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**SUBSTITUTE SENATE BILL 5719**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Mullet and Gildon)

READ FIRST TIME 01/24/22.

1 AN ACT Relating to dual credit costs; amending RCW 28A.600.287;  
2 reenacting and amending RCW 28A.600.310; adding a new section to  
3 chapter 28A.600 RCW; creating a new section; and providing an  
4 effective date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.600  
7 RCW to read as follows:

8 (1) Subject to the availability of amounts appropriated for this  
9 specific purpose, the office of the superintendent of public  
10 instruction shall create and administer a grant program for the  
11 purpose of providing funds to school districts, charter schools, and  
12 state-tribal compact schools to cover the credit tuition fee for  
13 college in the high school program courses under RCW 28A.600.287 for  
14 low-income students.

15 (2) School districts, charter schools, and state-tribal compact  
16 schools receiving funds under this grant program must cover the per  
17 college credit tuition fee for a program course at the full per  
18 credit amount set by the program under RCW 28A.600.287.

19 (3) The office of the superintendent of public instruction may  
20 adopt rules necessary for the implementation of this section. Rules  
21 adopted under this subsection must be jointly developed by the

1 superintendent of public instruction, the state board for community  
2 and technical colleges, the student achievement council, and the  
3 public baccalaureate institutions.

4 (4) For the purposes of this section, "low-income students" means  
5 students who are eligible for free and reduced-price meals.

6 **Sec. 2.** RCW 28A.600.310 and 2019 c 252 s 115 and 2019 c 176 s 2  
7 are each reenacted and amended to read as follows:

8 (1)(a) Eleventh and (~~twelfth~~) 12th grade students or students  
9 who have not yet received the credits required for the award of a  
10 high school diploma and are eligible to be in the (~~eleventh~~) 11th  
11 or (~~twelfth~~) 12th grades may apply to a participating institution  
12 of higher education to enroll in courses or programs offered by the  
13 institution of higher education.

14 (b) The course sections and programs offered as running start  
15 courses must also be open for registration to matriculated students  
16 at the participating institution of higher education and may not be a  
17 course consisting solely of high school students offered at a high  
18 school campus.

19 (c) A student receiving home-based instruction enrolling in a  
20 public high school for the sole purpose of participating in courses  
21 or programs offered by institutions of higher education shall not be  
22 counted by the school district in any required state or federal  
23 accountability reporting if the student's parents or guardians filed  
24 a declaration of intent to provide home-based instruction and the  
25 student received home-based instruction during the school year before  
26 the school year in which the student intends to participate in  
27 courses or programs offered by the institution of higher education.  
28 Students receiving home-based instruction under chapter 28A.200 RCW  
29 and students attending private schools approved under chapter 28A.195  
30 RCW shall not be required to meet the student learning goals or to  
31 learn the state learning standards. However, students are eligible to  
32 enroll in courses or programs in participating universities only if  
33 the board of directors of the student's school district has decided  
34 to participate in the program. Participating institutions of higher  
35 education, in consultation with school districts, may establish  
36 admission standards for these students. If the institution of higher  
37 education accepts a secondary school pupil for enrollment under this  
38 section, the institution of higher education shall send written  
39 notice to the pupil and the pupil's school district within (~~ten~~) 10

1 days of acceptance. The notice shall indicate the course and hours of  
2 enrollment for that pupil.

3 (2) (a) (~~In lieu of tuition and fees, as defined in RCW~~  
4 ~~28B.15.020 and 28B.15.041:~~

5 ~~(i) Running start students shall pay to the community or~~  
6 ~~technical college all other mandatory fees as established by each~~  
7 ~~community or technical college and, in addition, the state board for~~  
8 ~~community and technical colleges may authorize a fee of up to ten~~  
9 ~~percent of tuition and fees as defined in RCW 28B.15.020 and~~  
10 ~~28B.15.041; and~~

11 ~~(ii) All other institutions of higher education operating a~~  
12 ~~running start program may charge running start students a fee of up~~  
13 ~~to ten percent of tuition and fees as defined in RCW 28B.15.020 and~~  
14 ~~28B.15.041 in addition to technology fees.~~

15 ~~(b) The fees charged under this subsection (2) shall be prorated~~  
16 ~~based on credit load.~~

17 ~~(c) Students may pay fees under this subsection with advanced~~  
18 ~~college tuition payment program tuition units at a rate set by the~~  
19 ~~advanced college tuition payment program governing body under chapter~~  
20 ~~28B.95 RCW)) Institutions of higher education must waive for all~~  
21 ~~running start students all mandatory fees, as defined in RCW~~  
22 ~~28B.15.020 and 28B.15.041, as established by each institution.~~

23 ~~(b) Institutions of higher education will be reimbursed the costs~~  
24 ~~associated with waiving all mandatory fees for running start~~  
25 ~~students.~~

26 (3) (~~(a) The institutions of higher education must make available~~  
27 ~~fee waivers for low-income running start students. A student shall be~~  
28 ~~considered low income and eligible for a fee waiver upon proof that~~  
29 ~~the student is currently qualified to receive free or reduced-price~~  
30 ~~lunch. Acceptable documentation of low-income status may also~~  
31 ~~include, but is not limited to, documentation that a student has been~~  
32 ~~deemed eligible for free or reduced-price lunches in the last five~~  
33 ~~years, or other criteria established in the institution's policy.~~

34 ~~(b) (i) By the beginning of the 2020-21 school year, school~~  
35 ~~districts, upon knowledge of a low-income student's enrollment in~~  
36 ~~running start, must provide documentation of the student's low-income~~  
37 ~~status, under (a) of this subsection, directly to institutions of~~  
38 ~~higher education.~~

39 ~~(ii) Subject to the availability of amounts appropriated for this~~  
40 ~~specific purpose, the office of the superintendent of public~~

1 ~~instruction, in consultation with the Washington student achievement~~  
2 ~~council, shall develop a centralized process for school districts to~~  
3 ~~provide students' low-income status to institutions of higher~~  
4 ~~education to meet the requirements of (b) (i) of this subsection.~~

5 ~~(c) Institutions of higher education, in collaboration with~~  
6 ~~relevant student associations, shall aim to have students who can~~  
7 ~~benefit from fee waivers take advantage of these waivers.~~  
8 ~~Institutions shall make every effort to communicate to students and~~  
9 ~~their families the benefits of the waivers and provide assistance to~~  
10 ~~students and their families on how to apply. Information about~~  
11 ~~waivers shall, to the greatest extent possible, be incorporated into~~  
12 ~~financial aid counseling, admission information, and individual~~  
13 ~~billing statements. Institutions also shall, to the greatest extent~~  
14 ~~possible, use all means of communication, including but not limited~~  
15 ~~to websites, online catalogues, admission and registration forms,~~  
16 ~~mass email messaging, social media, and outside marketing to ensure~~  
17 ~~that information about waivers is visible, compelling, and reaches~~  
18 ~~the maximum number of students and families that can benefit.~~

19 ~~(4))~~ The pupil's school district shall transmit to the  
20 institution of higher education an amount per each full-time  
21 equivalent college student at statewide uniform rates for vocational  
22 and nonvocational students. The superintendent of public instruction  
23 shall separately calculate and allocate moneys appropriated for basic  
24 education under RCW 28A.150.260 to school districts for purposes of  
25 making such payments and for granting school districts seven percent  
26 thereof to offset program related costs. The calculations and  
27 allocations shall be based upon the estimated statewide annual  
28 average per full-time equivalent high school student allocations  
29 under RCW 28A.150.260, excluding small high school enhancements, and  
30 applicable rules adopted under chapter 34.05 RCW. The superintendent  
31 of public instruction, participating institutions of higher  
32 education, and the state board for community and technical colleges  
33 shall consult on the calculation and distribution of the funds. The  
34 funds received by the institution of higher education from the school  
35 district shall not be deemed tuition or operating fees and may be  
36 retained by the institution of higher education. A student enrolled  
37 under this subsection shall be counted for the purpose of meeting  
38 enrollment targets in accordance with terms and conditions specified  
39 in the omnibus appropriations act.

1       **Sec. 3.** RCW 28A.600.287 and 2021 c 71 s 1 are each amended to  
2 read as follows:

3       (1) College in the high school is a dual credit program located  
4 on a high school campus or in a high school environment in which a  
5 high school student is able to earn both high school and college  
6 credit by completing college level courses with a passing grade. A  
7 college in the high school program must meet the accreditation  
8 requirements in RCW 28B.10.035 and the requirements in this section.

9       (2) A college in the high school program may include both  
10 academic and career and technical education.

11       (3) Ninth, 10th, 11th, and 12th grade students, and students who  
12 have not yet received a high school diploma or its equivalent and are  
13 eligible to be in the ninth, 10th, 11th, or 12th grades, may  
14 participate in a college in the high school program.

15       (4) A college in the high school program must be governed by a  
16 local contract between an institution of higher education and a  
17 school district, charter school, or state-tribal compact school, in  
18 compliance with the rules adopted by the superintendent of public  
19 instruction under this section. The local contract must include the  
20 qualifications for students to enroll in a program course.

21       (5) (a) An institution of higher education may charge tuition fees  
22 per credit to each student enrolled in a program course as  
23 established in this subsection (5).

24       (b) (i) The maximum per college credit tuition fee for a program  
25 course is (~~(\$65)~~) \$35 per college credit adjusted for inflation using  
26 the implicit price deflator for that fiscal year, using fiscal year  
27 2021 as the base, as compiled by the bureau of labor statistics,  
28 United States department of labor for the state of Washington.

29       (ii) Annually by July 1st, the office of the superintendent of  
30 public instruction must calculate the maximum per college credit  
31 tuition fee and post the fee on its website.

32       (iii) Institutions of higher education will be reimbursed the  
33 costs associated with the changes in the maximum per college credit  
34 tuition fee as a result of this act.

35       (c) The funds received by an institution of higher education  
36 under this subsection (5) are not tuition or operating fees and may  
37 be retained by the institution of higher education.

38       (6) Enrollment information on persons registered under this  
39 section must be maintained by the institution of higher education  
40 separately from other enrollment information and may not be included

1 in official enrollment reports, nor may such persons be considered in  
2 any enrollment statistics that would affect higher education  
3 budgetary determinations.

4 (7) Each school district, charter school, and state-tribal  
5 compact school must award high school credit to a student enrolled in  
6 a program course if the student successfully completes the course. If  
7 no comparable course is offered by the school district, charter  
8 school, or state-tribal compact school, the chief administrator shall  
9 determine how many credits to award for the successful completion of  
10 the program course. The determination must be made in writing before  
11 the student enrolls in the program course. The awarded credit must be  
12 applied toward graduation requirements and subject area requirements.  
13 Evidence of successful completion of each program course must be  
14 included in the student's high school records and transcript.

15 (8) An institution of higher education must award college credit  
16 to a student enrolled in a program course if the student successfully  
17 completes the course. The awarded college credit must be applied  
18 toward general education requirements or degree requirements at the  
19 institution of higher education. Evidence of successful completion of  
20 each program course must be included in the student's college  
21 transcript.

22 (9)(a) A high school that offers a college in the high school  
23 program must provide general information about the program to all  
24 students in grades eight through 12 and to the parents and guardians  
25 of those students.

26 (b) A high school that offers a college in the high school  
27 program must include the following information about program courses  
28 in the high school catalogue or equivalent:

29 (i) There is no fee for students to enroll in a program course to  
30 earn only high school credit. Fees apply for students who choose to  
31 enroll in a program course to earn both high school and college  
32 credit;

33 (ii) A description and breakdown of the fees charged to students  
34 to earn college credit;

35 (iii) A description of fee payment and financial assistance  
36 options available to students; and

37 (iv) A notification that paying for college credit automatically  
38 starts an official college transcript with the institution of higher  
39 education offering the program course regardless of student  
40 performance in the program course, and that college credit earned

1 upon successful completion of a program course may count only as  
2 elective credit if transferred to another institution of higher  
3 education.

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

7 (11) Students enrolled in a program course may pay college in the  
8 high school fees with advanced college tuition payment program  
9 tuition units at a rate set by the advanced college tuition payment  
10 program governing body under chapter 28B.95 RCW.

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

21 (13) The definitions in this subsection apply throughout this  
22 section.

23 (a) "Charter school" means a school established under chapter  
24 28A.710 RCW.

25 (b) "High school" means a public school, as defined in RCW  
26 28A.150.010, that serves students in any of grades nine through 12.

27 (c) "Institution of higher education" has the same meaning as in  
28 RCW 28B.10.016, and also means a public tribal college located in  
29 Washington and accredited by the northwest commission on colleges and  
30 universities or another accrediting association recognized by the  
31 United States department of education.

32 (d) "Program course" means a college course offered in a high  
33 school under a college in the high school program.

34 (e) "State-tribal compact school" means a school established  
35 under chapter 28A.715 RCW.

36 NEW SECTION. **Sec. 4.** If specific funding for the purposes of  
37 sections 2 and 3 of this act, referencing sections 2 and 3 of this  
38 act by bill or chapter number and section number, is not provided by

1 June 30, 2022, in the omnibus operating appropriations act, sections  
2 2 and 3 of this act are null and void.

3 NEW SECTION. **Sec. 5.** This act takes effect July 1, 2022.

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