**5265-S2 AMH APP H1470.2 - NOT FOR FLOOR USE**

**2SSB 5265** - H COMM AMD

By Committee on Appropriations

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  (1) The legislature recognizes that the ongoing COVID-19 pandemic has created an unprecedented disruption to the education of students throughout the state, and uniquely impacted students who are or were nearing the completion of graduation requirements.

(2) Although remote and hybrid instruction, supported by the exceptional efforts of teachers and other education professionals, has proven satisfactory for many students, some courses, subjects, and critical attributes of in-person learning experiences cannot be replicated through highly modified learning environments. Additionally, some education experiences, including full course offerings and extracurricular activities, were reduced or eliminated in response to the pandemic.

(3) The legislature, therefore, in recognition of the extraordinary impacts of an ongoing pandemic, intends to establish a temporary two-year program to provide an opportunity for students in the graduating classes of 2021 and 2022 to complete up to one additional school year to pursue academic and experiential opportunities that were diminished or eliminated as a result of the COVID-19 pandemic.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.630 RCW to read as follows:

(1)(a) The bridge year program is established to provide an opportunity for students in the graduating classes of 2021 and 2022 to complete up to one additional school year to pursue academic and experiential opportunities that were diminished or eliminated as a result of the COVID-19 pandemic. The program is temporary, expires as provided in section 8 of this act, and shall be administered by the state board of education.

(b) The objective of a bridge year is for students, with the support of the applicable high school, to remedy or otherwise address:

(i) Learning loss, including learning loss that may be attributable to fewer opportunities for in-person instruction during the 2020-21 school year, learning loss evidenced by academic performances that were inconsistent with previous efforts of the student, and the loss of opportunity to learn in the manner traditionally accessed by the student;

(ii) Unmet graduation requirements, including opportunities for meeting graduation requirements that were not available during the 2020-21 school year;

(iii) Fewer opportunities to access and earn 24 credits;

(iv) Fewer opportunities to access courses traditionally offered to students, including career and technical education courses and dual credit courses;

(v) Fewer or significantly modified opportunities for mastering academic skills, including diminished opportunities for accessing: Applied learning experiences and learning experiences traditionally associated with the synchronous efforts of other students, such as music and drama, and services provided to students in accordance with individualized education programs; and

(vi) Fewer or significantly modified opportunities for social-emotional learning, and extracurricular and cocurricular activities.

(2)(a) Each public school and school district that applied to the state board of education for authorization to grant individual student emergency waivers under section 2, chapter 7, Laws of 2021 must offer the bridge year program to students of the applicable public school or school district in the graduating classes of 2021 and 2022.

(b) Private schools subject to requirements under chapter 28A.195 RCW may participate in the applicable provisions of the program, as determined by rule of the state board of education.

(3)(a) Each public high school participating in the program shall designate a school staff member as a program liaison to assist students and families with the implementation of the program. Nothing in this section requires a school or school district to hire an individual to serve as a program liaison.

(b) The program liaison shall provide individual student advising to help students determine whether the program is appropriate for their needs and, if so, assist each student in developing an addendum to their high school and beyond plan. The addendum must define the academic goals and objectives to be achieved during the student's bridge year, examples of which include increased mastery of academic concepts, completion of dual credit courses, career and technical education courses, or both, and additional experiences in applied learning environments. The addendum also must detail activities and strategies for accomplishing the goals and objectives, including counseling, academic support, coursework, and extracurricular and cocurricular activities.

(4) Each high school participating in the program shall maintain records as necessary and as required by rule of the state board of education to demonstrate compliance with this section.

(5) Students in the graduating classes of 2021 and 2022 may participate in the program for up to one academic year. Student participation in the program is voluntary and may not be mandated by a school or school district. If a student has met all applicable graduation requirements and elects to participate in the program, the student must defer graduation for the duration of the bridge year. Students who participate in the program must:

(a) Have had their ability to complete one or more graduation requirements impeded by the COVID-19 pandemic; and

(b) Have been reasonably expected to graduate in the academic year prior to their participation in the program.

(6) Schools and school districts participating in the program shall expunge marks or grades from a participating student's transcript if the student completes the course with a higher mark or grade during their bridge year.

(7)(a) Students participating in the program who defer graduation for one year in accordance with subsection (5) of this section may participate in graduation ceremonies with the graduating class of 2021 or 2022, as applicable, but the high school may not issue diplomas to those students until the conclusion of the bridge year or upon a student's withdrawal from the program.

(b) Participating students who have met all graduation requirements have graduated with their initial graduation cohort for purposes of calculating the four-year graduation rate for that cohort.

(8) A student who withdraws from the program or meets the goals and objectives of the high school and beyond plan addendum before completing the academic year is, upon withdrawal or completion of the goals and objectives, ineligible to participate in interscholastic and extracurricular activities of an athletic, cultural, social, or recreational nature authorized under section 3 of this act.

(9) For purposes of funding allocations and student enrollment, students participating in the program who enroll in running start courses count as running start students for time spent in running start courses.

(10) School districts, charter schools, and state-tribal education compact schools participating in the program are eligible for funds provided in accordance with chapters 28A.150, 28A.710, and 28A.715 RCW, as applicable.

(11) The state board of education shall adopt, and may amend as necessary, rules to implement this section.

(12) For the purposes of this section and section 3 of this act:

(a) "Bridge year" means the full or partial academic year during which a student is participating in the program; and

(b) "Program" means the bridge year program established by this section.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.630 RCW to read as follows:

(1) A student participating in a program pursuant to section 2 of this act shall be, for purposes of eligibility for activities sanctioned by the Washington interscholastic activities association and extracurricular activities, considered in their fourth year of eligibility after entering the ninth grade.

(2) A student participating in a sport or extracurricular activity during the student's bridge year shall pay applicable student athletic and activities fees and be subject to the applicable high school's student code of conduct, athletic code of conduct, and any other applicable codes, rules, or policies required for student participation in these activities.

(3) Notwithstanding the provisions of any law, rule, or regulation to the contrary, an insurer doing business in the state and issuing liability insurance policies to school districts must provide coverage for students participating in a sport or extracurricular activity under this section as part of a school or school district's liability insurance policy.

(4) For purposes of this section, "bridge year" and "program" have the same meaning as in section 2 of this act.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.630 RCW to read as follows:

(1) The state board of education, in accordance with RCW 43.01.036, shall report its finding and recommendations regarding the bridge year program established in section 2 of this act to the governor, the superintendent of public instruction, and the education committees of the legislature by April 1, 2023.

(2) The report required by this section must include:

(a) The number of students, schools, and school districts that participated in the program, by school year;

(b) Reasons identified by students for participating in the program, by school year;

(c) The number and percentage of students who completed the requirements of the program, by school year;

(d) The average number of high school and postsecondary credits earned by students participating in the program, by school year;

(e) The number and percentage of students who did not complete the requirements of the program and the reasons identified by students for not doing so, by school year; and

(f) Any other information deemed relevant by the state board of education.

(3) Student-level data required by this section for participating students must be disaggregated in a manner that is consistent with RCW 28A.300.042(3).

(4) The office of the superintendent of public instruction shall collect the data necessary for the report required by this section and provide the data to the state board of education by December 31, 2022.

**Sec.**  RCW 28A.600.290 and 2015 c 202 s 3 are each amended to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose and commencing with the 2015-16 school year, funding may be allocated at an amount per college credit for eleventh and twelfth grade students ((~~or~~)), students who have not yet received a high school diploma or its equivalent and are eligible to be in the eleventh or twelfth grade, and students participating in a bridge year under section 2 of this act, who are enrolled in college in the high school courses under this section as specified in the omnibus appropriations act and adjusted for inflation from the 2015-16 school year. The maximum annual number of allocated credits per participating student shall be specified in the omnibus appropriations act, which must not exceed ten credits. Funding shall be prioritized in the following order:

(i) High schools offering a running start in the high school program in school year 2014-15. These schools shall only receive prioritized funding in school year 2015-16;

(ii) Students whose residence or the high school in which they are enrolled is located twenty driving miles or more as measured by the most direct route from the nearest eligible institution of higher education offering a running start program, whichever is greater; and

(iii) High schools eligible for the small school funding enhancement in the omnibus appropriations act.

(b)(i) Subject to the availability of amounts appropriated for this specific purpose and commencing with the 2015-16 school year, and only after the programs in (a) of this subsection are funded, a subsidy may be provided per college credit for eleventh and twelfth grade students ((~~or~~)), students who have not yet received a high school diploma or its equivalent and are eligible to be in the eleventh or twelfth grade, and students participating in a bridge year under section 2 of this act, who have been deemed eligible for free or reduced-price lunch and are enrolled in college in the high school courses under this section as specified in the omnibus appropriations act and adjusted for inflation from the 2015-16 school year. The maximum annual number of subsidized credits per participating student shall be specified in the omnibus appropriations act, which must not exceed five credits.

(ii) Districts wishing to participate in the subsidy program must apply to the office of the superintendent of public instruction by July 1st of each year and report the preliminary estimate of eligible students to receive the subsidy and the total number of projected credit hours.

(iii) The office of the superintendent of public instruction shall notify districts by September 1st of each school year if the district's students will receive the subsidy. If more districts apply than funding is available, the office of the superintendent of public instruction shall prioritize the district applications. The superintendent shall develop factors to determine priority including, but not limited to, the number of dual credit opportunities available for low-income students in the districts.

(c) Districts shall remit any allocations or subsidies on behalf of participating students under (a) and (b) of this subsection to the participating institution of higher education and those students shall not be required to pay for the credits.

(d) The minimum allocation and subsidy under this section is sixty-five dollars per quarter credit for credit-bearing postsecondary coursework. The office of the superintendent of public instruction, the student achievement council, the state board for community and technical colleges, and the public baccalaureate institutions shall review funding levels for the program every four years beginning in 2017 and recommend changes.

(e) Students 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.

(2) For the purposes of funding students enrolled in the college in the high school program in accordance with subsection (1) of this section, college in the high school is defined as a dual credit program located on a high school campus or in a high school environment in which a high school student, or a student participating in a bridge year under section 2 of this act, is able to earn both high school and postsecondary credit by completing postsecondary level courses with a passing grade.

(3) College in the high school programs may include both academic and career and technical education.

(4) College in the high school programs shall each be governed by a local contract between the district and the participating institution of higher education, in compliance with the rules adopted by the superintendent of public instruction under this section.

(5) The college in the high school program must include the provisions in this subsection.

(a) The high school and participating institution of higher education together shall define the criteria for student eligibility. The institution of higher education may charge tuition fees to participating students. If specific funding is provided in the omnibus appropriations act for the per credit allocations and per credit subsidies under subsection (1) of this section, the maximum per credit fee charged to any enrolled student may not exceed the amount of the per credit allocation or subsidy.

(b) The funds received by the participating institution of higher education may not be deemed tuition or operating fees and may be retained by the institution of higher education.

(c) 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.

(d) A school district must grant 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, the school district superintendent shall determine how many credits to award for the course. The determination shall be made in writing before the student enrolls in the course. The credits shall be applied toward graduation requirements and subject area requirements. Evidence of successful completion of each program course shall be included in the student's secondary school records and transcript.

(e) A participating institution of higher education must grant college credit to a student enrolled in a program course if the student successfully completes the course. The college credit shall be applied toward general education requirements or degree requirements at institutions of higher education. Evidence of successful completion of each program course must be included in the student's college transcript.

(f) Tenth, eleventh, and twelfth grade students or students who have not yet received a high school diploma or its equivalent and are eligible to be in the tenth, eleventh, or twelfth grades, and students participating in a bridge year under section 2 of this act, may participate in the college in the high school program.

(g) Participating school districts must provide general information about the college in the high school program to all students in grades nine through twelve and to the parents and guardians of those students.

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

(6) The superintendent of public instruction shall adopt rules for the administration of this section. The rules shall 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.

(7) The definitions in this subsection apply throughout this section.

(a) "Institution of higher education" has the definition in RCW 28B.10.016, and also includes 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) "Program course" means a college course offered in a high school under the college in the high school program.

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

(1)(a) Eleventh and twelfth 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 or twelfth grades, and students participating in a bridge year under section 2 of this act, 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 receiving home-based instruction 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 guardians filed a declaration of intent to provide home-based 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. Participating institutions of higher education, in consultation with school districts, may establish admission standards for these students. If the institution of higher education accepts a secondary school pupil for enrollment under this section, the institution of higher education shall send written notice to the pupil and the pupil's school district within ten days of acceptance. The notice shall indicate the course and hours of enrollment for that pupil.

(2)(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 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 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 (2) shall be prorated based on credit load.

(c) Students may pay fees under this subsection 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.

(3)(a) The institutions of higher education must make available fee waivers for low-income running start students. 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.

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

(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 web sites, 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.

(4) The pupil'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 moneys appropriated for basic education under RCW 28A.150.260 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 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.

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

(1) A pupil who enrolls in an institution of higher education in grade eleven may not enroll in postsecondary courses under RCW 28A.600.300 through 28A.600.390 for high school credit and postsecondary credit for more than the equivalent of the coursework for two academic years. A pupil who first enrolls in an institution of higher education in grade twelve may not enroll in postsecondary courses under this section for high school credit and postsecondary credit for more than the equivalent of the coursework for one academic year.

(2) The credit limitations in this section do not apply to students participating in the bridge year program created in section 2 of this act.

NEW SECTION. **Sec.**  This act expires July 31, 2023.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

EFFECT: Makes numerous changes to the bridge year pilot program established in the underlying bill, including:

(1) Making students who have not met graduation requirements (in addition to those that have) eligible to participate in the program;

(2) Transferring administration of the program and associated rulemaking authority from the Office of the Superintendent of Public Instruction (OSPI) to the State Board of Education (SBE);

(3) Requiring the development of a high school and beyond plan addendum for each student participating in the program, and prescribing related duties for program liaisons;

(4) Requiring each public school and school district that applied to the SBE for authorization to grant individual student emergency waivers under Engrossed House Bill No. (EHB) 1121 to offer the program to students of the applicable public school or school district in the graduating classes of 2021 and 2022;

(5) Removing mandatory age, course, grade point average, and individual learning plan requirements for participating students;

(6) Modifies student eligibility provisions for interscholastic and extracurricular activities by specifying that students who participate in the program shall be, for purposes of eligibility for activities sanctioned by the WIAA and extracurricular activities, considered in their fourth year of eligibility after entering the ninth grade;

(7) Requires schools and school districts participating in the program to expunge marks or grades, instead of only "D" or "F" grades or equivalents, from a participating student's transcript if the student completes the course with a higher mark or grade during their bridge year;

(8) Specifying that, for funding purposes, students in the program who enroll in Running Start courses count as Running Start students only for time spent in Running Start courses;

(9) Establishing reporting requirements for the SBE and associated data collection requirements for the OSPI;

(10) Adding intent language; and

(11) Removing references to "pilot."