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**SUBSTITUTE HOUSE BILL 1760**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** House Education (originally sponsored by Representatives Paul, Berg, J. Johnson, Valdez, Fey, Ramel, Santos, Sullivan, Slatter, Bergquist, Pollet, Stonier, Ormsby, and Taylor)

AN ACT Relating to expanding access to dual credit programs; amending RCW 28A.600.287 and 28A.630.600; reenacting and amending RCW 28A.600.310; adding new sections to chapter 28A.600 RCW; adding a new section to chapter 28B.77 RCW; recodifying RCW 28A.630.600; and repealing RCW 28A.320.196, 28A.600.290, 28B.76.730, 43.131.427, and 43.131.428.

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

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

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

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

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

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

(b) To subsidize the costs required by (a) of this subsection, the office of the superintendent of public instruction must transmit to each institution of higher education $1,000 per full-time equivalent eligible student per academic year. At the end of the academic year, each institution of higher education must return any unused funds to the office of the superintendent of public instruction.

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

(3) For eligible students enrolled in college in the high school program courses, the program must subsidize tuition fees permitted under RCW 28A.600.287.

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

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

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

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

(a) "Institution of higher education" has the same meaning as in RCW 28B.10.016, and also means 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) "Eligible student" means a student:

(i) Who is eligible for free or reduced-price school meals based on the income of the student's household;

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

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

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

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

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

(1) Each quarter or trimester, public schools that serve students in any of grades nine through 12 must provide, via email and other methods, to students and their parents or legal guardians information on each available dual credit program and information about the dual, or concurrent, enrollment course cost subsidy program under section 1 of this act, including the income attestation form developed as required under section 2 of this act. To the extent feasible, the dual credit program information must be translated into the primary language of each parent or legal guardian.

(2) A public school may consolidate the notification required under subsection (1) of this section with the notifications required under RCW 28A.320.195, 28A.600.287, and 28A.600.320.

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

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

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

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

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

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

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

(b)(i) ((~~The~~)) (A) Except as provided in (b)(i)(B) of this subsection, the maximum per college credit tuition fee for a program course is $65 per college credit adjusted for inflation using the implicit price deflator for that fiscal year, using fiscal year 2021 as the base, as compiled by the bureau of labor statistics, United States department of labor for the state of Washington.

(B) For eligible students, as defined in section 1 of this act, the maximum per college credit tuition fee for a program course is $42.50 per college credit adjusted for inflation using the implicit price deflator for that fiscal year, using fiscal year 2021 as the base, as compiled by the bureau of labor statistics of the United States department of labor for the state of Washington.

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

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

(6) 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.

(7) Each school district, charter school, and state-tribal compact school must award 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, charter school, or state-tribal compact school, the chief administrator shall determine how many credits to award for the successful completion of the program course. The determination must be made in writing before the student enrolls in the program course. The awarded credit must be applied toward graduation requirements and subject area requirements. Evidence of successful completion of each program course must be included in the student's high school records and transcript.

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

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

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

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

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

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

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

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

(11) Students enrolled in a program course 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.

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

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

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

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

(c) "Institution of higher education" has the same meaning as in RCW 28B.10.016, and also means 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.

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

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

**Sec.**  RCW 28A.630.600 and 2020 c 348 s 2 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges and institutions of higher education identified in RCW 28A.600.300(2)(c), shall establish the running start summer school ((~~pilot~~)) program as described in this section. ((~~The purpose of the pilot program is to evaluate interest in and barriers to expanding the running start program to include the summer term.~~))

(2) The office of the superintendent of public instruction((~~, in~~)) must:

(a) In consultation with the state board for community and technical colleges, ((~~must~~)) select up to ((~~three~~)) six community colleges that choose to participate in the ((~~pilot~~)) summer program ((~~during the 2021 and 2022 summer academic terms~~)). ((~~One~~)) Two community colleges must be located east of the crest of the Cascade mountains and another must be located in a county with a population between ((~~one hundred fifteen thousand~~)) 115,000 and ((~~one hundred fifty thousand~~)) 150,000; and

(b) In consultation with the institutions of higher education identified in RCW 28A.600.300(2)(c), select one institution that chooses to participate in the summer program.

(3) Participating ((~~community colleges~~)) institutions of higher education must establish agreements with the school districts of eligible students about data sharing, credit transfer, funds transfer, and other administrative matters.

(4) Under the ((~~pilot~~)) summer program, an eligible student may enroll in a participating ((~~community college~~)) institution of higher education tuition-free. Students who are eligible under subsection (7)(a)(ii) of this section may enroll for a maximum of ((~~five~~)) 10 college credits per summer academic term. Provisions in RCW 28A.600.310 (2) and (3), which describe fees paid by running start students and fee waivers for ((~~low-income~~)) running start students, apply to eligible students participating in the ((~~pilot~~)) summer program.

(5) The school district of an eligible student must transmit to the participating ((~~community college~~)) institutions 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 amounts appropriated for this specific purpose under the omnibus operating appropriations act to school districts for purposes of making such payments and for granting school districts seven percent thereof to offset ((~~pilot~~)) summer program related costs. The calculations and allocations must 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 rules adopted under RCW 28A.600.390. The funds received by the ((~~community college~~)) participating institution of higher education from the school district are not tuition or operating fees and may be retained by the ((~~community college~~)) participating institution of higher education. A student enrolled under this section must be counted for the purpose of meeting enrollment targets in accordance with terms and conditions specified in the omnibus operating appropriations act.

(6) By November ((~~10, 2022~~)) 1, 2024, and in accordance with RCW 43.01.036, the office of the superintendent of public instruction ((~~and~~)), the state board for community and technical colleges, and the participating institutions of higher education shall jointly report to the appropriate committees of the legislature with findings from and recommendations regarding the ((~~pilot~~)) summer program, including recommending whether to expand the ((~~running start~~)) summer program to include ((~~the summer term~~)) more institutions of higher education as defined in RCW 28A.600.300.

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

(a) "Eligible student" means:

(i) A student attending a participating high school who will be eligible to enroll in grade ((~~eleven~~)) 11 or ((~~twelve~~)) 12 in the subsequent school year; or

(ii) A student who graduated from a participating high school in the current school year and who has ((~~five~~)) 10 or fewer college credits to earn before meeting associate degree requirements.

(b) "Participating ((~~community college~~)) institution of higher education" means a community college or institution of higher education identified in RCW 28A.600.300(2)(c) that was selected, as described in subsection (2) of this section, to participate in the ((~~pilot~~)) summer program.

(c) "Participating high school" means a high school in a school district that has an agreement, as described under subsection (3) of this section, with a participating ((~~community college~~)) institution of higher education.

(d) "((~~Pilot~~)) Summer program" means the running start summer ((~~pilot~~)) program established in this section.

(e) "Running start program" has the same meaning as in RCW 28A.600.300.

(8)(a) Except as provided in (b) of this subsection, and unless the context clearly requires otherwise, the requirements established in RCW 28A.600.300 through 28A.600.400 apply to the running start summer school ((~~pilot~~)) program.

(b) The provisions of RCW 28A.600.310(4) relating to calculation, allocation, and distribution of funds and RCW 28A.600.385 relating to cooperative agreements with community colleges in Oregon and Idaho do not apply to this section.

((~~(9) This section expires December 31, 2022.~~))

**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~~)) 12th 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~~)) 11th or ((~~twelfth~~)) 12th grade((~~s~~)) 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~~)) 10 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~~)) 10 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~~)) 10 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~~)) eligible students, as defined in section 1 of this act. ((~~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)~~)) (b) 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, registration processes, and individual billing statements. Institutions also shall, to the greatest extent possible, use all means of communication, including but not limited to websites, 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.

NEW SECTION. **Sec.**  RCW 28A.630.600 is recodified as a section in chapter 28A.600 RCW.

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

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

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

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

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

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

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