

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5479

Chapter 52, Laws of 1995

54th Legislature
1995 Regular Session

Transfer of home-based students--Open enrollment program

EFFECTIVE DATE: 7/23/95

Passed by the Senate March 9, 1995
YEAS 47 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 5, 1995
YEAS 96 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved April 17, 1995

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5479** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

April 17, 1995 - 3:52 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5479

Passed Legislature - 1995 Regular Session

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Education (originally sponsored by Senators Hargrove, Hochstatter and Oke)

Read first time 03/01/95.

1 AN ACT Relating to clarifying transfers under the public school
2 open enrollment program; and amending RCW 28A.200.010, 28A.225.220, and
3 28A.225.225.

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

5 **Sec. 1.** RCW 28A.200.010 and 1993 c 336 s 1103 are each amended to
6 read as follows:

7 Each parent whose child is receiving home-based instruction under
8 RCW 28A.225.010(4) shall have the duty to:

9 (1) File annually a signed declaration of intent that he or she is
10 planning to cause his or her child to receive home-based instruction.
11 The statement shall include the name and age of the child, shall
12 specify whether a certificated person will be supervising the
13 instruction, and shall be written in a format prescribed by the
14 superintendent of public instruction. Each parent shall file the
15 statement by September 15 of the school year or within two weeks of the
16 beginning of any public school quarter, trimester, or semester with the
17 superintendent of the public school district within which the parent
18 resides or the district that accepts the transfer, and the student

1 shall be deemed a transfer student of the nonresident district.
2 Parents may apply for transfer under RCW 28A.225.220;

3 (2) Ensure that test scores or annual academic progress assessments
4 and immunization records, together with any other records that are kept
5 relating to the instructional and educational activities provided, are
6 forwarded to any other public or private school to which the child
7 transfers. At the time of a transfer to a public school, the
8 superintendent of the local school district in which the child enrolls
9 may require a standardized achievement test to be administered and
10 shall have the authority to determine the appropriate grade and course
11 level placement of the child after consultation with parents and review
12 of the child's records; and

13 (3) Ensure that a standardized achievement test approved by the
14 state board of education is administered annually to the child by a
15 qualified individual or that an annual assessment of the student's
16 academic progress is written by a certificated person who is currently
17 working in the field of education. The state board of education shall
18 not require these children to meet the student learning goals, master
19 the essential academic learning requirements, to take the assessments,
20 or to obtain a certificate of mastery pursuant to RCW 28A.630.885. The
21 standardized test administered or the annual academic progress
22 assessment written shall be made a part of the child's permanent
23 records. If, as a result of the annual test or assessment, it is
24 determined that the child is not making reasonable progress consistent
25 with his or her age or stage of development, the parent shall make a
26 good faith effort to remedy any deficiency.

27 Failure of a parent to comply with the duties in this section shall
28 be deemed a failure of such parent's child to attend school without
29 valid justification under RCW 28A.225.020. Parents who do comply with
30 the duties set forth in this section shall be presumed to be providing
31 home-based instruction as set forth in RCW 28A.225.010(4).

32 **Sec. 2.** RCW 28A.225.220 and 1993 c 336 s 1008 are each amended to
33 read as follows:

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

1 (2) A district is strongly encouraged to honor the request of a
2 parent or guardian for his or her child to attend a school in another
3 district or the request of a parent or guardian for his or her child to
4 transfer as a student receiving home-based instruction.

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

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

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

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

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

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

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

29 **Sec. 3.** RCW 28A.225.225 and 1994 c 293 s 1 are each amended to
30 read as follows:

31 (1) All districts accepting applications from nonresident students
32 or from students receiving home-based instruction for admission to the
33 district's schools shall consider equally all applications received.
34 Each school district shall adopt a policy establishing rational, fair,
35 and equitable standards for acceptance and rejection of applications by
36 June 30, 1990. The policy may include rejection of nonresident
37 students if acceptance of these students would result in the district
38 experiencing a financial hardship.

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

Passed the Senate March 9, 1995.

Passed the House April 5, 1995.

Approved by the Governor April 17, 1995.

Filed in Office of Secretary of State April 17, 1995.

--- END ---