
SUBSTITUTE HOUSE BILL 2913

State of Washington 61st Legislature 2010 Regular Session

By House Education Appropriations (originally sponsored by Representatives Haigh, Priest, Quall, Haler, Kessler, Kagi, Nealey, Finn, Maxwell, Sullivan, and Kenney)

READ FIRST TIME 02/09/10.

1 AN ACT Relating to authorizing innovative interdistrict cooperative
2 high school programs; amending RCW 28A.225.200, 28A.225.200,
3 28A.545.040, and 28A.545.120; adding new sections to chapter 28A.340
4 RCW; creating new sections; providing an effective date; and providing
5 an expiration date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that the availability
8 of technology, online learning, and field and project-based curricula
9 offer new opportunities for school districts to design innovative
10 programs for high school students. However, the legislature also finds
11 that while small, rural school districts desire to offer innovative
12 learning options for students in their communities, they are
13 constrained by state laws and rules that appear to prohibit nonhigh
14 school districts from creating options for their high school students
15 in cooperation with other nonhigh school districts. Therefore, the
16 legislature intends to authorize and encourage innovative, cooperative
17 high school programs for students from very small school districts.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.340
2 RCW to read as follows:

3 (1) Two or more nonhigh school districts may form an interdistrict
4 cooperative, to offer an innovation academy cooperative, as defined in
5 section 3 of this act and subject to the approval of the office of the
6 superintendent of public instruction under section 4 of this act, for
7 high school students residing in the participating nonhigh school
8 districts.

9 (2) Enrollment in an innovation academy cooperative is optional for
10 students. For students residing in a participating nonhigh school
11 district who enroll in a high school district rather than the
12 innovation academy cooperative, the provisions of RCW 28A.540.110 and
13 chapter 28A.545 RCW apply to the nonhigh school district.

14 (3) Each innovation academy cooperative shall designate one of the
15 participating nonhigh school districts to report enrolled students for
16 funding purposes. The reporting district shall claim the monthly full-
17 time equivalent students enrolled in the innovation academy cooperative
18 and receive state funding allocations, including basic education
19 allocations that are based on the small high school allocation under
20 the appropriations act to the extent the number of students enrolled in
21 the innovation academy cooperative meets the criteria for a small high
22 school.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.340
24 RCW to read as follows:

25 (1) For the purposes of sections 2 through 4 of this act, an
26 innovation academy cooperative is a high school program with one or
27 more of the following characteristics:

28 (a) Interdisciplinary curriculum and instruction organized into
29 subject-focused themes or academies. Programs are encouraged to
30 provide an initial focus on academies in science, technology,
31 engineering, and mathematics;

32 (b) A combination of instructional service delivery models,
33 including alternative learning experiences, online learning, work-based
34 learning, experiential and field-based learning, and direct classroom
35 instruction at multiple and varying locations;

36 (c) Intensive and accelerated learning to enable students to
37 complete high school credits in a short time period; and

1 (d) Creative scheduling and use of existing school or community
2 facilities in innovative ways to minimize facility and transportation
3 costs and maximize access for students who may be geographically
4 dispersed.

5 (2) Participating nonhigh school districts shall work with local
6 community and technical colleges and four-year institutions of higher
7 education to expand the learning options available for students in an
8 innovation academy cooperative.

9 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.340
10 RCW to read as follows:

11 Nonhigh school districts proposing to enter an interdistrict
12 agreement to offer an innovation academy cooperative shall submit a
13 copy of the proposed agreement and operating and instructional plans
14 for the cooperative to the office of the superintendent of public
15 instruction for technical review. The purpose of the review is for the
16 office to provide technical assistance and advice to assure that the
17 cooperative addresses issues identified under RCW 28A.225.250 and to
18 assure that the proposed instructional program will offer courses and
19 learning experiences that enable students to earn high school credit
20 and complete a high school diploma. The office of the superintendent
21 of public instruction must approve agreements and plans before an
22 innovation academy cooperative begins operation.

23 **Sec. 5.** RCW 28A.225.200 and 1990 c 33 s 234 are each amended to
24 read as follows:

25 (1) A local district may be authorized by the educational service
26 district superintendent to transport and educate its pupils in other
27 districts for one year, either by payment of a compensation agreed upon
28 by such school districts, or under other terms mutually satisfactory to
29 the districts concerned when this will afford better educational
30 facilities for the pupils and when a saving may be effected in the cost
31 of education: PROVIDED, That notwithstanding any other provision of
32 law, the amount to be paid by the state to the resident school district
33 for apportionment purposes and otherwise payable pursuant to RCW
34 28A.150.100, 28A.150.250 through 28A.150.290, 28A.150.350 through
35 28A.150.410, 28A.160.150 through 28A.160.200, (~~28A.160.220~~)
36 28A.300.035, 28A.300.170, and 28A.500.010 shall not be greater than the

1 regular apportionment for each high school student of the receiving
2 district. Such authorization may be extended for an additional year at
3 the discretion of the educational service district superintendent.

4 (2) Subsection (1) of this section shall not apply to districts
5 participating in a cooperative project established under RCW
6 28A.340.030 which exceeds two years in duration or to nonhigh school
7 districts participating in an interdistrict cooperative under sections
8 2 through 4 of this act.

9 **Sec. 6.** RCW 28A.225.200 and 2009 c 548 s 706 are each amended to
10 read as follows:

11 (1) A local district may be authorized by the educational service
12 district superintendent to transport and educate its pupils in other
13 districts for one year, either by payment of a compensation agreed upon
14 by such school districts, or under other terms mutually satisfactory to
15 the districts concerned when this will afford better educational
16 facilities for the pupils and when a saving may be effected in the cost
17 of education. Notwithstanding any other provision of law, the amount
18 to be paid by the state to the resident school district for
19 apportionment purposes and otherwise payable pursuant to RCW
20 28A.150.250 through 28A.150.290, 28A.150.350 through 28A.150.410,
21 28A.160.150 through 28A.160.200, 28A.300.035, and 28A.300.170 shall not
22 be greater than the regular apportionment for each high school student
23 of the receiving district. Such authorization may be extended for an
24 additional year at the discretion of the educational service district
25 superintendent.

26 (2) Subsection (1) of this section shall not apply to districts
27 participating in a cooperative project established under RCW
28 28A.340.030 which exceeds two years in duration or to nonhigh school
29 districts participating in an interdistrict cooperative under sections
30 2 through 4 of this act.

31 **Sec. 7.** RCW 28A.545.040 and 1995 c 77 s 25 are each amended to
32 read as follows:

33 The term "student residing in a nonhigh school district" and its
34 equivalent as used in RCW 28A.545.030 through 28A.545.110 and
35 84.52.0531 shall mean any common school age person with or without
36 disabilities who resides within the boundaries of a nonhigh school

1 district that does not conduct the particular kindergarten through
2 grade twelve grade which the person has not yet successfully completed
3 and is eligible to enroll in, not including students enrolled in an
4 innovation academy cooperative established under sections 2 through 4
5 of this act.

6 **Sec. 8.** RCW 28A.545.120 and 2006 c 263 s 325 are each amended to
7 read as follows:

8 (1) The superintendent of public instruction, with recommendations
9 from the school facilities citizen advisory panel under RCW
10 28A.525.025, shall adopt rules governing the establishment in any
11 existing nonhigh school district of any secondary program or any new
12 grades in grades nine through twelve. Before any such program or any
13 new grades are established, the district must obtain prior approval of
14 the superintendent of public instruction.

15 (2) This section does not apply to innovation academy cooperatives
16 established under sections 2 through 4 of this act.

17 NEW SECTION. **Sec. 9.** The office of the superintendent of public
18 instruction shall review the implementation of sections 2 through 4 of
19 this act to identify keys to success and any barriers to successful
20 implementation of innovation academy cooperatives and submit a report
21 to the education committees of the legislature by January 1, 2013.

22 NEW SECTION. **Sec. 10.** Section 5 of this act expires September 1,
23 2011.

24 NEW SECTION. **Sec. 11.** Section 6 of this act takes effect
25 September 1, 2011.

--- END ---