
HOUSE BILL 2933

State of Washington

66th Legislature

2020 Regular Session

By Representatives Kraft, Young, Hoff, Jenkin, Vick, McCaslin, Sutherland, Eslick, Chandler, Walsh, Corry, Dent, Kretz, Graham, and Boehnke

Read first time 02/10/20. Referred to Committee on Education.

1 AN ACT Relating to a comprehensive opt out of public K-12
2 education through the education choice scholarship program; adding a
3 new section to chapter 43.08 RCW; and adding a new chapter to Title
4 28A RCW.

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

6 NEW SECTION. **Sec. 1.** (1) The education choice scholarship
7 program is established. The purposes of the program are as follows:

8 (a) Provide flexible, student outcome education funding options
9 for students who are eligible to attend a public school in Washington
10 in a manner that includes only those minimum state controls necessary
11 to ensure the proper administration of the program; and

12 (b) Promote the academic success of students in the program and
13 prepare them for postsecondary education, gainful employment or
14 entrepreneurship, and a successful future.

15 (2) To enroll in the program established by this section, a
16 parent of a qualified student must submit a biannual agreement to the
17 office of the superintendent of public instruction that obligates the
18 parent to:

19 (a) Enroll the student in a qualified school or comply with the
20 home-based instruction requirements of RCW 28A.225.010 and
21 28A.200.010;

1 (b) (i) Use moneys provided through the program only for the
2 student and only for the following purposes:

3 (A) Tuition, fees, or both at a qualified school;

4 (B) Textbooks required by a qualified school;

5 (C) Tutoring or services provided by an individual or facility
6 accredited by a state, regional, or national accrediting
7 organization;

8 (D) Curricula;

9 (E) Tuition, fees, or both for a private online learning program;

10 (F) Fees for a nationally standardized norm-referenced
11 achievement test, an advanced placement examination, or any
12 examinations related to college or university admission;

13 (G) Uniforms required for a qualified school; and

14 (H) Tuition for career and technical education.

15 (ii) Moneys provided through the program may not be used for:

16 (A) Computer hardware or other technological devices;

17 (B) Transportation of the student; or

18 (C) Consumable educational supplies, including paper, and pens or
19 markers; and

20 (c) Withdraw from or not enroll the student in the public school
21 the student attends or is eligible to attend, and release the school
22 and, if applicable, the district, from all obligations to provide an
23 education or education services to the student.

24 (3) In exchange for the parents' biannual agreement under
25 subsection (2) of this section, the office of the superintendent of
26 public instruction shall, in accordance with section 4 of this act,
27 transfer sums to the treasurer for: Deposit in an account established
28 for the student; and authorized disbursements by the parent.

29 (4) Biannual agreements submitted to the office of the
30 superintendent of public instruction under this section renew
31 automatically every two years unless:

32 (a) The parent of a student requests to exit the program or fails
33 to comply with its provisions. The termination of an agreement due to
34 a failure to comply with its provisions must be based on a willful
35 disregard of program requirements and may not be based upon a good-
36 faith error by a parent;

37 (b) The student graduates from high school; or

38 (c) The student is ineligible to attend a public school in the
39 state.

1 (5) Education services provided to students through the program
2 established in this section who are not enrolled in a qualified
3 school are considered home-based instruction.

4 NEW SECTION. **Sec. 2.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires
6 otherwise.

7 (1) "Account" means an education choice scholarship account
8 established for a qualified student through the program.

9 (2) "Agreement" means a two-year contract developed by the office
10 of the superintendent of public instruction and signed by the parent
11 that: Is consistent with the requirements of this chapter; and
12 establishes the applicable program duties and obligations of the
13 parent, the student, the office of the superintendent of public
14 instruction, and the treasurer.

15 (3) "Curriculum" means the materials necessary to comply with the
16 home-based instruction requirements of RCW 28A.225.010 and
17 28A.200.010.

18 (4) "Parent" means a parent, guardian, or other person or entity
19 having legal custody of a child.

20 (5) "Program" means the education choice scholarship program
21 established in section 1 of this act.

22 (6) "Qualified school" means a private school in Washington that
23 enrolls students in one or more grades from kindergarten through
24 grade twelve.

25 (7) "Qualified student" or "student" means a child eligible to
26 attend a public school in the state.

27 (8) "Treasurer" means the state treasurer.

28 NEW SECTION. **Sec. 3.** The state legislature shall, at each
29 regular session in an odd-numbered year, appropriate from the
30 Washington opportunity pathways account, for the program established
31 in section 1 of this act, amounts as determined in accordance with
32 section 4 of this act for the ensuing biennium.

33 NEW SECTION. **Sec. 4.** (1) The legislature intends for state
34 funding for students participating in the program be distributed in a
35 manner that is equitable for the student with state funding provided
36 to public schools for the instructional program of basic education,

1 excluding state funding provided to public schools in accordance with
2 RCW 28A.150.200(2)(d) and 28A.150.220(3)(d) through (g).

3 (2)(a) For qualified students enrolled in the program, the
4 superintendent of public instruction shall transmit to the treasurer
5 for each account an amount calculated as provided in this section and
6 based on the statewide average salaries provided in RCW 28A.150.410
7 for certificated instructional staff adjusted by the regionalization
8 factor that applies to the school district in which the student
9 resides, including any enrichment to those statutory formulae that is
10 specified in the omnibus appropriations act.

11 (b) The office of the superintendent of public instruction shall,
12 for purposes of making distributions under this section, separately
13 calculate and distribute to accounts moneys appropriated for general
14 apportionment under the same ratios as in RCW 28A.150.260.

15 (3) The superintendent of public instruction may adopt and
16 periodically update rules for the distribution of funding required by
17 this section and as otherwise required by law.

18 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.08
19 RCW to read as follows:

20 The state treasurer shall adopt and periodically update rules to
21 implement the education choice scholarship program established in
22 section 1 of this act and may contract with private financial
23 management firms to manage program accounts.

24 NEW SECTION. **Sec. 6.** Sections 1 through 4 of this act
25 constitute a new chapter in Title 28A RCW.

--- END ---