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SENATE BILL 5479

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State of Washington

54th Legislature

1995 Regular Session

By Senators Hargrove, Hochstatter and Oke

Read first time 01/24/95. Referred to Committee on Education.

1 AN ACT Relating to clarifying transfers under the public school  
2 open enrollment program; and amending RCW 28A.225.220, 28A.225.225, and  
3 28A.225.280.

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

5 **Sec. 1.** RCW 28A.225.220 and 1993 c 336 s 1008 are each amended to  
6 read as follows:

7 (1) Any board of directors may make agreements with adults choosing  
8 to attend school: PROVIDED, That unless such arrangements are approved  
9 by the state superintendent of public instruction, a reasonable tuition  
10 charge, fixed by the state superintendent of public instruction, shall  
11 be paid by such students as best may be accommodated therein.

12 (2) A district is strongly encouraged to honor the request of a  
13 parent or guardian for his or her child to attend a school in another  
14 district.

15 (3) A district shall release a student to a nonresident district  
16 that agrees to accept the student if:

17 (a) A financial, educational, safety, or health condition affecting  
18 the student would likely be reasonably improved as a result of the  
19 transfer; or

1 (b) Attendance at the school in the nonresident district is more  
2 accessible to the parent's place of work or to the location of child  
3 care; or

4 (c) There is a special hardship or detrimental condition.

5 (4) A district may deny the request of a resident student to  
6 transfer to a nonresident district if the release of the student would  
7 adversely affect the district's existing desegregation plan.

8 (5) For the purpose of helping a district assess the quality of its  
9 education program, a resident school district may request an optional  
10 exit interview or questionnaire with the parents or guardians of a  
11 child transferring to another district. No parent or guardian may be  
12 forced to attend such an interview or complete the questionnaire.

13 (6) Beginning with the 1993-94 school year, school districts may  
14 not charge transfer fees or tuition for nonresident students enrolled  
15 under subsection (3) of this section and RCW 28A.225.225.  
16 Reimbursement of a high school district for cost of educating high  
17 school pupils of a nonhigh school district shall not be deemed a  
18 transfer fee as affecting the apportionment of current state school  
19 funds.

20 (7) This section applies to requests for transfer either to  
21 participate in extracurricular activities or to receive other part or  
22 full-time services in a nonresident district from students who are  
23 receiving home-based instruction in compliance with RCW 28A.225.010 and  
24 chapter 28A.200 RCW and students who attend an approved private school  
25 under chapter 28A.195 RCW.

26 **Sec. 2.** RCW 28A.225.225 and 1994 c 293 s 1 are each amended to  
27 read as follows:

28 (1) All districts accepting applications from nonresident students  
29 for admission to the district's schools shall consider equally all  
30 applications received including applications from students receiving  
31 home-based instruction in compliance with RCW 28A.225.010 and chapter  
32 28A.200 RCW and students who attend an approved private school under  
33 chapter 28A.195 RCW, regardless of whether the student will attend  
34 school full or part time or will participate in extracurricular  
35 activities. Each school district shall adopt a policy establishing  
36 rational, fair, and equitable standards for acceptance and rejection of  
37 applications by June 30, 1990. The policy may include rejection of

1 nonresident students if acceptance of these students would result in  
2 the district experiencing a financial hardship.

3 (2) The district shall provide to applicants written notification  
4 of the approval or denial of the application in a timely manner. If  
5 the application is rejected, the notification shall include the reason  
6 or reasons for denial and the right to appeal under RCW 28A.225.230(3).

7 **Sec. 3.** RCW 28A.225.280 and 1990 1st ex.s. c 9 s 206 are each  
8 amended to read as follows:

9 Eligibility of transfer students under RCW 28A.225.220 and  
10 28A.225.225 for participation in extracurricular activities shall be  
11 subject to rules adopted by the Washington interscholastic activities  
12 association as authorized by the state board of education. If a  
13 student who is receiving home-based instruction in compliance with RCW  
14 28A.225.010 and chapter 28A.200 RCW or attending an approved private  
15 school under chapter 28A.195 RCW is accepted by a school district as a  
16 transfer student for the purposes of participation in extracurricular  
17 activities, that student shall be covered by the same rules as apply to  
18 other transfer students. The student receiving home-based instruction  
19 or attending an approved private school may not be deemed a transfer  
20 student of more than one school district.

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