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**SECOND SUBSTITUTE SENATE BILL 5670**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Hawkins, Randall, Holy, Kuderer, Nguyen, Nobles, Saldaña, and L. Wilson)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to permitting 10th grade students to participate  
2 in running start in online settings; amending RCW 28A.600.320 and  
3 28A.600.330; and reenacting and amending RCW 28A.600.310.

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

5 **Sec. 1.** RCW 28A.600.310 and 2019 c 252 s 115 and 2019 c 176 s 2  
6 are each reenacted and amended to read as follows:

7 (1) (a) (~~Eleventh and twelfth~~) Except as provided in (d) of this  
8 subsection, 10th, 11th, and 12th grade students or students who have  
9 not yet received the credits required for the award of a high school  
10 diploma and are eligible to be in the (~~eleventh or twelfth~~) 10th,  
11 11th, or 12th grades may apply to a participating institution of  
12 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

1 counted by the school district in any required state or federal  
2 accountability reporting if the student's parents or guardians filed  
3 a declaration of intent to provide home-based instruction and the  
4 student received home-based instruction during the school year before  
5 the school year in which the student intends to participate in  
6 courses or programs offered by the institution of higher education.  
7 Students receiving home-based instruction under chapter 28A.200 RCW  
8 and students attending private schools approved under chapter 28A.195  
9 RCW shall not be required to meet the student learning goals or to  
10 learn the state learning standards. However, students are eligible to  
11 enroll in courses or programs in participating universities only if  
12 the board of directors of the student's school district has decided  
13 to participate in the program. Participating institutions of higher  
14 education, in consultation with school districts, may establish  
15 admission standards for these students. If the institution of higher  
16 education accepts a secondary school pupil for enrollment under this  
17 section, the institution of higher education shall send written  
18 notice to the pupil and the pupil's school district within ten days  
19 of acceptance. The notice shall indicate the course and hours of  
20 enrollment for that pupil.

21 (d) (i) Tenth grade students enrolling in a course or program  
22 offered by an institution of higher education under this section may  
23 only enroll in an online course, defined as a course in which the  
24 entirety of the course time is spent in a virtual setting or not in  
25 person.

26 (ii) Tenth grade students enrolling in a course or program in  
27 this section may enroll in no more than five quarter credits per  
28 term, or the semester equivalent.

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

31 (i) Running start students shall pay to the community or  
32 technical college all other mandatory fees as established by each  
33 community or technical college and, in addition, the state board for  
34 community and technical colleges may authorize a fee of up to (~~ten~~)  
35 10 percent of tuition and fees as defined in RCW 28B.15.020 and  
36 28B.15.041; and

37 (ii) All other institutions of higher education operating a  
38 running start program may charge running start students a fee of up  
39 to (~~ten~~) 10 percent of tuition and fees as defined in RCW  
40 28B.15.020 and 28B.15.041 in addition to technology fees.

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

3 (c) Students may pay fees under this subsection with advanced  
4 college tuition payment program tuition units at a rate set by the  
5 advanced college tuition payment program governing body under chapter  
6 28B.95 RCW.

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

15 (b)(i) By the beginning of the 2020-21 school year, school  
16 districts, upon knowledge of a low-income student's enrollment in  
17 running start, must provide documentation of the student's low-income  
18 status, under (a) of this subsection, directly to institutions of  
19 higher education.

20 (ii) Subject to the availability of amounts appropriated for this  
21 specific purpose, the office of the superintendent of public  
22 instruction, in consultation with the Washington student achievement  
23 council, shall develop a centralized process for school districts to  
24 provide students' low-income status to institutions of higher  
25 education to meet the requirements of (b)(i) of this subsection.

26 (c) Institutions of higher education, in collaboration with  
27 relevant student associations, shall aim to have students who can  
28 benefit from fee waivers take advantage of these waivers.  
29 Institutions shall make every effort to communicate to students and  
30 their families the benefits of the waivers and provide assistance to  
31 students and their families on how to apply. Information about  
32 waivers shall, to the greatest extent possible, be incorporated into  
33 financial aid counseling, admission information, and individual  
34 billing statements. Institutions also shall, to the greatest extent  
35 possible, use all means of communication, including but not limited  
36 to websites, online catalogues, admission and registration forms,  
37 mass email messaging, social media, and outside marketing to ensure  
38 that information about waivers is visible, compelling, and reaches  
39 the maximum number of students and families that can benefit.

1 (4) The pupil's school district shall transmit to the institution  
2 of higher education an amount per each full-time equivalent college  
3 student at statewide uniform rates for vocational and nonvocational  
4 students. The superintendent of public instruction shall separately  
5 calculate and allocate moneys appropriated for basic education under  
6 RCW 28A.150.260 to school districts for purposes of making such  
7 payments and for granting school districts seven percent thereof to  
8 offset program related costs. The calculations and allocations shall  
9 be based upon the estimated statewide annual average per full-time  
10 equivalent high school student allocations under RCW 28A.150.260,  
11 excluding small high school enhancements, and applicable rules  
12 adopted under chapter 34.05 RCW. The superintendent of public  
13 instruction, participating institutions of higher education, and the  
14 state board for community and technical colleges shall consult on the  
15 calculation and distribution of the funds. The funds received by the  
16 institution of higher education from the school district shall not be  
17 deemed tuition or operating fees and may be retained by the  
18 institution of higher education. A student enrolled under this  
19 subsection shall be counted for the purpose of meeting enrollment  
20 targets in accordance with terms and conditions specified in the  
21 omnibus appropriations act.

22 **Sec. 2.** RCW 28A.600.320 and 2009 c 524 s 4 are each amended to  
23 read as follows:

24 A school district shall provide general information about the  
25 program to all pupils in grades (~~(ten, eleven, and twelve)~~) nine, 10,  
26 11, and 12 and the parents and guardians of those pupils, including  
27 information about the opportunity to enroll in the program through  
28 online courses available at community and technical colleges and  
29 other state institutions of higher education and including the  
30 college high school diploma options under RCW 28B.50.535. To assist  
31 the district in planning, a pupil shall inform the district of the  
32 pupil's intent to enroll in courses at an institution of higher  
33 education for credit. Students are responsible for applying for  
34 admission to the institution of higher education.

35 **Sec. 3.** RCW 28A.600.330 and 1994 c 205 s 4 are each amended to  
36 read as follows:

37 A pupil who enrolls in an institution of higher education in  
38 grade (~~(eleven)~~) 11 may not enroll in postsecondary courses under RCW

1 28A.600.300 through 28A.600.390 for high school credit and  
2 postsecondary credit for more than the equivalent of the coursework  
3 for two academic years, excluding any postsecondary courses taken in  
4 grade 10 under RCW 28A.600.310(1)(d). A pupil who first enrolls in an  
5 institution of higher education in grade (~~twelve~~) 12 may not enroll  
6 in postsecondary courses under this section for high school credit  
7 and postsecondary credit for more than the equivalent of the  
8 coursework for one academic year, excluding any postsecondary courses  
9 taken in grade 10 under RCW 28A.600.310(1)(d).

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