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HOUSE BILL 1418

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State of Washington

61st Legislature

2009 Regular Session

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 01/21/09. Referred to Committee on Education.

1 AN ACT Relating to establishing a statewide dropout reengagement  
2 system; amending RCW 28A.310.180, 28A.305.190, 28B.50.030, 28B.50.535,  
3 and 28B.15.067; adding new sections to chapter 28A.175 RCW; and  
4 creating a new section.

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

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

14 (2) For many years, school districts, community and technical  
15 colleges, and community-based organizations have created partnerships  
16 to provide appropriate educational programs for these students.  
17 Programs such as career education options and career link have  
18 successfully offered individualized academic instruction, case  
19 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, simplifies, and standardizes funding,  
17 programs, and administration by creating statewide model contracts and  
18 interlocal agreements and by directing educational service districts to  
19 act as brokers and managers on behalf of individual school districts  
20 and with program providers. It is the legislature's intent to  
21 encourage school districts, community and technical colleges, and  
22 community-based organizations to participate in this system and provide  
23 appropriate instruction and services to reengage older students and  
24 help them make progress toward a meaningful credential and career  
25 skills. Alternatively, school districts may provide dropout  
26 reengagement programs on their own or through separate contracts or  
27 interlocal agreements. It is critical that school districts assure  
28 that some form of appropriate education and services are made available  
29 to disengaged older youth.

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

32 (1) Sections 2 through 6 of this act create a statewide dropout  
33 reengagement system to provide appropriate educational opportunities  
34 and access to services for students aged sixteen to twenty-one who have  
35 dropped out of high school or are not accumulating sufficient credits  
36 to reasonably complete a high school diploma in a public school before  
37 the age of twenty-one.

1 (2) Each school district must:

2 (a) Enter into a model interlocal agreement with the educational  
3 service district in which the school district is located that  
4 authorizes the educational service district to oversee dropout  
5 reengagement programs on behalf of the school district for eligible  
6 students residing in the school district;

7 (b) Make available to eligible students, either directly or through  
8 a contract or interlocal agreement separately entered into by the  
9 district, a dropout reengagement program that is similar to an eligible  
10 program as defined under section 3 of this act; or

11 (c) Offer dropout reengagement programs to eligible students  
12 through the mechanisms of both (a) and (b) of this subsection.

13 (2) Each educational service district shall oversee a dropout  
14 reengagement system in its district as provided under section 5 of this  
15 act. Educational service districts shall enter into model interlocal  
16 agreements with community and technical colleges and contract with  
17 community-based organizations to provide eligible dropout reengagement  
18 programs and shall serve as contract and agreement managers and brokers  
19 on behalf of school districts that enter into model interlocal  
20 agreements with the educational service district.

21 (3) An educational service district may enter into interlocal or  
22 cooperative agreements to provide special education or related services  
23 on behalf of a resident school district to eligible students with  
24 disabilities who are enrolled in a dropout reengagement program, but  
25 the educational service district shall maintain management and staffing  
26 of these agreements separately from the model interlocal agreements and  
27 contracts under subsection (2) of this section to avoid any conflict of  
28 interest when the educational service district is acting both as a  
29 contract manager and monitor and as a service provider.

30 (4) This section does not affect the authority of school districts  
31 to contract for educational services under RCW 28A.150.305 and  
32 28A.320.035.

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

35 As used in sections 2 through 6 of this act, unless the context  
36 clearly requires otherwise:

37 (1) "Eligible student" means a student who:

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

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

8 (c) Is enrolled or enrolls in the school district in which the  
9 student resides.

10 (2) "Eligible program" means a dropout reengagement program that  
11 offers the following instruction and services:

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

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

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

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

34 (1) The office of the superintendent of public instruction shall  
35 adopt rules to implement section 3 of this act, including:

36 (a) Establishing common minimum requirements for eligible students

1 including a definition of "insufficient credits to reasonably complete  
2 a high school diploma"; and

3 (b) Establishing minimum instructional staffing ratios for eligible  
4 programs offered by community-based organizations. The staffing ratios  
5 for dropout reengagement programs are not required to be the same as  
6 for other basic education programs in school districts.

7 (2) The office of the superintendent of public instruction shall  
8 develop nonregulatory guidance that describes dropout reengagement  
9 programs that are similar to eligible programs, to provide guidance to  
10 school districts that choose to offer programs directly or through a  
11 separate contract or interlocal agreement. The legislature's intent is  
12 to provide school districts with flexibility to design and offer  
13 programs of their choosing.

14 (3) When adopting rules under this section and section 6 of this  
15 act and developing model contracts and interlocal agreements under  
16 section 5 of this act, the office of the superintendent of public  
17 instruction shall consult with the state board for community and  
18 technical colleges, the workforce training and education coordinating  
19 board, colleges and community-based organizations that have previously  
20 offered dropout reengagement programs, school districts, and  
21 educational service districts.

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

24 (1) The office of the superintendent of public instruction shall  
25 develop statewide model contracts and interlocal agreements for the  
26 dropout reengagement system. Interlocal agreements between school  
27 districts and educational service districts under section 2 of this  
28 act, as well as contracts and interlocal agreements between educational  
29 service districts and dropout reengagement program providers, shall be  
30 based on the model contracts and interlocal agreements. The model  
31 contracts and agreements shall include performance measures that must  
32 be reported in a common format for purposes of accountability.

33 (2) Under a model interlocal agreement, school districts shall:

34 (a) Enroll and refer to the educational service district eligible  
35 students residing in the district who the school district determines  
36 would benefit from a dropout reengagement program. If a school  
37 district determines that a program offered by the district other than

1 the dropout reengagement program would be more appropriate for an  
2 otherwise eligible student, the district may counsel the student to  
3 enroll in the other district program;

4 (b) Provide special education or related services under an  
5 individualized education program for eligible students with  
6 disabilities, in consultation and cooperation with the dropout  
7 reengagement program provider. School districts may enter into  
8 separate interlocal or cooperative agreements with the educational  
9 service district or the program provider for the provision of special  
10 education or related services for eligible students;

11 (c) Provide necessary data to the educational service district,  
12 including transcripts and other information required for the statewide  
13 student information system, for all eligible students who enroll in a  
14 dropout reengagement program; and

15 (d) Fulfill other responsibilities identified in the model  
16 interlocal agreement.

17 (3) Educational service districts shall:

18 (a) Work with school districts, workforce development councils,  
19 colleges, and community-based organizations to identify high quality  
20 dropout reengagement program providers in the region; create  
21 partnerships among organizations to offer programs and services; and  
22 identify other public and private sources of funding that may be used  
23 to leverage the state funds provided for the program;

24 (b) Enter into contracts based on the statewide model with  
25 community-based organizations, as well as interlocal agreements based  
26 on the statewide model with community and technical colleges, to  
27 provide eligible dropout reengagement programs for eligible students;

28 (c) Serve as a liaison between school districts and program  
29 providers as necessary;

30 (d) Refer eligible students to dropout reengagement programs;

31 (e) Monitor the financial and student performance of eligible  
32 programs;

33 (f) On behalf of a school district with which the educational  
34 service district has an interlocal agreement, manage enrollment and  
35 data reporting to the office of the superintendent of public  
36 instruction through the statewide student information system and  
37 maintain high school credit and transcript information for eligible  
38 students enrolled in a dropout reengagement program;

1 (g) Manage financial billing to the office of the superintendent of  
2 public instruction and payments to school districts and program  
3 providers as specified under section 6 of this act;

4 (h) Work with program providers and school districts to assure  
5 eligible students are able to earn credit that can be applied to a high  
6 school diploma from the school district or from a college under RCW  
7 28B.50.535, including providing assistance with course equivalencies  
8 and competency testing in lieu of course completion as authorized under  
9 RCW 28A.230.100;

10 (i) Administer the Washington assessment of student learning to  
11 eligible students enrolled in a dropout reengagement program when  
12 necessary;

13 (j) Annually report to the office of the superintendent of public  
14 instruction on enrollment, student progress toward certificate or  
15 degree completion, and financial and student performance of eligible  
16 programs; and

17 (k) Fulfill other responsibilities identified in the model contract  
18 and interlocal agreement.

19 (4) Dropout reengagement program providers shall:

20 (a) Offer the components of an eligible program to eligible  
21 students as specified in section 3 of this act and in the statewide  
22 model contract or interlocal agreement;

23 (b) Comply with financial and student performance accountability  
24 requirements under the contract or interlocal agreement;

25 (c) Cooperate with the appropriate school district or the  
26 educational service district to coordinate provision of special  
27 education or related services for eligible students with disabilities  
28 who have an individualized education program;

29 (d) Assume responsibility for necessary accommodations and plans  
30 for students qualifying under section 504 of the rehabilitation act of  
31 1973; and

32 (e) Fulfill other responsibilities identified in the model contract  
33 or interlocal agreement.

34 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.175  
35 RCW to read as follows:

36 (1) The office of the superintendent of public instruction shall  
37 allocate the basic education allocation generated under RCW 28A.150.260

1 and the student achievement fund allocation under RCW 28A.505.220 for  
2 each annual average full-time equivalent eligible student enrolled in  
3 a dropout reengagement program under sections 2 through 6 of this act  
4 directly to the educational service district that has an agreement with  
5 the school district, rather than to the school district.

6 (2) For the purposes of this section, the basic education  
7 allocation shall be calculated at a statewide uniform rate. The  
8 calculations and allocations shall be based upon the estimated  
9 statewide annual average per full-time equivalent high school student  
10 allocations under RCW 28A.150.260, excluding small high school  
11 enhancements, and including enhancements for vocational students where  
12 eligible students are enrolled in vocational courses.

13 (3) The educational service district shall transmit two percent of  
14 the total per student allocation under this section to an eligible  
15 enrolled student's school district to offset administrative costs of  
16 the district. The educational service district may retain five percent  
17 of the total per student allocation for program administration and  
18 coordination. The educational service district shall pay the remaining  
19 allocation to program providers through the statewide model contract or  
20 interlocal agreement.

21 (4) For purposes of other state, federal, or local funds, including  
22 special education excess cost allocations, eligible students who are  
23 enrolled in a dropout reengagement program are considered regularly  
24 enrolled students of the resident school district, except that the  
25 students shall not be included in the school district's enrollment for  
26 purposes of calculating compliance with RCW 28A.150.100.

27 (5) The office of the superintendent of public instruction shall  
28 adopt a definition of a full-time equivalent student for the purposes  
29 of sections 2 through 6 of this act. The definition shall be:

30 (a) Based on the community or technical college credits generated  
31 by the student if the program provider is a community or technical  
32 college; and

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

36 (6) The office of the superintendent of public instruction shall  
37 adopt rules to implement this section.



1           **Sec. 7.** RCW 28A.310.180 and 1990 c 33 s 276 are each amended to  
2 read as follows:

3           In addition to other powers and duties as provided by law, every  
4 educational service district shall:

5           (1) Comply with rules (~~(or regulations)~~) of the state board of  
6 education and the superintendent of public instruction(~~(-)~~);

7           (2) If the district board deems necessary, establish and operate  
8 for the schools within the boundaries of the educational service  
9 district a depository and distribution center for films, tapes, charts,  
10 maps, and other instructional material as recommended by the school  
11 district superintendents within the service area of the educational  
12 service district: PROVIDED, That the district may also provide the  
13 services of the depository and distribution center to private schools  
14 within the district so long as such private schools pay such fees that  
15 reflect actual costs for services and the use of instructional  
16 materials as may be established by the educational service district  
17 board(~~(-)~~);

18           (3) Establish cooperative service programs for school districts  
19 within the educational service district and joint purchasing programs  
20 for schools within the educational service district pursuant to RCW  
21 28A.320.080(3): PROVIDED, That on matters relating to cooperative  
22 service programs the board and superintendent of the educational  
23 service district shall seek the prior advice of the superintendents of  
24 local school districts within the educational service district(~~(-)~~);

25           (4) Establish direct student service programs for school districts  
26 within the educational service district including pupil transportation.  
27 However, for the provision of state-funded pupil transportation for  
28 special education cooperatives programs for special education conducted  
29 under RCW 28A.155.010 through 28A.155.100, the educational service  
30 district, with the consent of the participating school districts, shall  
31 be entitled to receive directly state apportionment funds for that  
32 purpose: PROVIDED, That the board of directors and superintendent of  
33 a local school district request the educational service district to  
34 perform said service or services: PROVIDED FURTHER, That the  
35 educational service district board of directors and superintendents  
36 agree to provide the requested services: PROVIDED, FURTHER, That the  
37 provisions of chapter 39.34 RCW are strictly adhered to: PROVIDED

1 FURTHER, That the educational service district board of directors may  
2 contract with the school for the deaf and the school for the blind to  
3 provide transportation services; and

4 (5) Oversee the dropout reengagement system in its district and  
5 fulfill the responsibilities described in statewide model contracts and  
6 interlocal agreements as provided under sections 2 through 6 of this  
7 act.

8 **Sec. 8.** RCW 28A.305.190 and 1993 c 218 s 1 are each amended to  
9 read as follows:

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

17 **Sec. 9.** RCW 28B.50.030 and 2007 c 277 s 301 are each amended to  
18 read as follows:

19 As used in this chapter, unless the context requires otherwise, the  
20 term:

21 (1) "System" shall mean the state system of community and technical  
22 colleges, which shall be a system of higher education.

23 (2) "Board" shall mean the workforce training and education  
24 coordinating board.

25 (3) "College board" shall mean the state board for community and  
26 technical colleges created by this chapter.

27 (4) "Director" shall mean the administrative director for the state  
28 system of community and technical colleges.

29 (5) "District" shall mean any one of the community and technical  
30 college districts created by this chapter.

31 (6) "Board of trustees" shall mean the local community and  
32 technical college board of trustees established for each college  
33 district within the state.

34 (7) "Occupational education" shall mean that education or training  
35 that will prepare a student for employment that does not require a

1 baccalaureate degree, and education and training leading to an applied  
2 baccalaureate degree.

3 (8) "K-12 system" shall mean the public school program including  
4 kindergarten through the twelfth grade.

5 (9) "Common school board" shall mean a public school district board  
6 of directors.

7 (10) "Community college" shall include those higher education  
8 institutions that conduct education programs under RCW 28B.50.020.

9 (11) "Technical college" shall include those higher education  
10 institutions with the sole mission of conducting occupational  
11 education, basic skills, literacy programs, and offering on short  
12 notice, when appropriate, programs that meet specific industry needs.  
13 The programs of technical colleges shall include, but not be limited  
14 to, continuous enrollment, competency-based instruction, industry-  
15 experienced faculty, curriculum integrating vocational and basic skills  
16 education, and curriculum approved by representatives of employers and  
17 labor. For purposes of this chapter, technical colleges shall include  
18 Lake Washington Vocational-Technical Institute, Renton Vocational-  
19 Technical Institute, Bates Vocational-Technical Institute, Clover Park  
20 Vocational Institute, and Bellingham Vocational-Technical Institute.

21 (12) "Adult education" shall mean all education or instruction,  
22 including academic, vocational education or training, basic skills and  
23 literacy training, and "occupational education" provided by public  
24 educational institutions, including common school districts for persons  
25 who are eighteen years of age and over or who hold a high school  
26 diploma or certificate. However, "adult education" shall not include  
27 academic education or instruction for persons under twenty-one years of  
28 age who do not hold a high school degree or diploma and who are  
29 attending a public high school for the sole purpose of obtaining a high  
30 school diploma or certificate, nor shall "adult education" include  
31 education or instruction provided by any four year public institution  
32 of higher education. "Adult education" also does not include education  
33 or instruction provided by a college to eligible students in a dropout  
34 reengagement program under sections 2 through 6 of this act.

35 (13) "Dislocated forest product worker" shall mean a forest  
36 products worker who: (a)(i) Has been terminated or received notice of  
37 termination from employment and is unlikely to return to employment in  
38 the individual's principal occupation or previous industry because of

1 a diminishing demand for his or her skills in that occupation or  
2 industry; or (ii) is self-employed and has been displaced from his or  
3 her business because of the diminishing demand for the business'  
4 services or goods; and (b) at the time of last separation from  
5 employment, resided in or was employed in a rural natural resources  
6 impact area.

7 (14) "Forest products worker" shall mean a worker in the forest  
8 products industries affected by the reduction of forest fiber  
9 enhancement, transportation, or production. The workers included  
10 within this definition shall be determined by the employment security  
11 department, but shall include workers employed in the industries  
12 assigned the major group standard industrial classification codes "24"  
13 and "26" and the industries involved in the harvesting and management  
14 of logs, transportation of logs and wood products, processing of wood  
15 products, and the manufacturing and distribution of wood processing and  
16 logging equipment. The commissioner may adopt rules further  
17 interpreting these definitions. For the purposes of this subsection,  
18 "standard industrial classification code" means the code identified in  
19 RCW 50.29.025(3).

20 (15) "Dislocated salmon fishing worker" means a finfish products  
21 worker who: (a)(i) Has been terminated or received notice of  
22 termination from employment and is unlikely to return to employment in  
23 the individual's principal occupation or previous industry because of  
24 a diminishing demand for his or her skills in that occupation or  
25 industry; or (ii) is self-employed and has been displaced from his or  
26 her business because of the diminishing demand for the business's  
27 services or goods; and (b) at the time of last separation from  
28 employment, resided in or was employed in a rural natural resources  
29 impact area.

30 (16) "Salmon fishing worker" means a worker in the finfish industry  
31 affected by 1994 or future salmon disasters. The workers included  
32 within this definition shall be determined by the employment security  
33 department, but shall include workers employed in the industries  
34 involved in the commercial and recreational harvesting of finfish  
35 including buying and processing finfish. The commissioner may adopt  
36 rules further interpreting these definitions.

37 (17) "Rural natural resources impact area" means:

1 (a) A nonmetropolitan county, as defined by the 1990 decennial  
2 census, that meets three of the five criteria set forth in subsection  
3 (18) of this section;

4 (b) A nonmetropolitan county with a population of less than forty  
5 thousand in the 1990 decennial census, that meets two of the five  
6 criteria as set forth in subsection (18) of this section; or

7 (c) A nonurbanized area, as defined by the 1990 decennial census,  
8 that is located in a metropolitan county that meets three of the five  
9 criteria set forth in subsection (18) of this section.

10 (18) For the purposes of designating rural natural resources impact  
11 areas, the following criteria shall be considered:

12 (a) A lumber and wood products employment location quotient at or  
13 above the state average;

14 (b) A commercial salmon fishing employment location quotient at or  
15 above the state average;

16 (c) Projected or actual direct lumber and wood products job losses  
17 of one hundred positions or more;

18 (d) Projected or actual direct commercial salmon fishing job losses  
19 of one hundred positions or more; and

20 (e) An unemployment rate twenty percent or more above the state  
21 average. The counties that meet these criteria shall be determined by  
22 the employment security department for the most recent year for which  
23 data is available. For the purposes of administration of programs  
24 under this chapter, the United States post office five-digit zip code  
25 delivery areas will be used to determine residence status for  
26 eligibility purposes. For the purpose of this definition, a zip code  
27 delivery area of which any part is ten miles or more from an urbanized  
28 area is considered nonurbanized. A zip code totally surrounded by zip  
29 codes qualifying as nonurbanized under this definition is also  
30 considered nonurbanized. The office of financial management shall make  
31 available a zip code listing of the areas to all agencies and  
32 organizations providing services under this chapter.

33 (19) "Applied baccalaureate degree" means a baccalaureate degree  
34 awarded by a college under RCW 28B.50.810 for successful completion of  
35 a program of study that is:

36 (a) Specifically designed for individuals who hold an associate of  
37 applied science degree, or its equivalent, in order to maximize

1 application of their technical course credits toward the baccalaureate  
2 degree; and

3 (b) Based on a curriculum that incorporates both theoretical and  
4 applied knowledge and skills in a specific technical field.

5 (20) "Qualified institutions of higher education" means:

6 (a) Washington public community and technical colleges;

7 (b) Private career schools that are members of an accrediting  
8 association recognized by rule of the higher education coordinating  
9 board for the purposes of chapter 28B.92 RCW; and

10 (c) Washington state apprenticeship and training council-approved  
11 apprenticeship programs.

12 **Sec. 10.** RCW 28B.50.535 and 2007 c 355 s 2 are each amended to  
13 read as follows:

14 A community or technical college may issue a high school diploma or  
15 certificate, including to students enrolled in dropout reengagement  
16 programs under sections 2 through 6 of this act, subject to rules  
17 adopted by the superintendent of public instruction and the state board  
18 of education.

19 **Sec. 11.** RCW 28B.15.067 and 2007 c 355 s 7 are each amended to  
20 read as follows:

21 (1) Tuition fees shall be established under the provisions of this  
22 chapter.

23 (2) Beginning with the 2003-04 academic year and ending with the  
24 2008-09 academic year, reductions or increases in full-time tuition  
25 fees for resident undergraduates shall be as provided in the omnibus  
26 appropriations act.

27 (3) Beginning with the 2003-04 academic year and ending with the  
28 2008-09 academic year, the governing boards of the state universities,  
29 the regional universities, The Evergreen State College, and the state  
30 board for community and technical colleges may reduce or increase full-  
31 time tuition fees for all students other than resident undergraduates,  
32 including summer school students and students in other self-supporting  
33 degree programs. Percentage increases in full-time tuition fees may  
34 exceed the fiscal growth factor. Reductions or increases may be made  
35 for all or portions of an institution's programs, campuses, courses, or  
36 students.

1 (4) Academic year tuition for full-time students at the state's  
2 institutions of higher education beginning with 2009-10, other than  
3 summer term, shall be as charged during the 2008-09 academic year  
4 unless different rates are adopted by the legislature.

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

8 (6) The tuition fees established under this chapter shall not apply  
9 to eligible students enrolling in a community or technical college  
10 under RCW 28C.04.610 or eligible students enrolled in a dropout  
11 reengagement program under sections 2 through 6 of this act.

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

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

21 (9) For the academic years 2003-04 through 2008-09, institutions of  
22 higher education shall use an amount equivalent to ten percent of all  
23 revenues received as a result of graduate academic school tuition  
24 increases beginning in academic year 2003-04 through academic year  
25 2008-09 to assist needy low and middle-income resident graduate  
26 academic students.

--- END ---