policy establishing standards on how the intradistrict enrollment options will be implemented.

NEW SECTION. Sec. 206. A new section is added to Title 28A RCW to read as follows:

**ELIGIBILITY FOR EXTRACURRICULAR ACTIVITIES.** Eligibility of transfer students under RCW 28A.225.220 and section 203 of this act for participation in extracurricular activities shall be subject to rules adopted by the Washington interscholastic activities association as authorized by the state board of education.

NEW SECTION. Sec. 207. A new section is added to Title 28A RCW to read as follows:

**INFORMATION BOOKLET.** (1) The superintendent of public instruction shall prepare and annually distribute an information booklet outlining parents' and guardians' enrollment options for their children.

(2) Before the 1991-92 school year, the booklet shall be distributed to all school districts by the office of the superintendent of public instruction. School districts shall have a copy of the information booklet available for public inspection at each school in the district, at the district office, and in public libraries.

(3) The booklet shall include:

(a) Information about enrollment options and program opportunities, including but not limited to programs in RCW 28A.225.220, 28A.185.040, 28A.225.200 through 28A.225.215, 28A.225.230 through 28A.225.250, 28A.175.090, 28A.340.010 through 28A.340.070 (small high school cooperative projects), and RCW 28A.335.160.

(b) Information about the running start – community college or vocational-technical institute choice program under sections 401 through 411 of this act; and

(c) Information about the seventh and eighth grade choice program under RCW 28A.230.090.

NEW SECTION. Sec. 208. A new section is added to Title 28A RCW to read as follows:

**INFORMATION ABOUT ENROLLMENT OPTIONS.** Each school district board of directors annually shall inform parents of the district's intradistrict and interdistrict enrollment options and parental involvement opportunities. Information on intradistrict enrollment options and interdistrict acceptance policies shall be provided to nonresidents on request.

NEW SECTION. Sec. 209. A new section is added to Title 28A RCW to read as follows:

**IMPACT ON EXISTING COOPERATIVE ARRANGEMENTS.** Any school district board of directors may make arrangements with the board of directors of other districts for children to attend the school district of choice. Nothing under RCW 28A.225.220 and section 203 of this act is intended to adversely affect agreements between school districts in effect on the effective date of this section.

**NEW SECTION.** Sec. 210. **REPORTS.** (1) The superintendent of public instruction shall collect and maintain information on student transfers for each district and state-wide under RCW 28A.225.220 and section 203 of this act.

(2) The superintendent of public instruction shall report to the legislature and the governor annually beginning December 1, 1992, the following information:

(a) The number of and reason or reasons for requests for transfer out of a district;

(b) The number of and reason or reasons for the denial of a request to transfer out of a district;

(c) The number of and reason or reasons for requests for transfer into a district;

(d) The number of and reason or reasons for the denial of a request to transfer into a district; and

(e) The impact, if any, on a district's educational program as a result of the transfer of a student or students to another district.

**NEW SECTION.** Sec. 211. **TRANSPORTATION AND INFORMATION BOOKLET STUDIES.** The superintendent of public instruction shall make recommendations to the legislature and governor no later than December 1, 1990, on the following issues:

(1) If a child attends a nonresident district, shall the parent provide transportation to the nonresident district boundary or the boundary of the nonresident school;

(2) What would be the cost of providing a subsidy for transportation to the nonresident district boundary or the boundary of the nonresident school for low-income students; and

(3) Shall the information booklet outlined in section 207 of this act be distributed to all parents annually or made available to parents at the district office, school buildings, and public libraries, and what is the cost of each option?

### PART III

#### SEVENTH AND EIGHTH GRADE CHOICE

Sec. 301. Section 6, chapter 278, Laws of 1984 as last amended by section 1, chapter 172, Laws of 1988 and RCW 28A.230.090 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students who commence the ninth grade subsequent to July 1, 1985, that meet or exceed the following:

SUBJECT	CREDITS
English	3
Mathematics	2
Social Studies	
United States history and government	1
Washington state history and government	1/2
Contemporary world history, geography, and problems	1
Science (1 credit must be in laboratory science)	2
Occupational Education	1
Physical Education	2
Electives	5 1/2
Total	18

(2) For the purposes of this section one credit is equivalent to one year of study.

(3) The Washington state history and government requirement may be fulfilled by students in grades seven or eight or both. Students who have completed the Washington state history and government requirement in grades seven or eight or both shall be considered to have fulfilled the Washington state history and government requirement.

(4) A candidate for graduation must have in addition earned a minimum of 18 credits including all required courses. These credits shall consist of the state requirements listed above and such additional requirements and electives as shall be established by each district.

(5) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

(6) Pursuant to any foreign language requirement established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in sign language shall be considered to have satisfied the state or local school district foreign language graduation requirement.

(7) If requested by the student and his or her family, a student who has completed high school courses while in seventh and eighth grade shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

(a) The course was taken with high school students and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or

(b) The course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(8) Students who have taken and successfully completed high school courses under the circumstances in subsection (7) of this section shall not be required to take an additional competency examination or perform any other additional assignment to receive credit. Subsection (7) of this section shall also apply to students enrolled in high school on the effective date of this section who took the courses while they were in seventh and eighth grade.

#### PART IV

### RUNNING START—COMMUNITY COLLEGE AND VOCATIONAL-TECHNICAL INSTITUTE CHOICE

NEW SECTION. Sec. 401. As used in sections 401 through 410 of this act, community college means a public community college as defined in chapter 28B.50 RCW.

NEW SECTION. Sec. 402. (1) Eleventh and twelfth grade students or students who have not yet received a high school diploma or its equivalent and are eligible to be in the eleventh or twelfth grades may apply to a community college or vocational-technical institute to enroll in courses or programs offered by the community college or vocational-technical institute. If a community college or vocational-technical institute accepts a secondary school pupil for enrollment under this section, the community college or vocational-technical institute shall send written notice to the pupil, the pupil's school district, and the superintendent of public instruction within ten days of acceptance. The notice shall indicate the course and hours of enrollment for that pupil.

(2) The pupil's school district shall transmit to the community college or vocational-technical institute a sum not exceeding the amount of state funds under RCW 28A.150.260 generated by a full time equivalent student and in proportion to the number of hours of instruction the pupil receives at the community college or vocational-technical institute and at the high school. The community college or vocational-technical institute shall not require the pupil to pay any other fees. The funds received by the community college or vocational-technical institute from the school district shall not be deemed tuition or operating fees and may be retained by the community college or vocational-technical institute. A student enrolled under this subsection shall not be counted for the purpose of determining any enrollment restrictions imposed by the state on the community colleges.

NEW SECTION. Sec. 403. A school district shall provide general information about the program to all pupils in grades ten and eleven and the parents and guardians of those pupils. To assist the district in planning, a pupil shall inform the district of the pupil's intent to enroll in community college or a vocational-technical institute courses for credit. Students are responsible for applying for admission to the community college or vocational-technical institute.

NEW SECTION. Sec. 404. A pupil who enrolls in a community college or a vocational-technical institute in grade eleven may not enroll in postsecondary courses under sections 401 through 410 of this act for high school credit and community college or vocational-technical institute credit for more than the equivalent of the course work for two academic years. A pupil who first enrolls in a community college or vocational-technical institute in grade twelve may not enroll in postsecondary courses under this section for high school credit and community college or vocational-technical institute credit for more than the equivalent of the course work for one academic year.

NEW SECTION. Sec. 405. Once a pupil has been enrolled in a postsecondary course, program, or vocational-technical institute under this section, the pupil shall not be displaced by another student.

NEW SECTION. Sec. 406. A pupil may enroll in a course under sections 401 through 410 of this act for both high school credit and college level academic and vocational or vocational-technical institute credit.

NEW SECTION. Sec. 407. A school district shall grant academic credit to a pupil enrolled in a course for high school credit if the pupil successfully completes the course. If no comparable course is offered by the school district, the school district superintendent shall determine how many credits to award for the course. The determination shall be made in writing before the pupil enrolls in the course. The credits shall be applied toward graduation requirements and subject area requirements. Evidence of the successful completion of each course in a community college or vocational-technical institute shall be included in the pupil's secondary school records and transcript. The transcript shall also note that the course was taken at a community college or vocational-technical institute.

NEW SECTION. Sec. 408. Any state institution of higher education may award postsecondary credit for college level academic and vocational or vocational-technical institute courses successfully completed by a student while in high school and taken at a community college or vocational-technical institute. The state institution of higher education shall not charge a fee for the award of the credits.

NEW SECTION. Sec. 409. Transportation to and from the community college or vocational-technical institute is not the responsibility of the school district.



NEW SECTION. Sec. 410. The superintendent of public instruction, the state board for community college education, and the higher education coordinating board shall jointly develop and adopt rules governing sections 401 through 409 of this act, if rules are necessary. The rules shall be written to encourage the maximum use of the program and shall not narrow or limit the enrollment options under sections 401 through 409 of this act.

NEW SECTION. Sec. 411. (1) Sections 401 through 410 of this act may be implemented in up to five community college districts during the 1990-91 and 1991-92 school years. Any school district within any of the selected community college districts may participate in the program. The five community college districts shall be selected from applicants by the state board for community college education. The board shall select community college districts from both eastern and western Washington. Sections 401 through 410 of this act are applicable throughout the state beginning with the 1992-93 school year. Participation by community college districts under sections 401 through 410 of this act is in addition to agreements between school districts and community college districts in effect on the effective date of this section and in the future.

(2) Sections 401 through 410 of this act may be implemented in all vocational-technical institutes beginning with the 1990-91 school year and shall be implemented in all vocational-technical institutes in the 1991-92 school year.

NEW SECTION. Sec. 412. Sections 401 through 411 of this act are in addition to and not intended to adversely affect agreements between school districts and community college districts or vocational-technical institutes in effect on the effective date of this section and in the future.

Sec. 413. Section 2, chapter 257, Laws of 1981 as last amended by section 1, chapter 42, Laws of 1986 and RCW 28B.15.067 are each amended to read as follows:

(1) Tuition fees shall be established and adjusted annually under the provisions of this chapter beginning with the 1987-88 academic year. Such fees shall be identical, subject to other provisions of this chapter, for students enrolled at either state university, for students enrolled at the regional universities and The Evergreen State College and for students enrolled at any community college. Tuition fees shall reflect the undergraduate and graduate educational costs of the state universities, the regional universities and the community colleges, respectively, in the amounts prescribed in this chapter. The change from the biennial tuition fee adjustment to an annual tuition fee adjustment shall not reduce the amount of revenue to the state general fund.

(2) The tuition fees established under this section shall not apply to high school students enrolling in community colleges under sections 401 through 411 of this 1990 act.

NEW SECTION. Sec. 414. Sections 401 through 412 of this act are each added to Title 28A RCW.

***\*NEW SECTION. Sec. 415. (1) The running start task force is created. The task force shall be comprised of at least one representative from each of the following groups, appointed by the respective groups except as provided under subsection (2) of this section:***

- (a) The higher education coordinating board;*
- (b) The state board for community college education;*
- (c) The office of the superintendent of public instruction;*
- (d) The state board of education;*
- (e) The inter-institutional council of academic officers;*
- (f) Vocational-technical institutes;*
- (g) High school students;*
- (h) Parents;*
- (i) The office of the governor; and*

*(j) One legislator from each caucus of the house of representatives appointed by the speaker of the house of representatives and one legislator from each caucus of the senate appointed by the president of the senate.*

*(2) The governor shall appoint the members under subsection (1)(f) through (i) of this section within thirty days of the effective date of this section. The governor may appoint other persons to serve on the task force. The task force shall elect a chair from among its members.*

*(3) Legislative members shall be reimbursed for travel expenses under RCW 44.04.120. Nonlegislative members shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.*

*(4) The task force shall study and report to the legislature by June 1, 1991, on, but not limited to, whether the program should be expanded to allow the eligible high school students to enroll in public four-year higher education institutions.*

*(5) This section shall expire June 30, 1991.*

*\*Sec. 415 was vetoed, see message at end of chapter.*

PART V  
MISCELLANEOUS

NEW SECTION. Sec. 501. CAPTIONS AND HEADINGS NOT LAW. Part headings and section headings do not constitute any part of the law.

NEW SECTION. Sec. 502. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 503. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state

government and its existing public institutions, and shall take effect immediately.

Passed the House March 31, 1990.

Passed the Senate March 30, 1990.

Approved by the Governor April 11, 1990, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State April 11, 1990.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 415, Second Substitute House Bill No. 2379 entitled:

"AN ACT Relating to student enrollment options."

I requested this bill as part of my effort to restructure our public education system, increase parent involvement and improve student performance by increasing students' enrollment options. I am extremely pleased the legislature supported this effort.

Section 415 of the bill creates a task force to study the possibility of extending the Running Start Program to allow 11th and 12th grade students the opportunity to attend four-year institutions of higher education. It is unnecessary to establish a statutory task force for this purpose. Further, no provisions were made for stalling the task force and though reimbursement for travel expenses is specified, no funds were appropriated.

For the reasons stated above, I have vetoed section 415.

With the exception of section 415, Second Substitute House Bill No. 2379 is approved."

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## CHAPTER 10

[Senate Bill No. 5371]

### EXCELLENCE IN TEACHER PREPARATION PROGRAM

AN ACT Relating to excellence in teacher preparation; adding new sections to Title 28A RCW; making an appropriation; and providing a contingent effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION, Sec. 1. Sections 2 through 5 of this act may be known and cited as the Washington award for excellence in teacher preparation act.

NEW SECTION, Sec. 2. (1) The state board of education shall establish an annual award program for excellence in teacher preparation to recognize higher education teacher educators for their leadership, contributions, and commitment to education.

(2) The program shall recognize annually one teacher preparation faculty member from one of the teacher preparation programs approved by the state board of education.

NEW SECTION, Sec. 3. The award for the teacher educator shall include: