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SENATE BILL 5188

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State of Washington

61st Legislature

2009 Regular Session

By Senators Stevens and Swecker

Read first time 01/15/09. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to remedial postsecondary education; reenacting and  
2 amending RCW 28A.225.220; adding new sections to chapter 28B.10 RCW;  
3 adding a new section to chapter 28A.300 RCW; adding a new section to  
4 chapter 28B.15 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that some students who  
7 have recently graduated from high school must immediately enroll in one  
8 or more remedial or precollege classes at Washington's public colleges  
9 and universities before they can proceed successfully through college.  
10 The legislature also finds that these students should have received  
11 basic skills in English, reading, spelling, grammar, study skills, and  
12 mathematics before graduating from high school. It is further the  
13 intent of the legislature that the school districts from which these  
14 students received their high school diplomas either provide remedial  
15 education for recent high school graduates or pay the cost of providing  
16 state-supported remedial classes for those students.

17 NEW SECTION. **Sec. 2.** (1) By June 1st of each year, each state  
18 university, regional university, state college, and the state board for

1 community and technical colleges shall provide a report to the office  
2 of the superintendent of public instruction. The report shall contain  
3 the following information: (a) The number of students who, within  
4 three years of high school graduation, enrolled at the institution of  
5 higher education or at a community college or technical college in a  
6 state-supported precollege level class or laboratory in study skills,  
7 mathematics including intermediate algebra, reading, grammar, spelling,  
8 writing, or English; (b) the types of precollege classes in which each  
9 student is enrolled; and (c) the Washington high school from which each  
10 student graduated.

11 (2) Each institution of higher education shall report the  
12 information required in subsection (1) of this section to the  
13 Washington school district from which each student graduated.

14 NEW SECTION. **Sec. 3.** (1) By June 30th of each even-numbered year,  
15 the state board for community and technical colleges shall establish  
16 and report to the superintendent of public instruction an average per-  
17 student instructional cost for state-supported developmental and  
18 precollege classes and laboratories offered in the community and  
19 technical colleges. The classes shall include, but need not be limited  
20 to precollege classes in study skills, mathematics including  
21 intermediate algebra, grammar, reading, spelling, writing, and English.  
22 English as a second language classes shall not be included.

23 (2) By June 30th of each even-numbered year, each of the state  
24 universities, regional universities, and the state college shall report  
25 to the office of the superintendent of public instruction with the  
26 average per-student instructional cost for state-supported precollege  
27 classes offered by that institution in study skills, mathematics  
28 including intermediate algebra, English, writing, spelling, grammar,  
29 and reading. English as a second language classes shall not be  
30 included.

31 (3) "State-supported" means that the precollege class or laboratory  
32 is supported in whole or in part by money from the state general fund  
33 or student operating fees.

34 NEW SECTION. **Sec. 4.** Beginning with the fall 2009 academic term,  
35 a charge shall be assessed to each Washington school district that,  
36 within the three years preceding the report required in section 2 of

1 this act, graduated a student attending any state-supported precollege  
2 class or laboratory in study skills, English, reading, spelling,  
3 grammar, or mathematics including intermediate algebra offered at a  
4 Washington institution of higher education. Beginning with the 2012  
5 fiscal year, the superintendent of public instruction shall subtract  
6 from the allotment of each such school district an amount equal to the  
7 average per-student instructional cost of each state-supported  
8 precollege class attended during the preceding fiscal year by each  
9 student who graduated from that school district during the preceding  
10 three years and who subsequently enrolled in a state-supported  
11 precollege class at an institution of higher education. As used in  
12 this section, "state-supported" means that the class is supported in  
13 whole or in part with either state general fund money or with student  
14 operating fees. Funding shall first be reduced from nonbasic education  
15 funds, unless otherwise requested by the affected school district.

16 NEW SECTION. **Sec. 5.** (1) Once an institution of higher education  
17 has determined that a student who has graduated within the preceding  
18 three years needs to improve his or her competency in material that is  
19 determined by the institution of higher education to be precollege  
20 material, the institution shall notify the Washington school district  
21 that granted to the student a high school diploma.

22 (2) The school district may either provide the needed instruction  
23 in a timely manner, or the district may pay the charges assessed in  
24 section 4 of this act. If the school district provides the  
25 instruction, it shall not charge tuition to the student. If the  
26 institution of higher education that the student attends is located  
27 more than thirty miles from the school district that granted the  
28 student's high school diploma, the student shall be permitted to  
29 receive the instruction from either the institution of higher education  
30 or from another provider, including a local school district, that is  
31 approved by the institution.

32 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.300  
33 RCW to read as follows:

34 The superintendent of public instruction shall reimburse  
35 institutions of higher education as defined in RCW 28B.10.016 that,

1 pursuant to section 4 of this act, provide instruction in precollege  
2 material.

3 NEW SECTION. **Sec. 7.** A new section is added to chapter 28B.15 RCW  
4 to read as follows:

5 Subject to the limitations of RCW 28B.15.910, the governing boards  
6 of each of the colleges and universities shall waive tuition fees for  
7 precollege classes taken by any student who has graduated from a high  
8 school in the state of Washington within three years immediately  
9 preceding the student's enrollment in those precollege classes.

10 **Sec. 8.** RCW 28A.225.220 and 1995 c 335 s 602 and 1995 c 52 s 2 are  
11 each reenacted and amended to read as follows:

12 (1) Any board of directors may make agreements with adults choosing  
13 to attend school, and with the exception of students attending under  
14 section 5 of this act, may charge the adults reasonable tuition.

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

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

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

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

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

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

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

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

8           NEW SECTION.   **Sec. 9.** Sections 2 through 5 of this act are each  
9 added to chapter 28B.10 RCW.

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