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**SECOND SUBSTITUTE SENATE BILL 5265**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Hunt, Das, Nguyen, Wellman, and Wilson, C.)

AN ACT Relating to the creation of a bridge year pilot program; amending RCW 28A.600.290 and 28A.600.330; reenacting and amending RCW 28A.600.310; adding new sections to chapter 28A.630 RCW; providing an expiration date; and declaring an emergency.

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

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

(1) The bridge year pilot program is established. The office of the superintendent of public instruction shall administer the program as described in this section. The purpose of the pilot program is to provide students in the graduating class of 2021 and 2022 an additional year to address the learning loss and missed opportunities in extracurricular activities as a result of the COVID-19 pandemic.

(2)(a) Each high school participating in the pilot program shall designate a school staff member as a bridge year liaison to serve as the school's central point of contact for students interested in pursuing a bridge year and for students participating in a bridge year. Nothing in this section requires a school district to hire an individual to serve as a bridge year liaison.

(b)(i) A bridge year liaison shall develop an individual learning plan for each student pursuing a bridge year, in consultation with the student. The individual learning plan must define academic and cocurricular goals for the bridge year and detail activities and strategies for accomplishing those goals including, but not limited to, counseling, academic support, coursework, and cocurricular or athletic participation.

(ii) The credits taken by a student in this program must form a coordinated sequence of academic content that prepares the student for high-skilled, high-wage, or in-demand occupations.

(iii) At the conclusion of each term of the bridge year, the host high school shall update the student's high school transcript to reflect any high school credits earned during the bridge year.

(3)(a) A student who has met all applicable high school graduation requirements in the graduating class of 2021 or the graduating class of 2022 may defer graduation from high school to pursue a bridge year.

(b)(i) Except as provided in (b)(ii) of this subsection (3), to be eligible to participate in the bridge year pilot program a student must be 19 years of age or younger and must not turn 20 years of age at any time during the bridge year.

(ii) A student is eligible to participate in the bridge year pilot program if the student will turn 20 years of age during the bridge year due to services provided pursuant to the student's individualized education program plan.

(c)(i) During the first term of the student's bridge year, the student must take between two and four high school credits, or the postsecondary equivalent, at the student's host high school, an institution of higher education, or a combination thereof.

(ii) During the second term of the student's bridge year, the student must take between nine and 12 quarter credits, or the equivalent, at an institution of higher education or through college in the high school courses.

(d) A student participating in this program must maintain a grade point average of at least 2.0 in order to remain in the bridge year pilot program.

(4) The host high school shall permit students participating in the bridge year pilot program to participate in graduation ceremonies with the graduating class of 2021 or class of 2022, as applicable, but may not issue diplomas to those students until the conclusion of the bridge year. Students that have met all graduation requirements have graduated with their initial graduation cohort for the purpose of calculating the four-year graduation rate for that cohort.

(5) School districts participating in the bridge year pilot program shall expunge from a student's transcript any "D" or "F" grade, or its equivalent, for a course if the student takes the same course during the student's bridge year and completes the course with a higher grade than the grade in the student's transcript.

(6) The institution of higher education at which a student attends under this program shall report at least quarterly to the bridge year liaison at the student's host high school concerning the student's academic progress and performance, in a manner specified by the student's individual learning plan developed under subsection (2) of this section.

(7)(a) In the event that a student initially decides to pursue a bridge year in the fall term but does not continue in the following term, the student's host high school shall release all final transcripts and other records as necessary and as may be requested.

(b) A student who decides not to continue the bridge year is not eligible to participate in a sports program or other extracurricular activities under this section or section 2 of this act.

(8) For the purposes of this section:

(a) "Host high school" means the high school that a student pursuing a bridge year attended at the beginning of the student's senior year.

(b) "Institutions of higher education" has the same meaning as in RCW 28A.600.300.

(9) Nothing in this section requires a student to pursue a bridge year.

(10) A private school may elect to participate in the bridge year pilot program created under this section.

(11) For purposes of funding allocations and student enrollment, students participating in the bridge year pilot program are running start students participating in the running start program under RCW 28A.600.300.

(12) Students participating in the bridge year pilot program are eligible for college in the high school courses under RCW 28A.600.290.

(13) Students participating in the bridge year pilot program are eligible recipients for funds distributed under chapter 28A.150 RCW.

(14) The office of the superintendent of public instruction may adopt rules necessary for the effective and efficient implementation of this act.

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

(1) A student who pursues a bridge year pursuant to this act may participate in activities sanctioned by the Washington interscholastic activities association and extracurricular activities at the student's host high school.

(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 host 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) Except as provided in subsection (4) of this section, nothing in this act supersedes the governance or eligibility rules established by a local, state, or national organization with bona fide authority over a particular extracurricular activity.

(4) For students participating in an interscholastic activity under this section, the Washington interscholastic activities association shall make all participating students aware of the eligibility appeal process related to season limitations.

(5) 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.

(6) For purposes of this section, "host high school" has the same meaning as in section 1 of this act.

**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 1 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 1 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 1 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 1 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 1 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 pilot program created in section 1 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.

**--- END ---**