

LEARNING BY CHOICE



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10-0001

Learning by Choice

An Act Relating to Student Enrollment Options
in Washington State

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State Superintendent of Public Instruction

Enacted by the Washington State Legislature March 1990
Updated December 2009

INTRODUCTION

In March 1990 the Washington State Legislature adopted the *Learning by Choice Law*, a law relating to student enrollment options.

Learning by Choice consists of three major components:

- Family Choice
- Running Start
- Seventh and Eighth Grade Choice

This booklet is provided to answer the most commonly asked questions about the law , as well as about options created by the No Child Left Behind Act (see “Other Enrollment Options and Programs.”)

In addition, related chapters of the law are included in the back section of this booklet.

FAMILY CHOICE

Q. What is Family Choice?

A. *Family Choice* allows parents to select which public school(s) their children will attend, within certain limitations.

However, a school district is not required to accept a student requesting a transfer if the district does not have space for additional students.

Q. What process must be followed to transfer within a school district?

A. Each public school district is required to have a policy governing a student’s transfer to another school within the district. Copies of the policy may be obtained by contacting the school district office.

Q.

What process must be followed to transfer between school districts?

A.

The parent/guardian must request a release from the district in which they reside and request acceptance from the district in which the student wants to enroll. The school district in which the student resides must allow the student to attend school in another district if:

- The student's financial, educational, safety, or health conditions would likely be improved, or
- Attendance in the nonresident district is more accessible to the parent's/guardian's place of work or to the location of child care, or
- There is a special hardship or detrimental condition.



Q.

Under what circumstances can a transfer request be denied?

A.

A resident district may deny a transfer request if it would adversely affect the district's desegregation plan, or if none of the three conditions noted above exist.

Q.

Is there a charge to transfer to another school district?

A.

A nonresident school district may not charge a transfer fee or tuition for nonresident students.

Q.

Can the student appeal a transfer denial?

A.

Yes. School districts are required to provide written notification of acceptance or rejection of the transfer request. If the request is rejected, the notification must include the reasons for the denial and the right to appeal the decision. The student may appeal the resident district's denial to release the student if the nonresident district is willing to accept the student. The student may also appeal the nonresident district's refusal to accept the student.

Q.

What process is used to appeal the transfer denial?

A.

The denial by the resident district may be appealed to the Superintendent of Public Instruction at the following address: Legal Services, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200 or by going online at <http://www.k12.wa.us/ProfPractices/adminresources/appeals.aspx>. A decision by the Superintendent of Public Instruction may be appealed to the Superior Court.

Q.

Is a transfer student eligible for extracurricular activities?

A.

It depends. For participation in athletics, contact your school district for local eligibility rules or the Washington Interscholastic Activities Association, (425) 687-8585 (<http://www.wiaa.com>), for state eligibility rules. The general rule is that the student athlete must be enrolled in the nonresident district for one calendar year without interruption. Transfer students may participate in extracurricular activities of a nonathletic nature just as nontransfer students do.



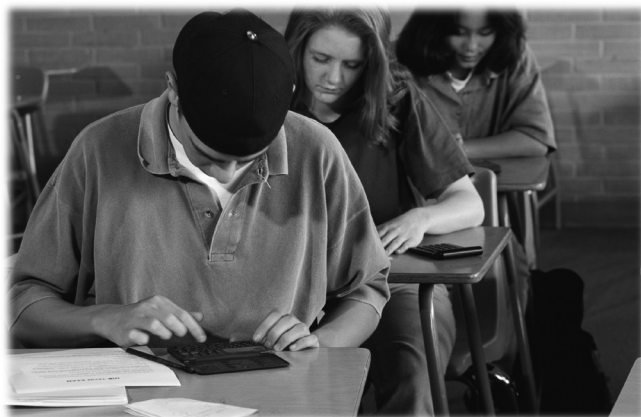
Q.

How does a transfer student get to the school of choice?

A.

In cases where the existing district transportation routes do not meet the needs of the transferring student, the student and parent/guardian are responsible for arranging for transportation between the student's home and school of choice.

There is a provision in law for reimbursing families meeting low income eligibility standards for certain costs incurred in transporting one or more students between their home(s) and school(s) of choice, subject to the availability of funds. The income standard is identical to that used for free or reduced price lunch eligibility. Contact the school district in which the school of choice is located for information and application forms.



RUNNING START

Q.

What is Running Start?

A.

Running Start is a program designed for 11th- and 12th-grade students. Running Start allows these students to enroll in courses or programs in a community college, technical college, or select four-year universities (currently only Central Washington, Eastern Washington and Washington State universities) **without** paying college tuition. Both high school and university/technical college credits may be obtained for successfully completed courses. Evidence of successful completion of each course will be included in the student's public high school records and transcripts.

Q.

May students enrolled in a private school or home schooling participate in Running Start?

A.

Yes. Eligible students who are otherwise enrolled in a private school or home schooling may also participate in Running Start by making arrangements with the public school district they are eligible to enroll in, and with the college/university of their choice.

Q.

Who determines whether a student may enroll in Running Start?

A.

Both the public high school and the college are involved in the decision. The school district must first determine (1), that the student is eligible to be in the 11th or 12th grade, and (2), that the college courses selected by the student qualify for high school credit. The college determines whether the student qualifies for admission. As part of this process, the student may be required to take an “asset test” administered by the college.

Q.

What other major things should the student know about enrolling in Running Start?

A.

Major points are explained below:

1. A student must inform the public school district of his/her intent to apply for admission to a community or vocational college course for credit. Prospective Running Start students are urged to notify the high school of their intent to apply to a college as early as possible so that the student’s high school can evaluate and establish the student’s eligibility and proposed college course work for high school credit purposes.



2. A student in 11th grade may not receive high school and community or technical college credits for more than the equivalent of the course work for two academic years.



3. If the secondary school student is accepted for college enrollment, the college must send written notice to the student, the student's school district and the Superintendent of Public Instruction within 10 days of acceptance. The notice must indicate the course(s) and hours of enrollment for that student.
4. State funds will be transferred from the school district to the college district to cover tuition costs.
5. Cost of transportation to and from the community or technical college and cost of college books and other student owned or consumable supplies are the responsibility of the student.
6. Enrollment in a community or technical college is limited to college level academic and vocational courses.
7. High school enrollment must be proportionately reduced in order to enroll in a college under the Running Start program.
8. Financial aid eligibility of students **while in Running Start**: any student who is still associated with his or her high school is not eligible for federal or state financial aid with one exception. Public colleges and universities are permitted, but not required, to offer institutional financial assistance to needy Running Start students.
9. Financial aid eligibility of **former Running Start students**: basic eligibility for federal and state need-based aid is dependent on the student and family's financial strength, not participation in Running Start. Having earned credits as a Running Start student will, however, affect the length of time a student can continue to receive aid, as well as the annual maximum award amounts for federal student loan programs.
10. Students with questions about the effect of Running Start on their student aid or scholarship packages should always check directly with the college/university's admissions, financial aid, and scholarship offices.

THE COLLEGE HIGH SCHOOL DIPLOMA PROJECT

Q.

What is the College High School Diploma Project?

A.

The College High School Diploma Program, adopted by the 2009 Legislature, allows students to enroll in two-year, technical, and four-year schools to complete their high school diploma (See Revised Code of Washington, Chapter 28B.50.535). One of the components of the program is online registration and online course work. The program is open to eleventh and twelfth grade students. Check with your high school administration or counseling office for more details.

SEVENTH AND EIGHTH GRADE CHOICE

Q.

What is Seventh and Eighth Grade Choice?

A.

Under this program, a seventh or eighth grade student may receive credits for completing high school courses. Credits may be applied to fulfilling high school graduation requirements if:

- The course is taken with high school students; the academic level of the course exceeds the requirements for seventh and eighth grade classes; and the student successfully completes and passes the same course requirements and examinations as the high school students enrolled in the class; or
- The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course qualifies for high school credit because the course is similar or equivalent to a course offered at a high school in the district. The teacher also must be qualified to teach at the high school level.

Students who have taken and successfully completed high school courses are not required to take an additional competency examination or perform any other additional assignment to receive credit.

OTHER ENROLLMENT OPTIONS AND PROGRAMS

Q.

Are there other enrollment options available to students?

A.

Prior to the passage of the Learning by Choice legislation, state law provided for other enrollment options and programs which continue to be in effect.

Other enrollment options:

1. Students may enroll in approved private schools.
2. Students may be schooled at home under certain conditions. For more information, call (360) 725-6433.
3. Students in Washington may attend contiguous school districts in Idaho or Oregon if an agreement exists between the school districts involved.
4. More than 300 public alternative schools and programs in school districts exist in Washington state. Contact your local school district for more information.
5. A student residing in a school district that does not offer the grade in which the student is eligible to enroll may attend any other school district in the state that offers the grade.
6. Public school dropouts who are 13 or older may enroll in an educational clinic to obtain instruction especially designed for the needs of the dropout if there is a clinic in the area. The clinic typically operates on a fee-for-service service basis, where the student pays the fee. After receiving educational clinic instruction, students may re-enroll in regular school. For more information, call (360) 725-6175.



Other options for college enrollment:

1. The Superintendent of Public Instruction funds the University of Washington for the education of a limited number of young, academically gifted students in the University of Washington's Early Entrance Program. For information on this program, call the Halbert and Nancy Robinson Center for Young Scholars at (206) 543-4160 (<http://depts.washington.edu/cscy>).
2. School districts and community and technical colleges are authorized to work out cooperative arrangements under which high school students may take college course work for high high school or college credit, or both. Contact your high school for more information.

Q.

What options did No Child Left Behind create?

A.

Signed in 2002, the Federal No Child Left Behind Act creates two more enrollment options, based on:

1. **AYP.** If a Title I school fails to meet its Adequate Yearly Progress (AYP) for two or more years, parents may move children from that school. (AYP measures whether schools and districts are increasing achievement each year.) Contact your child's principal for more information.
2. **Safety.** If a student attends a persistently dangerous school or is a victim of a violent criminal offense while on school grounds, the student must be allowed to attend a safe school within the same school district. This is known as the Unsafe School Choice Option; see <http://www.k12.wa.us/SafetyCenter/SafeDrugFree/UnsafeChoice.aspx> for more information.

INFORMATION

For information concerning *Learning by Choice* or other enrollment options, contact your local school district.

For related information call the Office of Superintendent of Public Instruction at (360) 725-6000.

APPLICABLE STATE LAW

Family Choice

RCW 28A.225.220. Adults, children from other districts, agreements for attending school -- Tuition.

- (1) Any board of directors may make agreements with adults choosing to attend school, and may charge the adults reasonable tuition.
- (2) A district is strongly encouraged to honor the request of a parent or guardian for his or her child to attend a school in another district or the request of a parent or guardian for his or her child to transfer as a student receiving home-based instruction.
- (3) A district shall release a student to a nonresident district that agrees to accept the student if:
- (a) A financial, educational, safety, or health condition affecting the student would likely be reasonably improved as a result of the transfer; or
 - (b) Attendance at the school in the nonresident district is more accessible to the parent's place of work or to the location of child care; or
 - (c) There is a special hardship or detrimental condition.
- (4) A district may deny the request of a resident student to transfer to a nonresident district if the release of the student would adversely affect the district's existing desegregation plan.
- (5) For the purpose of helping a district assess the quality of its education program, a resident school district may request an optional exit interview or questionnaire with the parents or guardians of a child transferring to another district. No parent or guardian may be forced to attend such an interview or complete the questionnaire.
- (6) Beginning with the 1993-94 school year, school districts may not charge transfer fees or tuition for nonresident students enrolled under subsection (3) of this section and RCW 28A.225.225. Reimbursement of a high school district for cost of educating high school pupils of a nonhigh school district shall not be deemed a transfer fee as affecting the apportionment of current state school funds.

[1995 c 335 § 602; 1995 c 52 § 2; 1993 c 336 § 1008; 1990 1st ex.s. c 9 § 201; 1969 c 130 § 10; 1969 ex.s. c 223 § 28A.58.240. Prior: 1963 c 47 § 2; prior: 1921 c 44 § 1, part; 1899 c 142 § 8, part; RRS § 4780, part. Formerly RCW 28A.58.240, 28.58.240.]

RCW 28A.225.225. Applications from nonresident students or students receiving home-based instruction to attend district school -- Acceptance and rejection standards -- Notification.

- (1) All districts accepting applications from nonresident students or from students receiving home-based instruction for admission to the district's schools shall consider equally all applications received. Each school district shall adopt a policy establishing rational, fair, and equitable standards for acceptance and rejection of applications by June 30, 1990. The policy may include rejection of a nonresident student if:

- (a) Acceptance of a nonresident student would result in the district experiencing a financial hardship;
- (b) The student's disciplinary records indicate a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership; or
- (c) The student has been expelled or suspended from a public school for more than ten consecutive days. Any policy allowing for readmission of expelled or suspended students under this subsection (1)(c) must apply uniformly to both resident and nonresident applicants.

For purposes of subsection (1)(b) of this section, "gang" means a group which: (i) Consists of three or more persons; (ii) has identifiable leadership; and (iii) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes.

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

[2008 c 192 § 1; 2003 c 36 § 1; 1999 c 198 § 2; 1997 c 265 § 3; 1995 c 52 § 3; 1994 c 293 § 1; 1990 1st ex.s. c 9 § 203.]

RCW 28A.225.230. Appeal from certain decisions to deny student's request to attend nonresident district -- Procedure.

(1) The decision of a school district within which a student under the age of twenty-one years resides or of a school district within which such a student under the age of twenty-one years was last enrolled and is considered to be a resident for attendance purposes by operation of law, to deny such student's request for release to a nonresident school district pursuant to RCW 28A.225.220 may be appealed to the superintendent of public instruction or his or her designee: PROVIDED, That the school district of proposed transfer is willing to accept the student.

(2) The superintendent of public instruction or his or her designee shall hear the appeal and examine the evidence. The superintendent of public instruction may order the resident district to release such a student who is under the age of twenty-one years if the requirements of RCW 28A.225.220 have been met. The decision of the superintendent of public instruction may be appealed to superior court pursuant to chapter 34.05 RCW, the administrative procedure act, as now or hereafter amended.

(3) The decision of a school district to deny the request for accepting the transfer of a nonresident student under RCW 28A.225.225 may be appealed to the superintendent of public instruction or his or her designee. The superintendent or his or her designee shall hear the appeal and examine the evidence. The superintendent of public instruction may order the district to accept the nonresident student if the district did not comply with the standards and procedures adopted under RCW 28A.225.225. The decision of the superintendent of public instruction may be appealed to the superior court under chapter 34.05 RCW.

[1990 1st ex.s. c 9 § 204; 1990 c 33 § 236; 1977 c 50 § 1; 1975 1st ex.s. c 66 § 1. Formerly RCW 28A.58.242.]

RCW 28A.225.270 Intradistrict enrollment options policies.

(1) Each school district in the state shall adopt and implement a policy allowing intradistrict enrollment options no later than June 30, 1990. Each district shall establish its own policy establishing standards on how the intradistrict enrollment options will be implemented.

(2) A district shall permit the children of full-time certificated and classified school employees to enroll at:

- (a) The school to which the employee is assigned;
- (b) A school forming the district's K through 12 continuum which includes the school to which the employee is assigned; or
- (c) A school in the district that provides early intervention services pursuant to RCW 28A.155.065 or preschool services pursuant to RCW 28A.155.070, if the student is eligible for such services.

(3) For the purposes of this section, "full-time employees" means employees who are employed for the full number of hours and days for their job description.

[2008 c 192 § 2; 2003 c 36 § 2; 1990 1st ex.s. c 9 § 205.]

RCW 28A.225.280. Transfer students' eligibility for extracurricular activities.

Eligibility of transfer students under RCW 28A.225.220 and 28A.225.225 for participation in extracurricular activities shall be subject to rules adopted by the Washington interscholastic activities association as authorized by the state board of education.

[2006 c 263 § 903; 1990 1st ex.s. c 9 § 206.]

RCW 28A.225.290. Enrollment options information booklet.

(1) The superintendent of public instruction shall prepare and annually distribute an information booklet outlining parents' and guardians' enrollment options for their children.

(2) Before the 1991-92 school year, the booklet shall be distributed to all school districts by the office of the superintendent of public instruction. School districts shall have a copy of the information booklet available for public inspection at each school in the district, at the district office, and in public libraries.

(3) The booklet shall include:

- (a) Information about enrollment options and program opportunities, including but not limited to programs in RCW 28A.225.220, 28A.185.040, 28A.225.200 through 28A.225.215, 28A.225.230 through 28A.225.250, *28A.175.090, 28A.340.010 through 28A.340.070 (small high school cooperative projects), and 28A.335.160.
- (b) Information about the running start - community college or vocational-technical institute choice program under RCW 28A.600.300 through **28A.600.395; and
- (c) Information about the seventh and eighth grade choice program under RCW 28A.230.090.

[1990 1st ex.s. c 9 § 207.]

RCW 28A.225.300. Enrollment options information to parents.

Each school district board of directors annually shall inform parents of the district's intradistrict and interdistrict enrollment options and parental involvement opportunities. Information on intradistrict enrollment options and interdistrict acceptance policies shall be provided to nonresidents on request.

[1990 1st ex.s. c 9 § 208.]

RCW 28A.225.310. Attendance in school district of choice -- Impact on existing cooperative arrangements.

Any school district board of directors may make arrangements with the board of directors of other districts for children to attend the school district of choice. Nothing under RCW 28A.225.220 and 28A.225.225 is intended to adversely affect agreements between school districts in effect on April 11, 1990.

[1990 1st ex.s. c 9 § 209.]

Running Start

RCW 28A.600.300. High school students' options--Definition.

For the purposes of RCW 28A.600.310 through 28A.600.400, "participating institution of higher education" or "institution of higher education" means:

- (1) A community or technical college as defined in RCW 28B.50.030; and
- (2) Central Washington University, Eastern Washington University, and Washington State University, if the institution's governing board decides to participate in the program in RCW 28A.600.310 through 28A.600.400.

[2005 c 207 § 5; 2002 c 80 § 1; 1994 c 205 § 1; 1990 1st ex.s. c 9 § 401.]

RCW 28A.600.310. High school students' options -- Enrollment in institutions of higher education -- Transmittal of funds.

(1) 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 grades may apply to a participating institution of higher education to enroll in courses or programs offered by the institution of higher education. 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) The pupil's school district shall transmit to the institution of higher education an amount per each full-time equivalent college student at state-wide 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 state-wide 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, the higher education coordinating board, and the state board for community and technical colleges shall consult on the calculation and distribution of the funds. The institution of higher education shall not require the pupil to pay any other fees. 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 not be counted for the purpose of determining any enrollment restrictions imposed by the state on the institution of higher education.

[2005 c 125 § 1; 1994 c 205 § 2; 1993 c 222 § 1; 1990 1st ex.s. c 9 § 402.]

RCW 28A.600.320. High school students' options -- Information on enrollment.

A school district shall provide general information about the program to all pupils in grades ten, eleven, and twelve and the parents and guardians of those pupils. To assist the district in planning, a pupil shall inform the district of the pupil's intent to enroll in courses at an institution of higher education for credit. Students are responsible for applying for admission to the institution of higher education.

[2008 c 95 § 3; 1994 c 205 § 3; 1990 1st ex.s. c 9 § 403.]

RCW 28A.600.330. High school students' options -- Maximum terms of enrollment for high school credit.

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 course work 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 course work for one academic year.

[1994 c 205 § 4; 1990 1st ex.s. c 9 § 404.]

RCW 28A.600.340. High school students' options -- Enrolled students not displaced.

Once a pupil has been enrolled in a postsecondary course or program under RCW 28A.600.300 through 28A.600.400, the pupil shall not be displaced by another student.

[1994 c 205 § 5; 1990 1st ex.s. c 9 § 405.]

RCW 28A.600.350. High school students' options -- Enrollment for secondary and postsecondary credit.

A pupil may enroll in a course under RCW 28A.600.300 through 28A.600.390 for both high school credit and postsecondary credit.

[1994 c 205 § 5; 1990 1st ex.s. c 9 § 405.]

RCW 28A.600.360. High school students' options -- Enrollment in postsecondary institution -- Determination of high school credits -- Application toward graduation requirements.

A school district shall grant academic credit to a pupil enrolled in a course for high school credit if the pupil 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 pupil enrolls in the course. The credits shall be applied toward graduation requirements and subject area requirements. Evidence of the successful completion of each course in an institution of higher education shall be included in the pupil's secondary school records and transcript. The transcript shall also note that the course was taken at an institution of higher education.

[1994 c 205 § 7; 1990 1st ex.s. c 9 § 407.]

RCW 28A.600.370. High school students' options -- Postsecondary credit.

Any state institution of higher education may award postsecondary credit for college level academic and vocational courses successfully completed by a student while in high school and taken at an institution of higher education. The state institution of higher education shall not charge a fee for the award of the credits.

[1994 c 205 § 8; 1990 1st ex.s. c 9 § 408.]

RCW 28A.600.380. High school students' options -- School district not responsible for transportation.

Transportation to and from the institution of higher education is not the responsibility of the school district.

[1994 c 205 § 9; 1990 1st ex.s. c 9 § 409.]

RCW 28A.600.385. High school students' options -- Cooperative agreements with community colleges in Oregon and Idaho.

(1) School districts in Washington and community colleges in Oregon and Idaho may enter into cooperative agreements under chapter 39.34 RCW for the purpose of allowing eleventh and twelfth grade students who are enrolled in the school districts to earn high school and college credit concurrently.

(2) Except as provided in subsection (3) of this section, if a school district exercises the authority granted in subsection (1) of this section, the provisions of RCW 28A.600.310 through 28A.600.360 and 28A.600.380 through 28A.600.400 shall apply to the agreements.

(3) A school district may enter an agreement in which the community college agrees to accept an amount less than the state-wide uniform rate under RCW 28A.600.310(2) if the community college does not charge participating students tuition and fees. A school district may not pay a per-credit rate in excess of the state-wide uniform rate under RCW 28A.600.310(2).

(4) To the extent feasible, the agreements shall permit participating students to attend the community college without paying any tuition and fees. The agreements shall not permit the community college to charge participating students nonresident tuition and fee rates.

(5) The agreements shall ensure that participating students are permitted to enroll only in courses that are transferable to one or more institutions of higher education as defined in RCW 28B.10.016.

[1998 c 63 □ 2.]

RCW 28A.600.390. High school students' options -- Rules.

The superintendent of public instruction, the state board for community and technical colleges, and the higher education coordinating board shall jointly develop and adopt rules governing RCW 28A.600.300 through 28A.600.380, if rules are necessary. The rules shall be written to encourage the maximum use of the program and shall not narrow or limit the enrollment options under RCW 28A.600.300 through 28A.600.380.

[1994 c 205 § 10; 1990 1st ex.s. c 9 § 410.]

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

RCW 28A.600.400. High school students' options -- Existing agreements not affected.

[1994 c 205 § 11; 1990 1st ex.s. c 9 § 412.]

School district partnerships

RCW 28A.335.160 Joint educational facilities — Rules.

Any school district may cooperate with one or more school districts in the joint financing, planning, construction, equipping and operating of any educational facility otherwise authorized by law: PROVIDED, That any cooperative financing plan involving the construction of school plant facilities must be approved by the superintendent of public instruction, considering policy recommendations from the school facilities citizen advisory panel under RCW 28A.525.025, pursuant to such rules adopted relating to state approval of school construction.

[2006 c 263 § 323; 1995 c 335 § 604; 1990 c 33 § 359; 1969 c 130 § 12. Formerly RCW 28A.58.075.]

Cooperative programs

RCW 28A.340.010. Increased curriculum programs and opportunities.

Eligible school districts as defined under RCW 28A.340.020 are encouraged to establish cooperative projects with a primary purpose to increase curriculum programs and opportunities among the participating districts, by expanding the opportunity for students in the participating districts to take vocational and academic courses as may be generally more available in larger school districts, and to enhance student learning.

[1990 c 33 § 366; 1988 c 268 § 2. Formerly RCW [28A.100.080](#).]

RCW 28A.340.020. Eligibility -- Participation.

School districts eligible for funding as a small high school district pursuant to the state operating appropriations act shall be eligible to participate in a cooperative project: PROVIDED, That the superintendent of public instruction may adopt rules permitting second class school districts that are not eligible for funding as a small high school district in the state operating appropriations act to participate in a cooperative project.

[1990 c 33 § 367; 1988 c 268 § 3. Formerly RCW [28A.100.082](#).]

Two or more school districts may participate in a cooperative project pursuant to RCW 28A.340.020 through 28A.340.070.

RCW 28A.340.030. Application -- Review by the superintendent of public instruction.

(1) Eligible school districts desiring to form a cooperative project pursuant to RCW 28A.340.020 through 28A.340.070 shall submit to the superintendent of public instruction an application for review as a cooperative project. The application shall include, but not be limited to, the following information:

- (a) A description of the cooperative project, including the programs, services, and administrative activities that will be operated jointly;
- (b) The improvements in curriculum offerings and educational opportunities expected to result from the establishment of the proposed cooperative project;
- (c) A list of any statutory requirements or administrative rules which are considered financial disincentives to the establishment of cooperative projects and which would impede the operation of the proposed cooperative project; and the financial impact to the school districts and the state expected to result by the granting of a waiver from such statutory requirements or administrative rules;

- (d) An assessment of community support for the proposed cooperative project, which assessment shall include each community affected by the proposed cooperative project; and
- (e) A plan for evaluating the educational and cost-effectiveness of the proposed cooperative project, including curriculum offerings and staffing patterns.

(2) The superintendent of public instruction shall review the application before the applicant school districts may commence the proposed cooperative project.

In reviewing applications, the superintendent shall be limited to: (a) The granting of waivers from statutory requirements, for which the superintendent of public instruction has the express power to implement pursuant to the adoption of rules, or administrative rules that need to be waived in order for the proposed cooperative project to be implemented: PROVIDED, That no statutory requirement or administrative rule dealing with health, safety, or civil rights may be waived; and (b) ensuring the technical accuracy of the application.

Any waiver granted by the superintendent of public instruction shall be reviewed and may be renewed by the superintendent every five years subject to the participating districts submitting a new application pursuant to this section.

(3) If additional eligible school districts wish to participate in an existing cooperative project the cooperative project as a whole shall reapply for review by the superintendent of public instruction.

[1990 c 33 § 367; 1988 c 268 § 3. Formerly RCW [28A.100.082](#).]

RCW 28A.340.040. Adoption of salary schedules -- Computation of fringe benefits.

(1) School districts participating in a cooperative project pursuant to RCW 28A.340.030 may adopt identical salary schedules following compliance with chapter 41.59 RCW: PROVIDED, That if the districts participating in a cooperative project adopt identical salary schedules, the participating districts shall be considered a single school district for purposes of establishing compliance with the salary limitations of RCW 28A.400.200(3) but not for the purposes of allocation of state funds.

(2) For purposes of computing fringe benefit contributions for purposes of establishing compliance with RCW 28A.400.200(3)(b), the districts participating in a cooperative project pursuant to RCW 28A.340.030 may use the greater of: (a) The highest amount provided in the 1986-87 school year by a district participating in the cooperative project; or (b) the amount authorized for such purposes in the state operating appropriations act in effect at the time.

[1990 c 33 § 369; 1988 c 268 § 5. Formerly RCW [28A.100.086](#).]

RCW 28A.340.060. Rules.

(1) The superintendent of public instruction shall adopt rules as necessary under chapter 34.05 RCW to carry out the provisions of RCW 28A.340.010 through 28A.340.070.

(2) When the joint operation of programs or services includes the teaching of all or substantially all of the curriculum for a particular grade or grades in only one local school district, the rules shall provide that the affected students are attending school in the district in which they reside for the purposes of RCW 28A.150.250 and 28A.150.260 and chapter 28A.545 RCW.

[1990 c 33 § 371; 1988 c 268 § 8. Formerly RCW 28A.100.090.]

RCW 28A.340.070. Allocation of state funds for technical assistance -- Contracting with agencies for technical assistance.

(1) The superintendent of public instruction may allocate state funds, as may be appropriated, to provide technical assistance to eligible school districts interested in developing and implementing a cooperative project.

(2) The superintendent of public instruction may contract with other agencies to provide some or all of the technical assistance under subsection (1) of this section.

[1988 c 268 § 9. Formerly RCW [28A.100.092](#).]

RCW 28B.50.535 Community or technical college — Issuance of high school diploma or certificate.

A community or technical college may issue a high school diploma or certificate as provided under this section.

(1) An individual who satisfactorily meets the requirements for high school completion shall be awarded a diploma from the college, subject to rules adopted by the superintendent of public instruction and the state board of education.

(2) An individual enrolled through the option established under RCW 28A.600.310 through 28A.600.400 who satisfactorily completes an associate degree, including an associate of arts degree, associate of science degree, associate of technology degree, or associate in applied science degree, shall be awarded a diploma from the college upon written request from the student.

(3) An individual, twenty-one years or older, who enrolls in a community or technical college for the purpose of obtaining an associate degree and who satisfactorily completes an associate degree, including an associate of arts degree, associate of science degree, associate of technology degree, or associate in applied science degree, shall be awarded a diploma from the college upon written request from the student. Individuals under this subsection are not eligible for funding provided under chapter 28A.150 RCW.

[2009 c 524 § 2; 2007 c 355 § 2; 1991 c 238 § 58; 1969 ex.s. c 261 § 30.]

Notes:

Intent -- 2009 c 524: “The legislature has previously affirmed the value of career and technical education, particularly in programs that lead to nationally recognized certification. These programs provide students with the knowledge and skills to become responsible citizens and contribute to their own economic well-being and that of their families and communities, which is the goal of education in the public schools. The legislature has also previously affirmed the value of dual enrollment in college and high school programs that can lead to both an associate degree and a high school diploma. Therefore, the legislature intends to maximize students’ options and choices for completing high school by awarding diplomas to students who complete these valuable postsecondary programs.”

[2009 c 524 § 1.]