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**HOUSE BILL 1316**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Representatives Paul, Ortiz-Self, Stonier, Bergquist, Lekanoff, Ramel, Santos, Reed, Pollet, Leavitt, Timmons, Chapman, and Ormsby

Read first time 01/13/23. Referred to Committee on Education.

1 AN ACT Relating to expanding access to dual credit programs;  
2 amending RCW 28A.600.287, 28A.600.390, and 28A.600.400; reenacting  
3 and amending RCW 28A.600.310; adding new sections to chapter 28A.600  
4 RCW; adding a new section to chapter 28B.77 RCW; and repealing RCW  
5 28A.320.196, 28A.600.290, 28B.76.730, 43.131.427, and 43.131.428.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.600  
8 RCW to read as follows:

9 (1) The office of the superintendent of public instruction shall  
10 administer a program to subsidize certain dual, or concurrent,  
11 enrollment course costs for eligible students.

12 (2)(a) For eligible students enrolled in running start courses,  
13 the program must subsidize:

14 (i) Any student-voted fees, technology fees, course fees,  
15 laboratory fees, or other fees required for enrollment, up to 18  
16 credits per quarter or the semester equivalent, that were not waived  
17 by the institution of higher education under RCW 28A.600.310; and

18 (ii) Textbooks and other course materials required by the  
19 institution of higher education.

20 (b) To subsidize the costs required by (a) of this subsection,  
21 the office of the superintendent of public instruction must transmit

1 to each institution of higher education \$1,000 per full-time  
2 equivalent eligible student per academic year. At the end of the  
3 academic year, each institution of higher education must return any  
4 unused funds to the office of the superintendent of public  
5 instruction.

6 (c) For the purposes of this subsection (2), "institution of  
7 higher education" has the same meaning as in RCW 28A.600.300.

8 (3) For eligible students enrolled in college in the high school  
9 program courses whose tuition fees per college credit for program  
10 courses are charged in compliance with RCW 28A.600.287(5)(b)(i)(B),  
11 the program must subsidize tuition fees as described in RCW  
12 28A.600.287(5)(b)(i)(B).

13 (4) For eligible students enrolled in career and technical  
14 education dual credit courses, the program must subsidize  
15 transcription fees assessed by the institution of higher education.

16 (5) The office of the superintendent of public instruction must  
17 collaborate with institutions of higher education to facilitate  
18 identification of eligible students who qualify for: (a) Reduced per  
19 college credit tuition fees for college in the high school program  
20 courses under RCW 28A.600.287; or (b) fee waivers for running start  
21 program courses under RCW 28A.600.310.

22 (6) The office of the superintendent of public instruction,  
23 school districts, institutions of higher education, and other  
24 recipients of program funds under this section may not use the funds  
25 to supplant federal funds that cover dual, or concurrent, enrollment  
26 course costs for eligible students.

27 (7) The definitions in this subsection apply throughout this  
28 section unless the context clearly requires otherwise.

29 (a) "Institution of higher education" has the same meaning as in  
30 RCW 28B.10.016, and also means a public tribal college located in  
31 Washington and accredited by the northwest commission on colleges and  
32 universities or another accrediting association recognized by the  
33 United States department of education.

34 (b) "Eligible student" means a student:

35 (i) Who meets federal eligibility requirements for free or  
36 reduced-price school meals based on the income of the student's  
37 household;

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

1 (iii) Whose parent or legal guardian attests that the student  
2 demonstrates financial need equivalent to the financial need required  
3 to receive the maximum Washington college grant under RCW 28B.92.205,  
4 using the attestation form developed as required under section 2 of  
5 this act.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.77  
7 RCW to read as follows:

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

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.600  
19 RCW to read as follows:

20 (1) Prior to course scheduling or course registration for the  
21 next school term, each public school that serves students in any of  
22 grades nine through 12 must provide all students and their parents or  
23 legal guardians with: Information about each available dual credit  
24 program and any financial assistance available to reduce dual credit  
25 course and exam costs for students and their families. The  
26 information must be provided via email and other communication  
27 methods, and, to the extent feasible, must be translated into the  
28 primary language of each parent or legal guardian.

29 (2) Public schools are encouraged to include in the notification  
30 required under subsection (1) of this section other information about  
31 advanced course taking that must be provided to parents and legal  
32 guardians under RCW 28A.320.195, 28A.600.287, and 28A.600.320.

33 (3) As used in this section, "public school" has the same meaning  
34 as in RCW 28A.150.010.

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

1 (1) College in the high school is a dual credit program located  
2 on a high school campus or in a high school environment in which a  
3 high school student is able to earn both high school and college  
4 credit by completing college level courses with a passing grade. A  
5 college in the high school program must meet the accreditation  
6 requirements in RCW 28B.10.035 and the requirements in this section.

7 (2) A college in the high school program may include both  
8 academic and career and technical education.

9 (3) Ninth, 10th, 11th, and 12th grade students, and students who  
10 have not yet received a high school diploma or its equivalent and are  
11 eligible to be in the ninth, 10th, 11th, or 12th grades, may  
12 participate in a college in the high school program.

13 (4) A college in the high school program must be governed by a  
14 local contract between an institution of higher education and a  
15 school district, charter school, or state-tribal compact school, in  
16 compliance with the rules adopted by the superintendent of public  
17 instruction under this section. The local contract must include the  
18 qualifications for students to enroll in a program course.

19 (5) (a) An institution of higher education may charge tuition fees  
20 per college credit to each student enrolled in a program course as  
21 established in this subsection (5).

22 (b) (i) (A) The maximum per college credit tuition fee for a  
23 program course is \$65 per college credit adjusted for inflation using  
24 the implicit price deflator for that fiscal year, using fiscal year  
25 2021 as the base, as compiled by the bureau of labor statistics,  
26 United States department of labor for the state of Washington.

27 (B) An institution of higher education is eligible for the  
28 subsidy program under section 1 of this act if, for eligible  
29 students, as defined in section 1 of this act, the maximum per  
30 college credit tuition fee for a program course is \$42.50 per college  
31 credit adjusted for inflation using the implicit price deflator for  
32 that fiscal year, using fiscal year 2021 as the base, as compiled by  
33 the bureau of labor statistics of the United States department of  
34 labor for the state of Washington.

35 (ii) Annually by July 1st, the office of the superintendent of  
36 public instruction must calculate the maximum per college credit  
37 tuition fees and post the fees on its website.

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

1 (6) Enrollment information on persons registered under this  
2 section must be maintained by the institution of higher education  
3 separately from other enrollment information and may not be included  
4 in official enrollment reports, nor may such persons be considered in  
5 any enrollment statistics that would affect higher education  
6 budgetary determinations.

7 (7) Each school district, charter school, and state-tribal  
8 compact school must award high school credit to a student enrolled in  
9 a program course if the student successfully completes the course. If  
10 no comparable course is offered by the school district, charter  
11 school, or state-tribal compact school, the chief administrator shall  
12 determine how many credits to award for the successful completion of  
13 the program course. The determination must be made in writing before  
14 the student enrolls in the program course. The awarded credit must be  
15 applied toward graduation requirements and subject area requirements.  
16 Evidence of successful completion of each program course must be  
17 included in the student's high school records and transcript.

18 (8) An institution of higher education must award college credit  
19 to a student enrolled in a program course if the student successfully  
20 completes the course. The awarded college credit must be applied  
21 toward general education requirements or degree requirements at the  
22 institution of higher education. Evidence of successful completion of  
23 each program course must be included in the student's college  
24 transcript.

25 (9)(a) A high school that offers a college in the high school  
26 program must provide general information about the program to all  
27 students in grades eight through 12 and to the parents and guardians  
28 of those students.

29 (b) A high school that offers a college in the high school  
30 program must include the following information about program courses  
31 in the high school catalogue or equivalent:

32 (i) There is no fee for students to enroll in a program course to  
33 earn only high school credit. Fees apply for students who choose to  
34 enroll in a program course to earn both high school and college  
35 credit;

36 (ii) A description and breakdown of the fees charged to students  
37 to earn college credit;

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

1 (iv) A notification that paying for college credit automatically  
2 starts an official college transcript with the institution of higher  
3 education offering the program course regardless of student  
4 performance in the program course, and (~~that college credit earned~~  
5 ~~upon successful completion of a program course may count only as~~  
6 ~~elective credit if transferred to another institution of higher~~  
7 ~~education)) most but not all institutions of higher education may  
8 recognize and accept this credit.~~

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

12 (11) Students enrolled in a program course may pay college in the  
13 high school fees with advanced college tuition payment program  
14 tuition units at a rate set by the advanced college tuition payment  
15 program governing body under chapter 28B.95 RCW.

16 (12) The superintendent of public instruction shall adopt rules  
17 for the administration of this section. The rules must be jointly  
18 developed by the superintendent of public instruction, the state  
19 board for community and technical colleges, the student achievement  
20 council, and the public baccalaureate institutions. The association  
21 of Washington school principals must be consulted during the rules  
22 development. The rules must outline quality and eligibility standards  
23 that are informed by nationally recognized standards or models. In  
24 addition, the rules must encourage the maximum use of the program and  
25 may not narrow or limit the enrollment options.

26 (13) The definitions in this subsection apply throughout this  
27 section.

28 (a) "Charter school" means a school established under chapter  
29 28A.710 RCW.

30 (b) "High school" means a public school, as defined in RCW  
31 28A.150.010, that serves students in any of grades nine through 12.

32 (c) "Institution of higher education" has the same meaning as in  
33 RCW 28B.10.016, and also means a public tribal college located in  
34 Washington and accredited by the northwest commission on colleges and  
35 universities or another accrediting association recognized by the  
36 United States department of education.

37 (d) "Program course" means a college course offered in a high  
38 school under a college in the high school program.

39 (e) "State-tribal compact school" means a school established  
40 under chapter 28A.715 RCW.

1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 28A.600  
2    RCW to read as follows:

3        (1)    Students participating in running start programs may be  
4    funded up to a combined maximum enrollment of 1.6 full-time  
5    equivalents, including school district and institution of higher  
6    education enrollment.

7        (2)    In calculating the combined full-time equivalents, the office  
8    of the superintendent of public instruction:

9        (a)    Must adopt rules to fund the participating student's  
10   enrollment in running start courses provided by the institution of  
11   higher education during the summer academic term; and

12        (b)    May average the participating student's September through  
13   June enrollment to account for differences in the start and end dates  
14   for courses provided by the high school and the institution of higher  
15   education.

16        (3)    Running start programs as a service delivery model,  
17   associated funding levels beyond 1.0 full-time equivalent per  
18   student, and funding for high school graduates enrolled in running  
19   start courses under RCW 28A.600.310(~~((1))~~) (2)(b), are not part of  
20   the state's statutory program of basic education under chapter  
21   28A.150 RCW.

22        (4)    The office of the superintendent of public instruction, in  
23   consultation with the state board for community and technical  
24   colleges, the participating institutions of higher education, the  
25   student achievement council, and the education data center, must  
26   annually track, and report to the fiscal committees of the  
27   legislature, the combined full-time equivalent experience of students  
28   participating in running start programs, including course load  
29   analyses and enrollments by high school and participating  
30   institutions of higher education.

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

33        (1)    Every school district must allow eligible students as  
34   described in subsection (2) of this section to participate in the  
35   running start program.

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

38        (a)    Eleventh and (~~twelfth~~) 12th grade students or students who  
39   have not yet received the credits required for the award of a high

1 school diploma and are eligible to be in the ((eleventh)) 11th or  
2 ((twelfth)) 12th grade((s)), including students receiving home-based  
3 instruction under chapter 28A.200 RCW and students attending private  
4 schools approved under chapter 28A.195 RCW, may apply to a  
5 participating institution of higher education to enroll in courses or  
6 programs offered by the institution of higher education.

7 (b) ~~((The course sections and programs offered as running start~~  
8 ~~courses must also be open for registration to matriculated students~~  
9 ~~at the participating institution of higher education and may not be a~~  
10 ~~course consisting solely of high school students offered at a high~~  
11 ~~school campus.~~

12 (c) ~~A student~~) High school graduates who have 15 or fewer  
13 college credits to earn before meeting associate degree requirements  
14 may continue participation in the running start program and earn up  
15 to 15 college credits during the summer academic term following their  
16 high school graduation.

17 (3) Students receiving home-based instruction under chapter  
18 28A.200 RCW enrolling in a public high school for the sole purpose of  
19 participating in courses or programs offered by institutions of  
20 higher education shall not be counted by the school district in any  
21 required state or federal accountability reporting if the student's  
22 parents or guardians filed a declaration of intent to provide home-  
23 based instruction and the student received home-based instruction  
24 during the school year before the school year in which the student  
25 intends to participate in courses or programs offered by the  
26 institution of higher education. ~~((Students receiving home-based~~  
27 ~~instruction under chapter 28A.200 RCW and students attending private~~  
28 ~~schools approved under chapter 28A.195 RCW shall not be required to~~  
29 ~~meet the student learning goals or to learn the state learning~~  
30 ~~standards. However, students are eligible to enroll in courses or~~  
31 ~~programs in participating universities only if the board of directors~~  
32 ~~of the student's school district has decided to participate in the~~  
33 ~~program.))~~

34 (4) Participating institutions of higher education, in  
35 consultation with school districts, may establish admission standards  
36 for ~~((these))~~ eligible students. If the institution of higher  
37 education accepts a secondary school ~~((pupil))~~ student for enrollment  
38 under this section, the institution of higher education shall send  
39 written notice to the ~~((pupil))~~ student and the ~~((pupil's))~~ student's  
40 school district within ~~((ten))~~ 10 days of acceptance. The notice



1 shall indicate the course and hours of enrollment for that (~~pupil~~)  
2 student.

3 (~~(2)~~) (5) The course sections and programs offered as running  
4 start courses must be open for registration to matriculated students  
5 at the participating institution of higher education and may not be a  
6 course consisting solely of high school students offered at a high  
7 school campus.

8 (6)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020  
9 and 28B.15.041:

10 (i) Running start students shall pay to the community or  
11 technical college all other mandatory fees as established by each  
12 community or technical college and, in addition, the state board for  
13 community and technical colleges may authorize a fee of up to (~~ten~~)  
14 10 percent of tuition and fees as defined in RCW 28B.15.020 and  
15 28B.15.041; and

16 (ii) All other institutions of higher education operating a  
17 running start program may charge running start students a fee of up  
18 to (~~ten~~) 10 percent of tuition and fees as defined in RCW  
19 28B.15.020 and 28B.15.041 in addition to technology fees.

20 (b) The fees charged under this subsection (~~(2)~~) (6) shall be  
21 prorated based on credit load.

22 (c) Students may pay fees under this subsection (6) with advanced  
23 college tuition payment program tuition units at a rate set by the  
24 advanced college tuition payment program governing body under chapter  
25 28B.95 RCW.

26 (~~(3)~~) (7)(a) The institutions of higher education must make  
27 available fee waivers for (~~low-income running start~~) eligible  
28 students as defined in section 1 of this act. (~~A student shall be~~  
29 considered low income and eligible for a fee waiver upon proof that  
30 the student is currently qualified to receive free or reduced-price  
31 lunch. Acceptable documentation of low-income status may also  
32 include, but is not limited to, documentation that a student has been  
33 deemed eligible for free or reduced-price lunches in the last five  
34 years, or other criteria established in the institution's policy.)

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

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

7 (c) Institutions of higher education, in collaboration with  
8 relevant student associations, shall aim to have students who can  
9 benefit from fee waivers take advantage of these waivers.  
10 Institutions shall make every effort to communicate to students and  
11 their families the benefits of the waivers and provide assistance to  
12 students and their families on how to apply. Information about  
13 waivers shall, to the greatest extent possible, be incorporated into  
14 financial aid counseling, admission information, and individual  
15 billing statements. Institutions also shall, to the greatest extent  
16 possible, use all means of communication, including but not limited  
17 to websites, online catalogues, admission and registration forms,  
18 mass email messaging, social media, and outside marketing to ensure  
19 that information about waivers is visible, compelling, and reaches  
20 the maximum number of students and families that can benefit.

21 ~~((4))~~ (8) The ~~((pupil's))~~ student's school district shall  
22 transmit to the institution of higher education an amount per each  
23 full-time equivalent college student at statewide uniform rates for  
24 vocational and nonvocational students. The superintendent of public  
25 instruction shall separately calculate and allocate moneys  
26 appropriated for basic education under RCW 28A.150.260, and  
27 equivalent amounts for high school graduates enrolled in running  
28 start courses under subsection (2)(b) of this section, to school  
29 districts for purposes of making such payments and for granting  
30 school districts seven percent thereof to offset program related  
31 costs. The calculations and allocations shall be based upon the  
32 estimated statewide annual average per full-time equivalent high  
33 school student allocations under RCW 28A.150.260, excluding small  
34 high school enhancements, and applicable rules adopted under chapter  
35 34.05 RCW. The superintendent of public instruction, participating  
36 institutions of higher education, and the state board for community  
37 and technical colleges shall consult on the calculation and  
38 distribution of the funds. The funds received by the institution of  
39 higher education from the school district shall not be deemed tuition  
40 or operating fees and may be retained by the institution of higher

1 education. A student enrolled under this subsection shall be counted  
2 for the purpose of meeting enrollment targets in accordance with  
3 terms and conditions specified in the omnibus appropriations act.

4 (9) This section governs school operation and management under  
5 RCW 28A.710.040 and 28A.715.020 and applies to charter schools  
6 established under chapter 28A.710 RCW and state-tribal education  
7 compact schools established under chapter 28A.715 RCW to the same  
8 extent as it applies to school districts.

9 **Sec. 7.** RCW 28A.600.390 and 2012 c 229 s 506 are each amended to  
10 read as follows:

11 The superintendent of public instruction, the state board for  
12 community and technical colleges, and the student achievement council  
13 shall jointly develop and adopt rules governing RCW 28A.600.300  
14 through 28A.600.380 and section 5 of this act, if rules are  
15 necessary. The rules shall be written to encourage the maximum use of  
16 the program and shall not narrow or limit the enrollment options  
17 under RCW 28A.600.300 through 28A.600.380.

18 **Sec. 8.** RCW 28A.600.400 and 1994 c 205 s 11 are each amended to  
19 read as follows:

20 RCW 28A.600.300 through 28A.600.390 are in addition to and not  
21 intended to adversely affect agreements between school districts and  
22 institutions of higher education in effect on April 11, 1990(~~(, and~~  
23 ~~in the future)~~).

24 NEW SECTION. **Sec. 9.** The following acts or parts of acts are  
25 each repealed:

26 (1) RCW 28A.320.196 (Academic acceleration incentive program—Dual  
27 credit courses—Allocation of funds—Reports) and 2021 c 71 s 4, 2015  
28 c 202 s 2, & 2013 c 184 s 3;

29 (2) RCW 28A.600.290 (College in the high school program—Funding)  
30 and 2021 c 71 s 2, 2015 c 202 s 3, 2012 c 229 s 801, & 2009 c 450 s  
31 3;

32 (3) RCW 28B.76.730 (Washington dual enrollment scholarship pilot  
33 program) and 2021 c 71 s 6, 2020 c 259 s 1, & 2019 c 176 s 1;

34 (4) RCW 43.131.427 (Washington dual enrollment scholarship pilot  
35 program—Termination) and 2019 c 176 s 3; and

1           (5) RCW 43.131.428 (Washington dual enrollment scholarship pilot  
2 program—Repeal) and 2019 c 176 s 4.

--- **END** ---