SUBSTITUTE HOUSE BILL 1316

State of Washington 68th Legislature 2023 Regular Session

By House Education (originally sponsored by Representatives Paul, Ortiz-Self, Stonier, Bergquist, Lekanoff, Ramel, Santos, Reed, Pollet, Leavitt, Timmons, Chapman, and Ormsby)

READ FIRST TIME 02/10/23.

- AN ACT Relating to expanding access to dual credit programs; amending RCW 28A.600.287, 28A.600.390, 28A.600.400, and 28B.92.030; reenacting and amending RCW 28A.600.310; adding new sections to chapter 28A.600 RCW; adding a new section to chapter 28B.77 RCW; adding a new section to chapter 28B.92 RCW; and repealing RCW 28A.320.196, 28A.600.290, 28B.76.730, 43.131.427, and 43.131.428.
- 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 8 <u>NEW SECTION.</u> **Sec. 1.** A new section is added to chapter 28A.600 9 RCW to read as follows:
- 10 (1) The office of the superintendent of public instruction shall 11 administer a program to subsidize certain dual, or concurrent, 12 enrollment course costs for eligible students.
- 13 (2)(a) For eligible students enrolled in running start courses, 14 the program must subsidize:
- 15 (i) Any student-voted fees, technology fees, course fees, 16 laboratory fees, or other fees required for enrollment, up to 18 17 credits per quarter or the semester equivalent, that were not waived 18 by the institution of higher education under RCW 28A.600.310; and
- 19 (ii) Textbooks and other course materials required by the 20 institution of higher education.

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(b) To subsidize the costs required by (a) of this subsection, the office of the superintendent of public instruction must transmit to each institution of higher education \$1,000 per full-time equivalent eligible student per academic year. At the end of the academic year, each institution of higher education must return any unused funds to the office of the superintendent of public instruction.

- 8 (c) For the purposes of this subsection (2), "institution of higher education" has the same meaning as in RCW 28A.600.300.
 - (3) For eligible students enrolled in college in the high school program courses whose tuition fees per college credit for program courses are charged in compliance with RCW 28A.600.287(5)(b)(i)(B), the program must subsidize tuition fees as described in RCW 28A.600.287(5)(b)(i)(B).
 - (4) For eligible students enrolled in career and technical education dual credit courses, the program must subsidize transcription fees assessed by the institution of higher education.
 - (5) The office of the superintendent of public instruction must collaborate with institutions of higher education to facilitate identification of eligible students who qualify for: (a) Reduced per college credit tuition fees for college in the high school program courses under RCW 28A.600.287; or (b) fee waivers for running start program courses under RCW 28A.600.310.
 - (6) The office of the superintendent of public instruction, school districts, institutions of higher education, and other recipients of program funds under this section may not use the funds to supplant federal funds that cover dual, or concurrent, enrollment course costs for eligible students.
- 29 (7) The definitions in this subsection apply throughout this 30 section unless the context clearly requires otherwise.
 - (a) "Institution of higher education" has the same meaning as in RCW 28B.10.016, and also means a public tribal college located in Washington and accredited by the northwest commission on colleges and universities or another accrediting association recognized by the United States department of education.
 - (b) "Eligible student" means a student:
- 37 (i) Who meets federal eligibility requirements for free or 38 reduced-price school meals based on the income of the student's 39 household;

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1 (ii) Who is categorically eligible for free school meals without 2 an application and not subject to income verification; or

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- (iii) Whose parent or legal guardian attests that the student demonstrates financial need equivalent to the financial need required to receive the maximum Washington college grant under RCW 28B.92.205, using the attestation form developed as required under section 2 of this act.
- 8 <u>NEW SECTION.</u> **Sec. 2.** A new section is added to chapter 28B.77 9 RCW to read as follows:

The student achievement council, in consultation with the office 10 of the superintendent of public instruction, the state board for 11 community and technical colleges, public four-year institutions of 12 higher education, and other interested parties, shall develop and 13 publish an income attestation form to be used to determine student 14 15 eligibility for: (1) The dual, or concurrent, enrollment course cost 16 subsidy program under section 1 of this act; (2) reduced per college 17 credit tuition fees for college in the high school program courses 18 under RCW 28A.600.287; and (3) fee waivers for running start program courses under RCW 28A.600.310. 19

- NEW SECTION. Sec. 3. A new section is added to chapter 28A.600 RCW to read as follows:
 - (1) Prior to course scheduling or course registration for the next school term, each public school that serves students in any of grades nine through 12 must provide all students and their parents or legal guardians with: Information about each available dual credit program and any financial assistance available to reduce dual credit course and exam costs for students and their families. The information must be provided via email and other communication methods, and, to the extent feasible, must be translated into the primary language of each parent or legal guardian.
 - (2) Public schools are encouraged to include in the notification required under subsection (1) of this section other information about advanced course taking that must be provided to parents and legal guardians under RCW 28A.320.195, 28A.600.287, and 28A.600.320.
- 35 (3) As used in this section, "public school" has the same meaning as in RCW 28A.150.010.

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Sec. 4. RCW 28A.600.287 and 2021 c 71 s 1 are each amended to read as follows:

- (1) College in the high school is a dual credit program located on a high school campus or in a high school environment in which a high school student is able to earn both high school and college credit by completing college level courses with a passing grade. A college in the high school program must meet the accreditation 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.
 - (3) Ninth, 10th, 11th, and 12th grade students, and students who have not yet received a high school diploma or its equivalent and are eligible to be in the ninth, 10th, 11th, or 12th grades, may participate in a college in the high school program.
 - (4) A college in the high school program must be governed by a local contract between an institution of higher education and a school district, charter school, or state-tribal compact school, in compliance with the rules adopted by the superintendent of public instruction under this section. The local contract must include the qualifications for students to enroll in a program course.
 - (5) (a) An institution of higher education may charge tuition fees per <u>college</u> credit to each student enrolled in a program course as established in this subsection (5).
 - (b)(i)(A) The maximum per college credit tuition fee for a program course is \$65 per college credit adjusted for inflation using the implicit price deflator for that fiscal year, using fiscal year 2021 as the base, as compiled by the bureau of labor statistics, United States department of labor for the state of Washington.
 - (B) An institution of higher education that chooses to charge to eligible students, as defined in section 1 of this act, no more than \$42.50 per college credit adjusted for inflation using the implicit price deflator for that fiscal year, using fiscal year 2021 as the base, as compiled by the bureau of labor statistics of the United States department of labor for the state of Washington, qualifies the eligible students for the dual, or concurrent, enrollment course cost subsidy program under section 1 of this act.
 - (ii) Annually by July 1st, the office of the superintendent of public instruction must calculate the maximum per college credit tuition fees and post the fees on its website.

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

- (6) Enrollment information on persons registered under this section must be maintained by the institution of higher education separately from other enrollment information and may not be included in official enrollment reports, nor may such persons be considered in any enrollment statistics that would affect higher education budgetary determinations.
- (7) Each school district, charter school, and state-tribal compact school must award high school credit to a student enrolled in a program course if the student successfully completes the course. If no comparable course is offered by the school district, charter school, or state-tribal compact school, the chief administrator shall determine how many credits to award for the successful completion of the program course. The determination must be made in writing before the student enrolls in the program course. The awarded credit must be applied toward graduation requirements and subject area requirements. Evidence of successful completion of each program course must be included in the student's high school records and transcript.
- (8) An institution of higher education must award college credit to a student enrolled in a program course if the student successfully completes the course. The awarded college credit must be applied toward general education requirements or degree requirements at the institution of higher education. Evidence of successful completion of each program course must be included in the student's college transcript.
- (9)(a) A high school that offers a college in the high school program must provide general information about the program to all students in grades eight through 12 and to the parents and guardians of those students.
- (b) A high school that offers a college in the high school program must include the following information about program courses in the high school catalogue or equivalent:
- (i) There is no fee for students to enroll in a program course to earn only high school credit. Fees apply for students who choose to enroll in a program course to earn both high school and college credit;
- (ii) A description and breakdown of the fees charged to students to earn college credit;

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1 (iii) A description of fee payment and financial assistance 2 options available to students; and

- (iv) A notification that paying for college credit automatically starts an official college transcript with the institution of higher education offering the program course regardless of student performance in the program course, and ((that college credit earned upon successful completion of a program course may count only as elective credit if transferred to another institution of higher education)) most but not all institutions of higher education may recognize and accept this credit.
- (10) Full-time and part-time faculty at institutions of higher education, including adjunct faculty, are eligible to teach program courses.
- (11) Students enrolled in a program course may pay college in the high school fees with advanced college tuition payment program tuition units at a rate set by the advanced college tuition payment program governing body under chapter 28B.95 RCW.
- (12) The superintendent of public instruction shall adopt rules for the administration of this section. The rules must be jointly developed by the superintendent of public instruction, the state board for community and technical colleges, the student achievement council, and the public baccalaureate institutions. The association of Washington school principals must be consulted during the rules development. The rules must outline quality and eligibility standards that are informed by nationally recognized standards or models. In addition, the rules must encourage the maximum use of the program and may not narrow or limit the enrollment options.
- 28 (13) The definitions in this subsection apply throughout this 29 section.
- 30 (a) "Charter school" means a school established under chapter 31 28A.710 RCW.
- 32 (b) "High school" means a public school, as defined in RCW 33 28A.150.010, that serves students in any of grades nine through 12.
- 34 (c) "Institution of higher education" has the same meaning as in RCW 28B.10.016, and also means a public tribal college located in Washington and accredited by the northwest commission on colleges and universities or another accrediting association recognized by the United States department of education.
- 39 (d) "Program course" means a college course offered in a high 40 school under a college in the high school program.

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- 1 (e) "State-tribal compact school" means a school established 2 under chapter 28A.715 RCW.
- 3 <u>NEW SECTION.</u> **Sec. 5.** A new section is added to chapter 28A.600 4 RCW to read as follows:

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- (1) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.6 full-time equivalents, including school district and institution of higher education enrollment.
- 9 (2) In calculating the combined full-time equivalents, the office 10 of the superintendent of public instruction:
 - (a) Must adopt rules to fund the participating student's enrollment in running start courses provided by the institution of higher education during the summer academic term; and
 - (b) May average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and the institution of higher education.
 - (3) Running start programs as a service delivery model, associated funding levels beyond 1.0 full-time equivalent per student, and funding for high school graduates enrolled in running start courses under RCW 28A.600.310(((1))) (2)(b), are not part of the state's statutory program of basic education under chapter 28A.150 RCW.
 - (4) The office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the participating institutions of higher education, the student achievement council, and the education data center, must annually track, and report to the fiscal committees of the legislature, the combined full-time equivalent experience of students participating in running start programs, including course load analyses and enrollments by high school and participating institutions of higher education.
- 33 **Sec. 6.** RCW 28A.600.310 and 2019 c 252 s 115 and 2019 c 176 s 2 34 are each reenacted and amended to read as follows:
- 35 (1) Every school district must allow eligible students as 36 described in subsection (2) of this section to participate in the 37 running start program.

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1 (2) Student eligibility for the running start program is as follows:

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- (a) Eleventh and ((twelfth)) 12th grade students or students who have not yet received the credits required for the award of a high school diploma and are eligible to be in the ((eleventh)) 11th or ((twelfth)) 12th grade((s)), including students receiving home-based instruction under chapter 28A.200 RCW and students attending private schools approved under chapter 28A.195 RCW, may apply to a participating institution of higher education to enroll in courses or programs offered by the institution of higher education.
- (b) ((The course sections and programs offered as running start courses must also be open for registration to matriculated students at the participating institution of higher education and may not be a course consisting solely of high school students offered at a high school campus.
- (c) A student)) High school graduates who have 15 or fewer college credits to earn before meeting associate degree requirements may continue participation in the running start program and earn up to 15 college credits during the summer academic term following their high school graduation.
- (3) Students receiving home-based instruction under chapter 28A.200 RCW enrolling in a public high school for the sole purpose of participating in courses or programs offered by institutions of higher education shall not be counted by the school district in any required state or federal accountability reporting if the student's parents or quardians filed a declaration of intent to provide homebased instruction and the student received home-based instruction during the school year before the school year in which the student intends to participate in courses or programs offered by the institution of higher education. ((Students receiving home-based instruction under chapter 28A.200 RCW and students attending private schools approved under chapter 28A.195 RCW shall not be required to meet the student learning goals or to learn the state learning standards. However, students are eligible to enroll in courses or programs in participating universities only if the board of directors of the student's school district has decided to participate in the program.))
- (4) Participating institutions of higher education, in consultation with school districts, may establish admission standards for ((these)) eligible students. If the institution of higher

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education accepts a secondary school ((pupil)) student for enrollment under this section, the institution of higher education shall send written notice to the ((pupil)) student and the ((pupil's)) student's school district within ((ten)) 10 days of acceptance. The notice shall indicate the course and hours of enrollment for that ((pupil)) student.

- (((2))) (5) The course sections and programs offered as running start courses must be open for registration to matriculated students at the participating institution of higher education and may not be a course consisting solely of high school students offered at a high school campus.
- (6) (a) In lieu of tuition and fees, as defined in RCW 28B.15.020 and 28B.15.041:
 - (i) Running start students shall pay to the community or technical college all other mandatory fees as established by each community or technical college and, in addition, the state board for community and technical colleges may authorize a fee of up to ((ten)) 10 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041; and
 - (ii) All other institutions of higher education operating a running start program may charge running start students a fee of up to ((ten)) 10 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041 in addition to technology fees.
 - (b) The fees charged under this subsection $((\frac{2}{2}))$ shall be prorated based on credit load.
 - (c) Students may pay fees under this subsection (6) with advanced college tuition payment program tuition units at a rate set by the advanced college tuition payment program governing body under chapter 28B.95 RCW.
 - ((\(\frac{(3)}{(3)}\))) (7)(a) The institutions of higher education must make available fee waivers for ((\(\frac{1}{1}\)\)) eligible students as defined in section 1 of this act. ((\(\frac{A}\)\) student shall be considered low income and eligible for a fee waiver upon proof that the student is currently qualified to receive free or reduced-price lunch. Acceptable documentation of low-income status may also include, but is not limited to, documentation that a student has been deemed eligible for free or reduced-price lunches in the last five years, or other criteria established in the institution's policy.))
- 39 (b)(i) By the beginning of the 2020-21 school year, school 40 districts, upon knowledge of a low-income student's enrollment in

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running start, must provide documentation of the student's low-income status, under (a) of this subsection, directly to institutions of higher education.

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- (ii) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in consultation with the Washington student achievement council, shall develop a centralized process for school districts to provide students' low-income status to institutions of higher education to meet the requirements of (b)(i) of this subsection.
- (c) Institutions of higher education, in collaboration with relevant student associations, shall aim to have students who can benefit from fee waivers take advantage of these waivers. Institutions shall make every effort to communicate to students and their families the benefits of the waivers and provide assistance to students and their families on how to apply. Information about waivers shall, to the greatest extent possible, be incorporated into financial aid counseling, admission information, and individual billing statements. Institutions also shall, to the greatest extent possible, use all means of communication, including but not limited to websites, online catalogues, admission and registration forms, mass email messaging, social media, and outside marketing to ensure that information about waivers is visible, compelling, and reaches the maximum number of students and families that can benefit.
- $((\frac{4}{}))$ (8) The $(\frac{pupil's}{})$ student's school district shall transmit to the institution of higher education an amount per each full-time equivalent college student at statewide uniform rates for vocational and nonvocational students. The superintendent of public instruction shall separately calculate and allocate appropriated for basic education under RCW 28A.150.260, and equivalent amounts for high school graduates enrolled in running start courses under subsection (2) (b) of this section, to school districts for purposes of making such payments and for granting school districts seven percent thereof to offset program related costs. The calculations and allocations shall be based upon the estimated statewide annual average per full-time equivalent high school student allocations under RCW 28A.150.260, excluding small high school enhancements, and applicable rules adopted under chapter 34.05 RCW. The superintendent of public instruction, participating institutions of higher education, and the state board for community and technical colleges shall consult on the calculation and

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- distribution of the funds. The funds received by the institution of higher education from the school district shall not be deemed tuition or operating fees and may be retained by the institution of higher education. A student enrolled under this subsection shall be counted for the purpose of meeting enrollment targets in accordance with terms and conditions specified in the omnibus appropriations act.
- 7 (9) This section governs school operation and management under 8 RCW 28A.710.040 and 28A.715.020 and applies to charter schools 9 established under chapter 28A.710 RCW and state-tribal education 10 compact schools established under chapter 28A.715 RCW to the same 11 extent as it applies to school districts.
- 12 **Sec. 7.** RCW 28A.600.390 and 2012 c 229 s 506 are each amended to 13 read as follows:
- The superintendent of public instruction, the state board for community and technical colleges, and the student achievement council shall jointly develop and adopt rules governing RCW 28A.600.300 through 28A.600.380 and section 5 of this act, if rules are necessary. The rules shall be written to encourage the maximum use of the program and shall not narrow or limit the enrollment options under RCW 28A.600.300 through 28A.600.380.
- 21 **Sec. 8.** RCW 28A.600.400 and 1994 c 205 s 11 are each amended to 22 read as follows:
- 23 RCW 28A.600.300 through 28A.600.390 are in addition to and not intended to adversely affect agreements between school districts and institutions of higher education in effect on April 11, 1990((, and in the future)).
- 27 **Sec. 9.** RCW 28B.92.030 and 2022 c 166 s 1 are each amended to 28 read as follows:
- The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.
 - (1) "Council" means the student achievement council.

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- 32 (2) "Dual credit incentive rebate" means a one-time, lump sum 33 grant provided in addition to the Washington college grant to provide 34 supplementary financial support to low-income students.
- 35 (3) "Dual credit program" means a program in which a student 36 qualifies for both postsecondary and high school credit upon either

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1 successfully completing a dual credit course or by passing a dual
2 credit exam.

- (4) "Financial aid" means either loans, grants, or both, to students who demonstrate financial need enrolled or accepted for enrollment as a student at institutions of higher education.
- $((\frac{3}{3}))$ <u>(5)</u> "Financial need" means a demonstrated financial inability to bear the total cost of education as directed in rule by the office.
- $((\frac{4}{}))$ (6) "Institution" or "institutions of higher education" 10 means:
 - (a) Any public university, college, community college, or technical college operated by the state of Washington or any political subdivision thereof; ((or))
 - (b) Any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level that is a member institution of an accrediting association recognized by rule of the council for the purposes of this section and that agrees to and complies with program rules adopted pursuant to RCW 28B.92.150. However, any institution, branch, extension or facility operating within the state of Washington that is affiliated with an institution operating in another state must be:
- 22 (i) A separately accredited member institution of any such accrediting association;
 - (ii) A branch of a member institution of an accrediting association recognized by rule of the council for purposes of this section, that is eligible for federal student financial aid assistance and has operated as a nonprofit college or university delivering on-site classroom instruction for a minimum of ((twenty)) 20 consecutive years within the state of Washington, and has an annual enrollment of at least ((seven hundred)) 700 full-time equivalent students; or
- 32 (iii) A nonprofit institution recognized by the state of 33 Washington as provided in RCW 28B.77.240; or
- $((\frac{\text{(iv)}}{\text{)}}))$ (c) An approved apprenticeship program under chapter 35 49.04 RCW.
- $((\frac{5}{}))$ (7) "Maximum Washington college grant":
- 37 (a) For students attending two or four-year institutions of 38 higher education as defined in RCW 28B.10.016, is tuition and 39 estimated fees for ((fifteen)) 15 quarter credit hours or the

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equivalent, as determined by the office, including operating fees, building fees, and services and activities fees.

- (b) For students attending private four-year not-for-profit institutions of higher education in Washington, in the 2019-20 academic year, is ((nine thousand seven hundred thirty-nine dollars)) \$9,739 and may increase each year afterwards by no more than the tuition growth factor.
- (c) For students attending two-year private not-for-profit institutions of higher education in Washington, in the 2019-20 academic year, is ((three thousand six hundred ninety-four dollars)) \$3,694 and may increase each year afterwards by no more than the tuition growth factor.
- (d) For students attending four-year private for-profit institutions of higher education in Washington, in the 2019-20 academic year, is ((eight thousand five hundred seventeen dollars)) \$8,517 and may increase each year afterwards by no more than the tuition growth factor.
- (e) For students attending two-year private for-profit institutions of higher education in Washington, in the 2019-20 academic year, is ((two thousand eight hundred twenty-three dollars)) \$2,823 and may increase each year afterwards by no more than the tuition growth factor.
- (f) For students attending Western Governors University-Washington, as established in RCW 28B.77.240, in the 2019-20 academic year, is ((five thousand six hundred nineteen dollars)) \$5,619 and may increase each year afterwards by no more than the tuition growth factor.
- (g) For students attending approved apprenticeship programs, beginning in the 2022-23 academic year, is the same amount as the maximum Washington college grant for students attending two-year institutions of higher education as defined in (a) of this subsection to be used for tuition and fees, program supplies and equipment, and other costs that facilitate educational endeavors.
- $((\frac{(6)}{(6)}))$ <u>(8)</u> "Office" means the office of student financial assistance.
- $((\frac{(7)}{(7)}))$ "Tuition growth factor" means an increase of no more than the average annual percentage growth rate of the median hourly wage for Washington for the previous $((\frac{\text{fourteen}}{(\frac{\text{fourte$

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NEW SECTION. Sec. 10. A new section is added to chapter 28B.92
RCW to read as follows:

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The dual credit incentive rebate is created. The office shall award a dual credit incentive rebate of \$1,000 to a Washington college grant recipient who:

- (1) Earned at least 24 quarter credits or the equivalent at the postsecondary level through one or more dual credit programs; and
- 8 (2) Earned at least an additional 24 quarter credits or the 9 equivalent at the postsecondary level after graduating high school."
- NEW SECTION. Sec. 11. The following acts or parts of acts are each repealed:
- 12 (1) RCW 28A.320.196 (Academic acceleration incentive program—Dual credit courses—Allocation of funds—Reports) and 2021 c 71 s 4, 2015 c 202 s 2, & 2013 c 184 s 3;
- 15 (2) RCW 28A.600.290 (College in the high school program—Funding) 16 and 2021 c 71 s 2, 2015 c 202 s 3, 2012 c 229 s 801, & 2009 c 450 s 17 3;
- 18 (3) RCW 28B.76.730 (Washington dual enrollment scholarship pilot 19 program) and 2021 c 71 s 6, 2020 c 259 s 1, & 2019 c 176 s 1;
- 20 (4) RCW 43.131.427 (Washington dual enrollment scholarship pilot 21 program—Termination) and 2019 c 176 s 3; and
- 22 (5) RCW 43.131.428 (Washington dual enrollment scholarship pilot 23 program—Repeal) and 2019 c 176 s 4.

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