
HOUSE BILL 2300

State of Washington

54th Legislature

1996 Regular Session

By Representatives Thompson, McMorris, Pelesky, McMahan, Goldsmith and Hargrove

Read first time 01/09/96. Referred to Committee on Education.

1 AN ACT Relating to educational choice; and adding new sections to
2 chapter 28A.150 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.150
5 RCW to read as follows:

6 (1) Subject to this section and section 2 of this act, beginning in
7 the 1996-97 school year any student in grades kindergarten through
8 twelve who qualifies under section 2 of this act may attend any
9 nonsectarian private school located within his or her school district
10 if all of the following apply:

11 (a) The student is a member of a family that has a total family
12 income that does not exceed an amount equal to one and three-quarters
13 times the federal poverty level determined in accordance with criteria
14 established by the director of the federal office of management and
15 budget;

16 (b) In the previous school year the student was enrolled in the
17 school district, was attending a private school under this section, or
18 was not enrolled in school;

1 (c) The private school notified the superintendent of public
2 instruction of its intent to participate in the program under this
3 section by May 1st of the previous school year. The notice shall
4 specify the number of students participating in the program under this
5 section for which the school has space;

6 (d) The private school does not discriminate on the basis of race,
7 ethnicity, color, disability, or national origin; and

8 (e) The private school is approved in accordance with chapter
9 28A.195 RCW.

10 (2)(a) Not more than one percent of the school district's full-time
11 equivalent enrollment may attend private school under this section in
12 the 1996-97 school year. In the following school years, the maximum
13 percentage of full-time equivalent students of the school district who
14 may attend private school under this section shall be as follows:
15 1997-98, one and one-half percent; 1998-99, three percent; and 1999-
16 2000 and thereafter, four and one-half percent.

17 (b) Not more than sixty-five percent of a private school's
18 enrollment may consist of pupils attending the private school under
19 this section.

20 (3)(a) The student, or the student's parent or guardian, shall
21 submit an application, on a form provided by the superintendent of
22 public instruction, to the participating private school that the
23 student wishes to attend. Within sixty days after receiving the
24 application, the private school shall notify the applicant, in writing,
25 whether the application has been accepted. The superintendent of
26 public instruction shall ensure that the private school determines
27 which students to accept on a random basis, except that the private
28 school may give preference in accepting applications to siblings of
29 these students accepted on a random basis.

30 (b) If the private school rejects an application because the school
31 has too few available spaces, the student may transfer his or her
32 application to a participating private school that has space available.

33 (c) Upon receipt from the student's parents or guardian of proof of
34 the pupil's enrollment and regular attendance in the private school,
35 the superintendent of public instruction shall pay to the student's
36 parent or guardian from funds appropriated for purposes of this section
37 the lesser of: (i) An amount equal to seventy-five percent of the
38 estimated state-wide annual average per full-time equivalent student
39 appropriation under RCW 28A.150.260 (basic education apportionment),

1 excluding small high school enhancements; under chapter 28A.165 RCW
2 (learning assistance program) if the student is enrolled in grades
3 kindergarten through nine; and under chapter 28A.185 RCW (highly
4 capable); or (ii) an amount equal to the private school's tuition. The
5 superintendent shall send the check to the private school. The parent
6 or guardian shall retroactively endorse the check for the use of the
7 private school. Funds received from the superintendent shall be
8 accepted for not less than ninety-five percent of the cost of tuition,
9 registration, or any other fees charged the student for basic education
10 in grades kindergarten through six. In grades seven through nine the
11 payment shall be accepted for not less than ninety percent of the total
12 cost of basic education for the student. In grades ten through twelve
13 the payment shall be accepted for not less than eighty percent of the
14 total cost of the basic education for the student.

15 (d) The superintendent shall pay twenty-five percent of the total
16 amount in September, twenty-five percent in November, twenty-five
17 percent in February, and twenty-five percent in May.

18 (4) The superintendent of public instruction shall:

19 (a) Ensure that students and parents and guardians of students who
20 qualify under section 2 of this act are informed annually of the
21 private schools participating in the program under this section;

22 (b) Annually submit to the appropriate committees of the
23 legislature and to each private school participating in the program
24 under this section, a report comparing the academic achievement, daily
25 attendance record, percentage of dropouts, percentage of students
26 suspended or expelled, and parental involvement activities of students
27 attending a private school under this section.

28 (5) Private schools may provide transportation of students
29 attending a private school under this section and may claim
30 reimbursement for operating costs under chapter 28A.160 RCW for
31 students participating in the program. The superintendent shall adopt
32 rules to provide for reimbursement, which shall be similar to rules
33 used to provide reimbursement for transportation of school district
34 students.

35 (6) Each private school participating in this program shall meet
36 the following standards:

37 (a) At least seventy percent of the students in the program advance
38 one grade level each year;

1 (b) The private school's average attendance rate for students in
2 the program is at least ninety percent;

3 (c) At least eighty percent of the students participating in the
4 program demonstrate academic progress; or

5 (d) At least seventy percent of the families of students in the
6 program meet parental involvement criteria established by the private
7 school.

8 (7) The superintendent of public instruction shall monitor the
9 performance of students attending private schools under this section.
10 If the superintendent can demonstrate in any school year that a private
11 school is not meeting the standards under subsection (6) of this
12 section, that private school may not participate in the program in the
13 following school year.

14 (8) A pupil assignment council shall be created composed of one
15 representative from each private school participating in the program
16 created in this section. Annually by June 30th, the council shall make
17 recommendations to the participating private schools to achieve, to the
18 extent possible, a balanced representation of students participating in
19 the program.

20 (9) Each private school participating in the program is subject to
21 uniform financial accounting standards as established by the
22 superintendent of public instruction and annually shall submit to the
23 superintendent an independent financial audit of the private school.

24 (10) The legislative budget committee shall perform a comprehensive
25 evaluation of the program created in this section by November 1, 1999,
26 that shall be submitted to the appropriate committees of the
27 legislature. The evaluation shall assess: The extent to which
28 students participating in the program have academically benefited by
29 the program; the extent to which the standards in subsection (6) of
30 this section are being achieved; whether the program should be expanded
31 to include additional school districts; and other matters as determined
32 by the legislative budget committee.

33 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.150
34 RCW to read as follows:

35 Students who reside within school districts of the first class that
36 have within their boundaries cities with a population of one hundred

1 fifty thousand people or more may participate in the program
2 established in section 1 of this act.

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