
HOUSE BILL 2678

State of Washington 58th Legislature 2004 Regular Session

By Representatives Ahern, Mielke, Boldt, McMahan, Kristiansen, Nixon and Roach

Read first time 01/19/2004. Referred to Committee on Education.

1 AN ACT Relating to transfer students; amending RCW 28A.225.225; and
2 adding a new section to chapter 28A.150 RCW.

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

4 **Sec. 1.** RCW 28A.225.225 and 2003 c 36 s 1 are each amended to read
5 as follows:

6 (1) Except for students who reside out-of-state, a district
7 (~~shall~~) must accept applications from nonresident students who are
8 the children of full-time certificated and classified school employees,
9 and those children (~~shall be~~) are permitted to enroll:

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

11 (b) At a school forming the district's K through 12 continuum which
12 includes the school to which the employee is assigned.

13 (2) A district also must accept applications from nonresident
14 students who are transferring under section 2 of this act and permit
15 those children to enroll and attend school for the duration of the
16 school calendar year during which a strike or work stoppage occurs.

17 (3) A district may reject applications under this section if:

18 (a) The student's disciplinary records indicate a history of

1 convictions for offenses or crimes, violent or disruptive behavior, or
2 gang membership;

3 (b) The student has been expelled or suspended from a public school
4 for more than ten consecutive days. Any policy allowing for
5 readmission of expelled or suspended students under this subsection
6 ~~((+2))~~ (3)(b) must apply uniformly to both resident and nonresident
7 applicants; or

8 (c) Enrollment of a child under subsection (1) of this section
9 would displace a child who is a resident of the district, except that
10 if a child is admitted under subsection (1) of this section, that child
11 ~~((shall be))~~ is permitted to remain enrolled at that school, or in that
12 district's kindergarten through twelfth grade continuum, until he or
13 she has completed his or her schooling.

14 ~~((+3))~~ (4) Except as provided in subsections (1) and (2) of this
15 section, all districts accepting applications from nonresident students
16 or from students receiving home-based instruction for admission to the
17 district's schools ~~((shall))~~ must consider equally all applications
18 received. Each school district ~~((shall))~~ must adopt a policy
19 establishing rational, fair, and equitable standards for ~~((acceptance~~
20 ~~and rejection of))~~ accepting and rejecting applications by June 30,
21 1990. The policy may include ~~((rejection of))~~ rejecting a nonresident
22 student if:

23 (a) ~~((Acceptance of))~~ Accepting a nonresident student would result
24 in the district experiencing a financial hardship;

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

28 (c) The student has been expelled or suspended from a public school
29 for more than ten consecutive days. Any policy allowing for
30 readmission of expelled or suspended students under this subsection
31 ~~((+3))~~ (4)(c) must apply uniformly to both resident and nonresident
32 applicants.

33 For purposes of subsections ~~((+2))~~ (3)(a) and ~~((+3))~~ (4)(b) of
34 this section, "gang" means a group ~~((which))~~ that: (i) Consists of
35 three or more persons; (ii) has identifiable leadership; and (iii) on
36 an ongoing basis, regularly conspires and acts in concert mainly for
37 criminal purposes.

1 (3) To be eligible to receive state categorical program funding, an
2 approved private school must serve students who would be eligible for
3 program funding if served by the school district in which the private
4 school is located, and must actually provide the program for which
5 funding is received.

6 (4) Approved private schools receiving moneys under this section
7 must submit, by November 1st of each year, to the office of the
8 superintendent of public instruction annual year-end financial
9 information, as prescribed by the superintendent.

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