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**SENATE BILL 5427**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Wellman, Hasegawa, Kuderer, and Wilson, C.; by request of Superintendent of Public Instruction

Read first time 01/21/19. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to dual credit programs; and amending RCW  
2 28A.320.196 and 28A.600.290.

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

4 **Sec. 1.** RCW 28A.320.196 and 2015 c 202 s 2 are each amended to  
5 read as follows:

6 (1) Subject to funds appropriated specifically for this purpose,  
7 the academic acceleration incentive program is established as  
8 provided in this section. The intent of the legislature is that the  
9 funds awarded under the program be used to support teacher training,  
10 curriculum, technology, examination fees, textbook fees, and other  
11 costs associated with offering dual credit courses to high school  
12 students, including transportation for running start students to and  
13 from the institution of higher education as defined in RCW  
14 28A.600.300.

15 (2) The office of the superintendent of public instruction shall  
16 allocate half of the funds appropriated for the purposes of this  
17 section on a competitive basis to provide (~~one-time~~) grants for  
18 high schools to expand the availability of dual credit courses. To be  
19 eligible for a grant, a school district must have adopted an academic  
20 acceleration policy as provided under RCW 28A.320.195. In making  
21 grant awards, the office of the superintendent of public instruction

1 must give priority to grants for high schools with a high proportion  
2 of low-income students and high schools seeking to develop new  
3 capacity for dual credit courses rather than proposing marginal  
4 expansion of current capacity.

5 (3) The office of the superintendent of public instruction shall  
6 allocate half of the funds appropriated for the purposes of this  
7 section to school districts as an incentive award for each student  
8 who earned dual high school and college credit, as described under  
9 subsection (4) of this section, for courses offered by the district's  
10 high schools during the previous school year. School districts must  
11 distribute the award to the high schools that generated the funds.  
12 The award amount for low-income students eligible to participate in  
13 the federal free and reduced-price meals program who earn dual  
14 credits must be set at one hundred twenty-five percent of the base  
15 award for other students. A student who earns more than one dual  
16 credit in the same school year counts only once for the purposes of  
17 the incentive award.

18 (4) For the purposes of this section, the following students are  
19 considered to have earned dual high school and college credit in a  
20 course offered by a high school:

21 (a) Students who achieve a score of three or higher on an AP  
22 examination;

23 (b) Students who achieve a score of four or higher on an  
24 examination of the international baccalaureate diploma programme;

25 (c) Students who successfully complete a Cambridge advanced  
26 international certificate of education examination;

27 (d) Students who successfully complete a course through the  
28 college in the high school program under RCW 28A.600.290 and are  
29 awarded credit by the partnering institution of higher education; and

30 (e) Students who satisfy the dual enrollment and class  
31 performance requirements to earn college credit through a tech prep  
32 course.

33 (5) If a high school provides access to online courses for  
34 students to earn dual high school and college credit at no cost to  
35 the student, such a course is considered to be offered by the high  
36 school.

37 ~~((6) The office of the superintendent of public instruction~~  
38 ~~shall report to the education policy committees and the fiscal~~  
39 ~~committees of the legislature, by January 1st of each year,~~  
40 ~~information about the demographics of the students earning dual~~

1 ~~credits in the schools receiving grants under this section for the~~  
2 ~~prior school year. Demographic data shall be disaggregated pursuant~~  
3 ~~to RCW 28A.300.042.)~~

4 **Sec. 2.** RCW 28A.600.290 and 2015 c 202 s 3 are each amended to  
5 read as follows:

6 (1)(a) Subject to the availability of amounts appropriated for  
7 this specific purpose ~~((and commencing with the 2015-16 school~~  
8 ~~year)),~~ funding may be allocated at an amount per college credit for  
9 ~~((eleventh and twelfth grade students or))~~ students ~~((who have not~~  
10 ~~yet received a high school diploma or its equivalent and are))~~  
11 ~~eligible to ((be in the eleventh or twelfth grade))~~ participate in  
12 the college in the high school program as set forth in subsection (5)  
13 of this section, who have been deemed eligible for free or reduced-  
14 price lunch, and who are enrolled in college in the high school  
15 courses under this section, as specified in the omnibus  
16 appropriations act and adjusted for inflation from the 2015-16 school  
17 year. The maximum annual number of allocated credits per  
18 participating student ~~((shall be specified in the omnibus~~  
19 ~~appropriations act, which))~~ must not exceed ~~((ten))~~ fifteen credits.  
20 ~~((Funding shall be prioritized in the following order:))~~

21 (i) ~~((High schools offering a running start in the high school~~  
22 ~~program in school year 2014-15. These schools shall only receive~~  
23 ~~prioritized funding in school year 2015-16;~~

24 (ii) ~~Students whose residence or the high school in which they~~  
25 ~~are enrolled is located twenty driving miles or more as measured by~~  
26 ~~the most direct route from the nearest eligible institution of higher~~  
27 ~~education offering a running start program, whichever is greater; and~~

28 (iii) ~~High schools eligible for the small school funding~~  
29 ~~enhancement in the omnibus appropriations act.~~

30 (b)(i) ~~Subject to the availability of amounts appropriated for~~  
31 ~~this specific purpose and commencing with the 2015-16 school year,~~  
32 ~~and only after the programs in (a) of this subsection are funded,~~ a  
33 ~~subsidy may be provided per college credit for eleventh and twelfth~~  
34 ~~grade students or students who have not yet received a high school~~  
35 ~~diploma or its equivalent and are eligible to be in the eleventh or~~  
36 ~~twelfth grade who have been deemed eligible for free or reduced-price~~  
37 ~~lunch and are enrolled in college in the high school courses under~~  
38 ~~this section as specified in the omnibus appropriations act and~~  
39 ~~adjusted for inflation from the 2015-16 school year. The maximum~~

1 ~~annual number of subsidized credits per participating student shall~~  
2 ~~be specified in the omnibus appropriations act, which must not exceed~~  
3 ~~five credits.~~

4 ~~(ii))~~ Districts wishing to participate in the subsidy program  
5 must apply to the office of the superintendent of public instruction  
6 by July 1st of each year and report the preliminary estimate of  
7 eligible students to receive the subsidy and the total number of  
8 projected credit hours.

9 ~~((iii))~~ (ii) The office of the superintendent of public  
10 instruction shall notify districts by September 1st of each school  
11 year if the district's students will receive the subsidy. If more  
12 districts apply than funding is available, the office of the  
13 superintendent of public instruction shall prioritize the district  
14 applications. The superintendent shall develop factors to determine  
15 priority including, but not limited to, the number of dual credit  
16 opportunities available for low-income students in the districts.

17 ~~((e))~~ (b) Districts shall remit any allocations or subsidies on  
18 behalf of participating students under (a) ~~((and (b)))~~ of this  
19 subsection to the participating institution of higher education and  
20 those students shall not be required to pay for the credits.

21 ~~((d))~~ (c) The minimum allocation and subsidy under this section  
22 is sixty-five dollars per quarter credit for credit-bearing  
23 postsecondary coursework. The office of the superintendent of public  
24 instruction, the student achievement council, the state board for  
25 community and technical colleges, and the public baccalaureate  
26 institutions shall review funding levels for the program every four  
27 years beginning in 2017 and recommend changes.

28 ~~((e))~~ (d) Students may pay college in the high school fees with  
29 advanced college tuition payment program tuition units at a rate set  
30 by the advanced college tuition payment program governing body under  
31 chapter 28B.95 RCW.

32 (2) For the purposes of funding students enrolled in the college  
33 in the high school program in accordance with subsection (1) of this  
34 section, college in the high school is defined as a dual credit  
35 program located on a high school campus or in a high school  
36 environment in which a high school student is able to earn both high  
37 school and postsecondary credit by completing postsecondary level  
38 courses with a passing grade.

39 (3) College in the high school programs may include both academic  
40 and career and technical education.

1 (4) College in the high school programs shall each be governed by  
2 a local contract between the district and the participating  
3 institution of higher education, in compliance with the rules adopted  
4 by the superintendent of public instruction under this section.

5 (5) The college in the high school program must include the  
6 provisions in this subsection.

7 (a) The high school and participating institution of higher  
8 education together shall define the criteria for student eligibility.  
9 The institution of higher education may charge tuition fees to  
10 participating students. If specific funding is provided in the  
11 omnibus appropriations act for the per credit allocations and per  
12 credit subsidies under subsection (1) of this section, the maximum  
13 per credit fee charged to any enrolled student may not exceed the  
14 amount of the per credit allocation or subsidy.

15 (b) The funds received by the participating institution of higher  
16 education may not be deemed tuition or operating fees and may be  
17 retained by the institution of higher education.

18 (c) Enrollment information on persons registered under this  
19 section must be maintained by the institution of higher education  
20 separately from other enrollment information and may not be included  
21 in official enrollment reports, nor may such persons be considered in  
22 any enrollment statistics that would affect higher education  
23 budgetary determinations.

24 (d) A school district must grant high school credit to a student  
25 enrolled in a program course if the student successfully completes  
26 the course. If no comparable course is offered by the school  
27 district, the school district superintendent shall determine how many  
28 credits to award for the course. The determination shall be made in  
29 writing before the student enrolls in the course. The credits shall  
30 be applied toward graduation requirements and subject area  
31 requirements. Evidence of successful completion of each program  
32 course shall be included in the student's secondary school records  
33 and transcript.

34 (e) A participating institution of higher education must grant  
35 college credit to a student enrolled in a program course if the  
36 student successfully completes the course. The college credit shall  
37 be applied toward general education requirements or degree  
38 requirements at institutions of higher education. Evidence of  
39 successful completion of each program course must be included in the  
40 student's college transcript.

1 (f) Tenth, eleventh, and twelfth grade students or students who  
2 have not yet received a high school diploma or its equivalent and are  
3 eligible to be in the tenth, eleventh, or twelfth grades may  
4 participate in the college in the high school program.

5 (g) Participating school districts must provide general  
6 information about the college in the high school program to all  
7 students in grades nine through twelve and to the parents and  
8 guardians of those students.

9 (h) Full-time and part-time faculty at institutions of higher  
10 education, including adjunct faculty, are eligible to teach program  
11 courses.

12 (6) The superintendent of public instruction shall adopt rules  
13 for the administration of this section. The rules shall be jointly  
14 developed by the superintendent of public instruction, the state  
15 board for community and technical colleges, the student achievement  
16 council, and the public baccalaureate institutions. The association  
17 of Washington school principals must be consulted during the rules  
18 development. The rules must outline quality and eligibility standards  
19 that are informed by nationally recognized standards or models. In  
20 addition, the rules must encourage the maximum use of the program and  
21 may not narrow or limit the enrollment options.

22 (7) The definitions in this subsection apply throughout this  
23 section.

24 (a) "Institution of higher education" has the definition in RCW  
25 28B.10.016, and also includes a public tribal college located in  
26 Washington and accredited by the Northwest commission on colleges and  
27 universities or another accrediting association recognized by the  
28 United States department of education.

29 (b) "Program course" means a college course offered in a high  
30 school under the college in the high school program.

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