
SECOND SUBSTITUTE HOUSE BILL 1418

State of Washington

61st Legislature

2010 Regular Session

By House Education (originally sponsored by Representatives Kagi, Priest, Sullivan, Walsh, Pettigrew, Roberts, Dickerson, Quall, Seaquist, Sells, Appleton, Hunt, Haler, Pedersen, Orwall, Ormsby, Hasegawa, Conway, Kenney, Maxwell, Santos, Probst, Driscoll, Goodman, and Nelson)

READ FIRST TIME 02/02/10.

1 AN ACT Relating to establishing a statewide dropout reengagement
2 program; amending RCW 28A.305.190 and 28B.15.067; adding new sections
3 to chapter 28A.175 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) In every school district there are older
6 youth who have become disengaged with the traditional education program
7 of public high schools. They may have failed multiple classes and are
8 far behind in accumulating credits to graduate. They do not see a high
9 school diploma as an achievable goal. They may have dropped out of
10 school entirely. They are not likely to become reengaged in their
11 education by the prospect of reenrollment in a traditional or even an
12 alternative high school.

13 (2) For many years, school districts, community and technical
14 colleges, and community-based organizations have created partnerships
15 to provide appropriate educational programs for these students.
16 Programs such as career education options and career link have
17 successfully offered individualized academic instruction, case
18 management support, and career-oriented skills in an age-appropriate

1 learning environment to hundreds of disengaged older youth.
2 Preparation for the GED test is provided but is not the end goal for
3 students.

4 (3) However, in recent years, many of these partnerships have
5 ceased to operate. The laws and rules authorizing school districts to
6 contract using basic education allocations do not provide sufficient
7 guidance and instead present barriers. Program providers are forced to
8 adapt to rules that were not written to address the needs of the
9 students being served. Questions and concerns about liability,
10 responsibility, and administrative burden have caused districts
11 reluctantly to abandon their partnerships, and consequently leave
12 hundreds of students without a viable alternative for continuing their
13 public education.

14 (4) Therefore the legislature intends to provide a statutory
15 framework to support a statewide dropout reengagement system for older
16 youth. The framework clarifies and standardizes funding, programs, and
17 administration by directing the office of the superintendent of public
18 instruction to develop model contracts and interlocal agreements. It
19 is the legislature's intent to encourage school districts, community
20 and technical colleges, and community-based organizations to
21 participate in this system and provide appropriate instruction and
22 services to reengage older students and help them make progress toward
23 a meaningful credential and career skills.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.175
25 RCW to read as follows:

26 (1) This section and sections 3 through 5 of this act provide a
27 statutory framework for a statewide dropout reengagement system to
28 provide appropriate educational opportunities and access to services
29 for students age sixteen to twenty-one who have dropped out of high
30 school or are not accumulating sufficient credits to reasonably
31 complete a high school diploma in a public school before the age of
32 twenty-one.

33 (2) Under the system, school districts may:

34 (a) Enter into the model interlocal agreement developed under
35 section 4 of this act with an educational service district, community
36 or technical college, or other public entity to provide a dropout
37 reengagement program for eligible students of the district; or

1 (b) Enter into the model contract developed under section 4 of this
2 act with a community-based organization to provide a dropout
3 reengagement program for eligible students of the district.

4 (3) This section does not affect the authority of school districts
5 to contract for educational services under RCW 28A.150.305 and
6 28A.320.035. This section also does not affect the authority of school
7 districts to offer dropout reengagement programs or other educational
8 services for eligible students directly.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.175
10 RCW to read as follows:

11 The definitions in this section apply throughout sections 2 through
12 4 of this act unless the context clearly requires otherwise:

13 (1) "Dropout reengagement program" means an educational program
14 that offers at least the following instruction and services:

15 (a) Academic instruction, including but not limited to GED
16 preparation, academic skills instruction, and college and work
17 readiness preparation, that generates credits that can be applied to a
18 high school diploma from the student's school district or from a
19 community or technical college under RCW 28B.50.535 and has the goal of
20 enabling the student to obtain the academic and work readiness skills
21 necessary for employment or postsecondary study. A dropout
22 reengagement program is not required to offer instruction in only those
23 subject areas where a student is deficient in accumulated credits.
24 Academic instruction must be provided by teachers certified by the
25 Washington professional educator standards board or by instructors
26 employed by a community or technical college whose required credentials
27 are established by the college;

28 (b) Case management, academic and career counseling, and assistance
29 with accessing services and resources that support at-risk youth and
30 reduce barriers to educational success; and

31 (c) If the program provider is a community or technical college,
32 the opportunity for qualified students to enroll in college courses
33 that lead to a postsecondary degree or certificate. The college may
34 not charge an eligible student tuition for such enrollment.

35 (2) "Eligible student" means a student who:

36 (a) Is at least sixteen but less than twenty-one years of age at
37 the beginning of the school year;

1 (b) Is not accumulating sufficient credits toward a high school
2 diploma to reasonably complete a high school diploma from a public
3 school before the age of twenty-one or is recommended for the program
4 by case managers from the department of social and health services or
5 the juvenile justice system; and

6 (c) Is enrolled or enrolls in the school district in which the
7 student resides, or is enrolled or enrolls in a nonresident school
8 district under RCW 28A.225.220 through 28A.225.230.

9 (3) "Full-time equivalent eligible student" means an eligible
10 student whose enrollment and attendance meet criteria adopted by the
11 office of the superintendent of public instruction specifically for
12 dropout reengagement programs. The criteria shall be:

13 (a) Based on the community or technical college credits generated
14 by the student if the program provider is a community or technical
15 college; and

16 (b) Based on a minimum amount of planned programming or instruction
17 and minimum attendance by the student rather than hours of seat time if
18 the program provider is a community-based organization.

19 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.175
20 RCW to read as follows:

21 (1) The office of the superintendent of public instruction shall
22 develop a model interlocal agreement and a model contract for the
23 dropout reengagement system.

24 (2) The model interlocal agreement and contract shall, at a
25 minimum, address the following:

26 (a) Responsibilities for identification, referral, and enrollment
27 of eligible students;

28 (b) Instruction and services to be provided by a dropout
29 reengagement program, as specified under section 3 of this act;

30 (c) Responsibilities for data collection and reporting, including
31 student transcripts and data required for the statewide student
32 information system;

33 (d) Administration of the high school statewide student
34 assessments;

35 (e) Uniform financial reimbursement rates per full-time equivalent
36 eligible student enrolled in a dropout reengagement program, calculated
37 and allocated as a statewide annual average of the basic education

1 allocations generated under RCW 28A.150.260 for nonvocational students
2 and including enhancements for vocational students where eligible
3 students are enrolled in vocational courses in a program, and allowing
4 for a uniform administrative fee to be retained by the district;

5 (f) Responsibilities for provision of special education or related
6 services for eligible students with disabilities who have an
7 individualized education program;

8 (g) Responsibilities for necessary accommodations and plans for
9 students qualifying under section 504 of the rehabilitation act of
10 1973;

11 (h) Minimum instructional staffing ratios for dropout reengagement
12 programs offered by community-based organizations, which are not
13 required to be the same as for other basic education programs in school
14 districts; and

15 (i) Performance measures that must be reported to the office of the
16 superintendent of public instruction in a common format for purposes of
17 accountability, including longitudinal monitoring of student progress
18 and postsecondary education and employment.

19 (3) Eligible students enrolled in a dropout reengagement program
20 under sections 2 through 4 of this act are considered regularly
21 enrolled students of the school district in which they are enrolled,
22 except that the students shall not be included in the school district's
23 enrollment for purposes of calculating compliance with RCW 28A.150.100.

24 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.175
25 RCW to read as follows:

26 (1) The office of the superintendent of public instruction shall
27 adopt rules to implement sections 2 through 4 of this act.

28 (2) When adopting rules under this section and developing model
29 interlocal agreements and contracts under section 4 of this act, the
30 office of the superintendent of public instruction shall consult with
31 the state board for community and technical colleges, the workforce
32 training and education coordinating board, colleges and community-based
33 organizations that have previously offered dropout reengagement
34 programs, providers of online courses and programs approved under RCW
35 28A.250.020, school districts, and educational service districts.

1 **Sec. 6.** RCW 28A.305.190 and 1993 c 218 s 1 are each amended to
2 read as follows:

3 The state board of education shall adopt rules governing the
4 eligibility of a child sixteen years of age and under nineteen years of
5 age to take the (~~general educational development~~) GED test if the
6 child provides a substantial and warranted reason for leaving the
7 regular high school education program, (~~or~~) if the child was home-
8 schooled, or if the child is an eligible student enrolled in a dropout
9 reengagement program under sections 2 through 4 of this act.

10 **Sec. 7.** RCW 28B.15.067 and 2009 c 574 s 1 are each amended to read
11 as follows:

12 (1) Tuition fees shall be established under the provisions of this
13 chapter.

14 (2) Beginning with the 2003-04 academic year and ending with the
15 2012-13 academic year, reductions or increases in full-time tuition
16 fees for resident undergraduates shall be as provided in the omnibus
17 appropriations act.

18 (3)(a) Beginning with the 2003-04 academic year and ending with the
19 2012-13 academic year, the governing boards of the state universities,
20 the regional universities, The Evergreen State College, and the state
21 board for community and technical colleges may reduce or increase full-
22 time tuition fees for all students other than resident undergraduates,
23 including summer school students and students in other self-supporting
24 degree programs. Percentage increases in full-time tuition fees may
25 exceed the fiscal growth factor. Reductions or increases may be made
26 for all or portions of an institution's programs, campuses, courses, or
27 students.

28 (b) Prior to reducing or increasing tuition for each academic year,
29 the governing boards of the state universities, the regional
30 universities, and The Evergreen State College shall consult with
31 existing student associations or organizations with student
32 undergraduate and graduate representatives regarding the impacts of
33 potential tuition increases. Governing boards shall be required to
34 provide data regarding the percentage of students receiving financial
35 aid, the sources of aid, and the percentage of total costs of
36 attendance paid for by aid.

1 (c) Prior to reducing or increasing tuition for each academic year,
2 each college in the state board for community and technical college
3 system shall consult with existing student associations or
4 organizations with undergraduate student representation regarding the
5 impacts of potential tuition increases. Colleges shall provide data
6 regarding the percentage of students receiving financial aid, the
7 sources of aid, and the percentage of total costs of attendance paid
8 for by aid.

9 (4) Academic year tuition for full-time students at the state's
10 institutions of higher education beginning with 2015-16, other than
11 summer term, shall be as charged during the 2014-15 academic year
12 unless different rates are adopted by the legislature.

13 (5) The tuition fees established under this chapter shall not apply
14 to high school students enrolling in participating institutions of
15 higher education under RCW 28A.600.300 through 28A.600.400.

16 (6) The tuition fees established under this chapter shall not apply
17 to eligible students enrolling in a dropout reengagement program
18 through an interlocal agreement between a school district and a
19 community or technical college under ((RCW 28C.04.610)) sections 2
20 through 4 of this act.

21 (7) The tuition fees established under this chapter shall not apply
22 to eligible students enrolling in a community or technical college
23 participating in the pilot program under RCW 28B.50.534 for the purpose
24 of obtaining a high school diploma.

25 (8) For the academic years 2003-04 through 2008-09, the University
26 of Washington shall use an amount equivalent to ten percent of all
27 revenues received as a result of law school tuition increases beginning
28 in academic year 2000-01 through academic year 2008-09 to assist needy
29 low and middle-income resident law students.

30 (9) For the academic years 2003-04 through 2008-09, institutions of
31 higher education shall use an amount equivalent to ten percent of all
32 revenues received as a result of graduate academic school tuition
33 increases beginning in academic year 2003-04 through academic year
34 2008-09 to assist needy low and middle-income resident graduate
35 academic students.

36 (10) Any tuition increases above seven percent shall fund costs of
37 instruction, library and student services, utilities and maintenance,
38 other costs related to instruction as well as institutional financial

1 aid. Through 2010-11, any funding reductions to instruction, library
2 and student services, utilities and maintenance and other costs related
3 to instruction shall be proportionally less than other program areas
4 including administration.

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