
SENATE BILL 5790

State of Washington

63rd Legislature

2013 Regular Session

By Senator Litzow

Read first time 02/15/13. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to expanding participation in innovation academy
2 cooperatives; and amending RCW 28A.340.080 and 28A.225.225.

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

4 **Sec. 1.** RCW 28A.340.080 and 2010 c 99 s 2 are each amended to read
5 as follows:

6 (1) Two or more nonhigh school districts may form an interdistrict
7 cooperative((7)) to offer an innovation academy cooperative, as defined
8 in RCW 28A.340.085 and subject to the approval of the office of the
9 superintendent of public instruction under RCW 28A.340.090, for high
10 school students residing in the participating nonhigh school districts
11 or for high school students residing in other school districts who
12 enroll in the cooperative under RCW 28A.225.220 through 28A.225.230.
13 However, a high school student residing in a school district that is
14 not a participating member of the cooperative may not enroll
15 exclusively in online courses or an online school program as defined by
16 RCW 28A.250.010.

17 (2) Enrollment in an innovation academy cooperative is optional for
18 students. For students residing in a participating nonhigh school

1 district who enroll in a high school district rather than the
2 innovation academy cooperative, the provisions of RCW 28A.540.110 and
3 chapter 28A.545 RCW apply to the nonhigh school district.

4 (3) Each innovation academy cooperative shall designate one of the
5 participating nonhigh school districts to report enrolled students for
6 funding purposes. The reporting district shall claim the monthly full-
7 time equivalent students enrolled in the innovation academy cooperative
8 and receive state funding allocations, including basic education
9 allocations that are based on the small high school allocation under
10 the appropriations act to the extent the number of students enrolled in
11 the innovation academy cooperative meets the criteria for a small high
12 school.

13 **Sec. 2.** RCW 28A.225.225 and 2009 c 380 s 7 are each amended to
14 read as follows:

15 (1) Except for students who reside out-of-state and students under
16 RCW 28A.225.217, a district shall accept applications from nonresident
17 students who are the children of full-time certificated and classified
18 school employees, and those children shall be permitted to enroll:

19 (a) At the school to which the employee is assigned;

20 (b) At a school forming the district's K through 12 continuum which
21 includes the school to which the employee is assigned; or

22 (c) At a school in the district that provides early intervention
23 services pursuant to RCW 28A.155.065 or preschool services pursuant to
24 RCW 28A.155.070, if the student is eligible for such services.

25 (2) A district may reject applications under this section if:

26 (a) The student's disciplinary records indicate a history of
27 convictions for offenses or crimes, violent or disruptive behavior, or
28 gang membership;

29 (b) The student has been expelled or suspended from a public school
30 for more than ten consecutive days. Any policy allowing for
31 readmission of expelled or suspended students under this subsection

32 (2)(b) must apply uniformly to both resident and nonresident
33 applicants; or

34 (c) Enrollment of a child under this section would displace a child
35 who is a resident of the district, except that if a child is admitted
36 under subsection (1) of this section, that child shall be permitted to

1 remain enrolled at that school, or in that district's kindergarten
2 through twelfth grade continuum, until he or she has completed his or
3 her schooling.

4 (3) A nonhigh district that is participating in an innovation
5 academy cooperative may not accept an application from a high school
6 student that conflicts with RCW 28A.340.080.

7 (4) Except as provided in subsection (1) of this section, all
8 districts accepting applications from nonresident students or from
9 students receiving home-based instruction for admission to the
10 district's schools shall consider equally all applications received.
11 Each school district shall adopt a policy establishing rational, fair,
12 and equitable standards for acceptance and rejection of applications by
13 June 30, 1990. The policy may include rejection of a nonresident
14 student if:

15 (a) Acceptance of a nonresident student would result in the
16 district experiencing a financial hardship;

17 (b) The student's disciplinary records indicate a history of
18 convictions for offenses or crimes, violent or disruptive behavior, or
19 gang membership; (~~(e)~~)

20 (c) Accepting of the nonresident student would conflict with RCW
21 28A.340.080; or

22 (d) The student has been expelled or suspended from a public school
23 for more than ten consecutive days. Any policy allowing for
24 readmission of expelled or suspended students under this subsection
25 (~~((3)(e))~~) (4)(d) must apply uniformly to both resident and nonresident
26 applicants.

27 For purposes of subsections (2)(a) and (~~((3))~~) (4)(b) of this
28 section, "gang" means a group which: (i) Consists of three or more
29 persons; (ii) has identifiable leadership; and (iii) on an ongoing
30 basis, regularly conspires and acts in concert mainly for criminal
31 purposes.

32 (~~((4))~~) (5) The district shall provide to applicants written
33 notification of the approval or denial of the application in a timely
34 manner. If the application is rejected, the notification shall include
35 the reason or reasons for denial and the right to appeal under RCW
36 28A.225.230(3).

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