Chapter 28A.225 RCW
COMPULSORY SCHOOL ATTENDANCE AND ADMISSION

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RCW 28A.225.005 Information for students and parents. (1) Each school within a school district shall inform the students and the parents of the students enrolled in the school about: The benefits of regular school attendance; the potential effects of excessive absenteeism, whether excused or unexcused, on academic achievement, and graduation and dropout rates; the school's expectations of the parents and guardians to ensure regular school attendance by the child; the resources available to assist the child and the parents and guardians; the role and responsibilities of the school; and the consequences of truancy, including the compulsory education requirements under this chapter. The school shall provide access to the information before or at the time of enrollment of the child at a

new school and at the beginning of each school year. If the school regularly and ordinarily communicates most other information to parents online, providing online access to the information required by this section satisfies the requirements of this section unless a parent or guardian specifically requests information to be provided in written form. Reasonable efforts must be made to enable parents to request and receive the information in a language in which they are fluent. A parent must date and acknowledge review of this information online or in writing before or at the time of enrollment of the child at a new school and at the beginning of each school year.

(2) The office of the superintendent of public instruction shall develop a template that schools may use to satisfy the requirements of subsection (1) of this section and shall post the information on its website. [2016 c 205 s 2; 2009 c 556 s 5; 1992 c 205 s 201.]

Part headings not law—Severability—1992 c 205: See notes following RCW 13.40.010.

RCW 28A.225.007 Student absence elimination and prevention—Guidance from the superintendent of public instruction. The office of the superintendent of public instruction shall develop and publish best practice guidance to eliminate or reduce student absences and to otherwise implement the requirements of this chapter. The guidance must focus on student and family engagement, be based in restorative justice practices, and emphasize integration of student and family support systems. The guidance must be developed in consultation with the educational opportunity gap oversight and accountability committee and updated periodically. [2021 c 119 s 2.]

Effective date—2021 c 119 ss 1-6: "Sections 1 through 6 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately [April 26, 2021]." [2021 c 119 s 16.]

Findings—Intent—2021 c 119: "(1) The legislature acknowledges that student absences from school can be an indicator that the academic and social-emotional needs of the students are not being met in the public school or classroom or through the school culture or climate. Student absences can also signal to educators that families may need additional information and assistance in supporting student learning within the home.

(2) The legislature finds that as research and public awareness grows about the impact of school climate and culture on the academic and social-emotional experiences of students, the systems of public education must shift away from enforcing punitive, compliance-focused policies and toward enabling constructive, student-centered practices. The legislature further finds that a student-centered system of public education serves the individual needs of students with strong family engagement and through integrated supports provided by the state, public schools, and the greater community.

(3) Therefore, the legislature intends to refocus the attendance policies and practices of the public education system to emphasize individualized student and family supports that are culturally responsive, evidence-informed, and show promising practice for

integrating multiple systems of support to effectively improve consistent student attendance at school and family engagement in student learning." [2021 c 119 s 1.]

RCW 28A.225.010 Attendance mandatory—Age—Exceptions. (1) All parents in this state of any child eight years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

(a) The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW 28A.195.010(4);

(b) The child is receiving home-based instruction as provided in subsection (4) of this section;

(c) The child is attending an education center as provided in chapter 28A.205 RCW;

(d) The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the department of social and health services or the department of children, youth, and families, is incarcerated in an adult correctional facility, or has been temporarily excused upon the request of his or her parents for purposes agreed upon by the school authorities and the parent: PROVIDED, That such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress: PROVIDED FURTHER, That students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and shall not affect school district compliance with the provisions of RCW 28A.150.220;

(e) The child is excused from school subject to approval by the student's parent for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, for up to two days per school year without any penalty. Such absences may not mandate school closures. Students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and may not affect school district compliance with the provisions of RCW 28A.150.220; or

(f) The child is sixteen years of age or older and:

(i) The child is regularly and lawfully employed and either the parent agrees that the child should not be required to attend school or the child is emancipated in accordance with chapter 13.64 RCW;

(ii) The child has already met graduation requirements in accordance with state board of education rules and regulations; or

(iii) The child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW 28A.305.190.

(2) A parent for the purpose of this chapter means a parent, guardian, or person having legal custody of a child.

(3) An approved private school for the purposes of this chapter and chapter 28A.200 RCW shall be one approved under regulations

established by the state board of education pursuant to RCW 28A.305.130.

(4) For the purposes of this chapter and chapter 28A.200 RCW, instruction shall be home-based if it consists of planned and supervised instructional and related educational activities, including a curriculum and instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of an appreciation of art and music, provided for a number of hours equivalent to the total annual program hours per grade level established for approved private schools under RCW 28A.195.010 and 28A.195.040 and if such activities are:

(a) Provided by a parent who is instructing his or her child only and are supervised by a certificated person. A certificated person for purposes of this chapter and chapter 28A.200 RCW shall be a person certified under chapter 28A.410 RCW. For purposes of this section, "supervised by a certificated person" means: The planning by the certificated person and the parent of objectives consistent with this subsection; a minimum each month of an average of one contact hour per week with the child being supervised by the certificated person; and evaluation of such child's progress by the certificated person. The number of children supervised by the certificated person shall not exceed thirty for purposes of this subsection; or

(b) Provided by a parent who is instructing his or her child only and who has either earned forty-five college-level quarter credit hours or its equivalent in semester hours or has completed a course in home-based instruction at a postsecondary institution or a vocational-technical institute; or

(c) Provided by a parent who is deemed sufficiently qualified to provide home-based instruction by the superintendent of the local school district in which the child resides.

(5) The legislature recognizes that home-based instruction is less structured and more experiential than the instruction normally provided in a classroom setting. Therefore, the provisions of subsection (4) of this section relating to the nature and quantity of instructional and related educational activities shall be liberally construed. [2017 3rd sp.s. c 6 s 630; 2014 c 168 s 3; 1998 c 244 s 14; 1996 c 134 s 1; 1990 c 33 s 219; 1986 c 132 s 1; 1985 c 441 s 1; 1980 c 59 s 1; 1979 ex.s. c 201 s 4; 1973 c 51 s 1; 1972 ex.s. c 10 s 2. Prior: 1971 ex.s. c 215 s 2; 1971 ex.s. c 51 s 1; 1969 ex.s. c 109 s 2; 1969 ex.s. c 223 s 28A.27.010; prior: 1909 p 364 s 1; RRS s 5072; prior: 1907 c 240 s 7; 1907 c 231 s 1; 1905 c 162 s 1; 1903 c 48 s 1; 1901 c 177 s 11; 1899 c 140 s 1; 1897 c 118 s 71. Formerly RCW 28A.27.010, 28.27.010.]

Effective date—2017 3rd sp.s. c 6 ss 601-631, 701-728, and 804: See note following RCW 13.04.011.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

Effective date—1998 c 244: See RCW 28A.193.900.

Severability—1985 c 441: "If any provision of this act or its application to any person or circumstance is held invalid, the

remainder of the act or the application of the provision to other persons or circumstances is not affected." [1985 c 441 s 6.]

Severability—1973 c 51: "If any provision of this 1973 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1973 c 51 s 5.]

Private schools: RCW 28A.305.130(5), 28A.195.010 through 28A.195.050.

Work permits for minors required: RCW 49.12.123.

RCW 28A.225.015 Attendance mandatory—Six or seven year olds—Unexcused absences—Petition. (1) If a parent enrolls a child who is six or seven years of age in a public school, the child is required to attend and that parent has the responsibility to ensure the child attends for the full time that school is in session. An exception shall be made to this requirement for children whose parents formally remove them from enrollment if the child is less than eight years old and a petition has not been filed against the parent under subsection (3) of this section. The requirement to attend school under this subsection does not apply to a child enrolled in a public school part-time for the purpose of receiving ancillary services. A child required to attend school under this subsection may be temporarily excused upon the request of his or her parent for purposes agreed upon by the school district and parent.

(2) If a six or seven year old child is required to attend public school under subsection (1) of this section and that child has unexcused absences, the public school in which the child is enrolled shall:

(a) Inform the child's custodial parent, parents, or guardian by a notice in writing or by telephone whenever the child has failed to attend school after one unexcused absence within any month during the current school year;

(b) Request a conference or conferences with the custodial parent, parents, or guardian and child at a time reasonably convenient for all persons included for the purpose of analyzing the causes of the child's absences after three unexcused absences within any month during the current school year. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the third unexcused absence, then the school district may schedule this conference on that day; and

(c) Take steps to eliminate or reduce the child's absences. These steps shall include, where appropriate, adjusting the child's school program or school or course assignment, providing more individualized or remedial instruction, offering assistance in enrolling the child in available alternative schools or programs, or assisting the parent or child to obtain supplementary services that may help eliminate or ameliorate the cause or causes for the absence from school.

(3) If a child is required to attend public school under subsection (1) of this section, after the child's seventh unexcused absence within any month during the current school year and not later than the 15th unexcused absence during the current school year, the

school district shall file a petition for civil action as provided in RCW 28A.225.035 against the parent of the child.

(4) This section does not require a six or seven year old child to enroll in a public or private school or to receive home-based instruction. This section only applies to six or seven year old children whose parents enroll them full time in public school and do not formally remove them from enrollment as provided in subsection (1) of this section. [2021 c 119 s 4; 2017 c 291 s 1; 1999 c 319 s 6.]

Effective date—2021 c 119 ss 1-6: See note following RCW 28A.225.007.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.

RCW 28A.225.018 Conferences to identify barriers to child's school attendance. (1) Except as provided in subsection (2) of this section, in the event that a child in elementary school is required to attend school under RCW 28A.225.010 or 28A.225.015(1) and has five or more excused absences in a single month during the current school year, or ten or more excused absences in the current school year, the school district shall schedule a conference or conferences with the parent and child at a time reasonably convenient for all persons included for the purpose of identifying the barriers to the child's regular attendance, and the supports and resources that may be made available to the family so that the child is able to regularly attend school. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the absences, the school district may schedule this conference on that day. To satisfy the requirements of this section, the conference must include at least one school district employee such as a nurse, counselor, social worker, teacher, or community human services provider, except in those instances regarding the attendance of a child who has an individualized education program or a plan developed under section 504 of the rehabilitation act of 1973, in which case the reconvening of the team that created the program or plan is required.

(2) A conference pursuant to subsection (1) of this section is not required in the event of excused absences for which prior notice has been given to the school or a doctor's note has been provided and an academic plan is put in place so that the child does not fall behind. [2016 c 205 s 3.]

RCW 28A.225.020 School's duties upon child's failure to attend school. (1) If a child required to attend school under RCW 28A.225.010 fails to attend school without valid justification, the public school in which the child is enrolled shall:

(a) Inform the child's parent by a notice in writing or by telephone whenever the child has failed to attend school after one unexcused absence within any month during the current school year. School officials shall inform the parent of the potential consequences of additional unexcused absences. If the parent is not fluent in English, the school must make reasonable efforts to provide this information in a language in which the parent is fluent;

(b) Schedule a conference or conferences with the parent and child at a time reasonably convenient for all persons included for the

purpose of analyzing the causes of the child's absences after three unexcused absences within any month during the current school year. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the third unexcused absence, then the school district may schedule this conference on that day. If the child's parent does not attend the scheduled conference, the conference may be conducted with the student and school official. However the parent shall be notified of the steps to be taken to eliminate or reduce the child's absence; and

(c) At some point after the second and before the seventh unexcused absence, take data-informed steps to eliminate or reduce the child's absences.

(i) In middle school and high school, these steps must include application of the Washington assessment of the risks and needs of students (WARNS) or other assessment by a school district's designee under RCW 28A.225.026.

(ii) For any child with an existing individualized education plan or 504 plan, these steps must include the convening of the child's individualized education plan or 504 plan team, including a behavior specialist or mental health specialist where appropriate, to consider the reasons for the absences. If necessary, and if consent from the parent is given, a functional behavior assessment to explore the function of the absence behavior shall be conducted and a detailed behavior plan completed. Time should be allowed for the behavior plan to be initiated and data tracked to determine progress.

(iii) With respect to any child, without an existing individualized education plan or 504 plan, reasonably believed to have a mental or physical disability or impairment, these steps must include informing the child's parent of the right to obtain an appropriate evaluation at no cost to the parent to determine whether the child has a disability or impairment and needs accommodations, related services, or special education services. This includes children with suspected emotional or behavioral disabilities as defined in WAC 392-172A-01035. If the school obtains consent to conduct an evaluation, time should be allowed for the evaluation to be completed, and if the child is found to be eligible for special education services, accommodations, or related services, a plan developed to address the child's needs.

(iv) These steps must include, where appropriate, providing an available approved best practice or research-based intervention, or both, consistent with the WARNS profile or other assessment, if an assessment was applied, adjusting the child's school program or school or course assignment, providing more individualized or remedial instruction, providing appropriate vocational courses or work experience, referring the child to a community engagement board, requiring the child to attend an alternative school or program, or assisting the parent or child to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school.

(2) For purposes of this chapter, an "unexcused absence" means that a child:

(a)(i) Has failed to attend the majority of hours or periods in an average school day or has failed to comply with a more restrictive school district policy; and

(ii) Has failed to meet the school district's policy for excused absences; or

(b) Has failed to comply with alternative learning experience program attendance requirements as described by the superintendent of public instruction.

(3) If a child transfers from one school district to another during the school year, the receiving school or school district shall include the unexcused absences accumulated at the previous school or from the previous school district for purposes of this section, RCW 28A.225.030, and 28A.225.015. The sending school district shall provide this information to the receiving school, together with a copy of any previous assessment as required under subsection (1)(c) of this section, history of any best practices or researched-based intervention previously provided to the child by the child's sending school district, and a copy of the most recent truancy information including any online or written acknowledgment by the parent and child, as provided for in RCW 28A.225.005. All school districts must use the standard choice transfer form for releasing a student to a nonresident school district for the purposes of accessing an alternative learning experience program. [2021 c 119 s 9; 2017 c 291 s 2; 2016 c 205 s 4; 2009 c 266 s 1; 1999 c 319 s 1; 1996 c 134 s 2; 1995 c 312 s 67; 1992 c 205 s 202; 1986 c 132 s 2; 1979 ex.s. c 201 s 1. Formerly RCW 28A.27.020.]

Effective date—2021 c 119 ss 7-15: See note following RCW 28A.225.030.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.

Short title—1995 c 312: See note following RCW 13.32A.010.

Part headings not law—Severability—1992 c 205: See notes following RCW 13.40.010.

RCW 28A.225.023 Youth subject to a dependency proceeding—Review of unexpected or excessive absences—Support for youth's school work. (1) A school district representative or school employee shall review unexpected or excessive absences with students who are the subject of a dependency proceeding and adults involved with the students, to include the students' caseworkers, educational liaisons, attorneys if appointed, parents or legal guardians, and foster parents or the persons providing placement for the students. The purpose of the review is to determine the cause of the absences, taking into account: Unplanned school transitions, periods of running from care, inpatient treatment, incarceration, school adjustment, educational gaps, psychosocial issues, and unavoidable appointments during the school day. A school district representative or a school employee must proactively support the students' school work so the student does not fall behind and to avoid suspension or expulsion based on truancy.

(2) For the purposes of this section, "students who are the subject of a dependency proceeding" has the same meaning as in RCW 28A.150.510. [2022 c 78 s 2; 2013 c 182 s 9.]

Findings—2013 c 182: See note following RCW 13.34.030.

RCW 28A.225.025 Community engagement boards—Membership—Duties. (1) For purposes of this chapter, "community engagement board" means a board established pursuant to a memorandum of understanding between a juvenile court and a school district and composed of members of the local community in which the child attends school. Community engagement boards must include members who receive training regarding the identification of barriers to school attendance, the use of the Washington assessment of the risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, cultural responsive interactions, trauma-informed approaches to discipline, evidence-based treatments that have been found effective in supporting at-risk youth and their families, and the specific services and treatment available in the particular school, court, community, and elsewhere. Duties of a community engagement board shall include, but not be limited to: Identifying barriers to school attendance, recommending methods for improving attendance such as connecting students and their families with community services, culturally appropriate promising practices, and evidence-based services such as functional family therapy, suggesting to the school district that the child enroll in another school, an alternative education program, an education center, a skill center, a dropout prevention program, or another public or private educational program, or recommending to the juvenile court that a juvenile be offered the opportunity for placement in a HOPE center or crisis residential center, if appropriate.

(2) The legislature finds that utilization of community engagement boards is the preferred means of intervention when preliminary methods to eliminate or reduce unexcused absences as required by RCW 28A.225.020 have not been effective in securing the child's attendance at school. The legislature intends to encourage and support the development and expansion of community engagement boards. Operation of a school truancy board does not excuse a district from the obligation of filing a petition within the requirements of RCW 28A.225.015(3). [2021 c 119 s 10; 2017 c 291 s 3; 2016 c 205 s 5; 2009 c 266 s 2; 1999 c 319 s 5; 1996 c 134 s 9; 1995 c 312 s 66.]

Effective date—2021 c 119 ss 7-15: See note following RCW 28A.225.030.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.

Short title—1995 c 312: See note following RCW 13.32A.010.

RCW 28A.225.026 Community engagement boards—Memoranda of understanding with juvenile courts—Designation of school district coordinators to address absenteeism and truancy—Community-wide partnerships. (1) By the beginning of the 2017-18 school year, juvenile courts must establish, through a memorandum of understanding with each school district within their respective counties, a coordinated and collaborative approach to address truancy through the establishment of a community engagement board or, with respect to certain small districts, through other means as provided in subsection (3) of this section.

(2) Except as provided in subsection (3) of this section, each school district must enter into a memorandum of understanding with the

juvenile court in the county in which it is located with respect to the operation of a community engagement board. A community engagement board may be operated by a juvenile court, a school district, or a collaboration between both entities, so long as the agreement is memorialized in a memorandum of understanding. For a school district that is located in more than one county, the memorandum of understanding shall be with the juvenile court in the county that acts as the school district's treasurer.

(3) A school district with fewer than three hundred students must enter into a memorandum of understanding with the juvenile court in the county in which it is located with respect to: (a) The operation of a community engagement board; or (b) addressing truancy through other coordinated means of intervention aimed at identifying barriers to school attendance, and connecting students and their families with community services, culturally appropriate promising practices, and evidence-based services such as functional family therapy. School districts with fewer than three hundred students may work cooperatively with other school districts or the school district's educational service district to ensure access to a community engagement board or to provide other coordinated means of intervention.

(4) All school districts must designate, and identify to the local juvenile court and to the office of the superintendent of public instruction, a person or persons to coordinate school district efforts to address excessive absenteeism and truancy, including tasks associated with: Outreach and conferences pursuant to RCW 28A.225.018; entering into a memorandum of understanding with the juvenile court; establishing protocols and procedures with the court; coordinating trainings; sharing evidence-based and culturally appropriate promising practices; identifying a person within every school to serve as a contact with respect to excessive absenteeism and truancy; and assisting in the recruitment of community engagement board members.

(5) As has been demonstrated by school districts and county juvenile courts around the state that have worked together and led the way with community engagement boards, success has resulted from involving the entire community and leveraging existing dollars from a variety of sources, including public and private, local and state, and court, school, and community. In emulating this coordinated and collaborative approach statewide pursuant to local memoranda of understanding, courts and school districts are encouraged to create strong community-wide partnerships and to leverage existing dollars and resources. [2021 c 119 s 11; 2017 c 291 s 4; 2016 c 205 s 6.]

Effective date—2021 c 119 ss 7-15: See note following RCW 28A.225.030.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.

RCW 28A.225.0261 Community engagement boards—Effect of diversion from truancy petitions—Evaluation by Washington state institute for public policy—Reports. (1) By requiring an initial stay of truancy petitions for diversion to community engagement boards, the legislature intends to achieve the following outcomes:

(a) Increased access to community engagement boards and other truancy early intervention programs for parents and children throughout the state;

(b) Increased quantity and quality of truancy intervention and prevention efforts in the community;

(c) A reduction in the number of truancy petitions that result in further proceedings by juvenile courts, other than dismissal of the petition, after the initial stay and diversion to a community engagement board;

(d) A reduction in the number of truancy petitions that result in a civil contempt proceeding or detention order; and

(e) Increased school attendance.

(2) No later than January 1, 2021, the Washington state institute for public policy is directed to evaluate the effectiveness of chapter 205, Laws of 2016. An initial report scoping of the methodology to be used to review chapter 205, Laws of 2016 shall be submitted to the fiscal committees of the legislature by January 1, 2018. The initial report must identify any data gaps that could hinder the ability of the institute to conduct its review. [2021 c 119 s 12; 2016 c 205 s 17.]

Effective date—2021 c 119 ss 7-15: See note following RCW 28A.225.030.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.

RCW 28A.225.027 Community engagement boards—Grants for training—Grants for services and treatment. (1) Subject to funds appropriated for this purpose, the office of the superintendent of public instruction shall allocate to community engagement boards grant funds that may be used to supplement existing funds in order to pay for training for board members or the provision of services and treatment to children and their families.

(2) The superintendent of public instruction must select grant recipients based on the criteria in this section. This is a competitive grant process. A prerequisite to applying for either or both grants is a memoranda of understanding, between a school district and a court, to institute a new or maintain an existing community engagement board that meets the requirements of RCW 28A.225.025.

(3) Successful applicants for an award of grant funds to supplement existing funds to pay for the training of community engagement board members must commit to the provision of training to board members regarding the identification of barriers to school attendance, the use of the Washington assessment of the risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, trauma-informed approaches to discipline, research about adverse childhood experiences, evidence-based treatments and culturally appropriate promising practices, as well as the specific academic and community services and treatments available in the school, court, community, and elsewhere. This training may be provided by educational service districts.

(4) Successful applicants for an award of grant funds to supplement existing funds to pay for services and treatments provided to children and their families must commit to the provision of academic services such as tutoring, credit retrieval and school

reengagement supports, community services, and evidence-based treatments that have been found to be effective in supporting at-risk youth and their families, such as functional family therapy, or those that have been shown to be culturally appropriate promising practices. [2021 c 119 s 13; 2016 c 205 s 20.]

Effective date—2021 c 119 ss 7-15: See note following RCW 28A.225.030.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.

RCW 28A.225.030 Petition to juvenile court for violations by a parent or child—School district responsibilities. (1) If a child under the age of seventeen is required to attend school under RCW 28A.225.010 and if the actions taken by a school district under RCW 28A.225.020 are not successful in substantially reducing an enrolled student's absences from public school, after the child's seventh unexcused absence within any month during the current school year and not later than the 15th unexcused absence during the current school year the school district shall file a petition and supporting affidavit for a civil action with the juvenile court alleging a violation of RCW 28A.225.010: (a) By the parent; (b) by the child; or (c) by the parent and the child. The petition must include a list of all interventions that have been attempted as set forth in RCW 28A.225.020, include a copy of any previous truancy assessment completed by the child's current school district, the history of approved best practices intervention or research-based intervention previously provided to the child by the child's current school district, and a copy of the most recent truancy information document provided to the parent, pursuant to RCW 28A.225.005. Except as provided in this subsection, no additional documents need be filed with the petition. Nothing in this subsection requires court jurisdiction to terminate when a child turns seventeen or precludes a school district from filing a petition for a child that is seventeen years of age.

(2) The district shall not later than the seventh unexcused absence in a month:

(a) Enter into an agreement with a student and parent that establishes school attendance requirements;

(b) Refer a student to a community engagement board as defined in RCW 28A.225.025. The community engagement board shall enter into an agreement with the student and parent that establishes school attendance requirements and take other appropriate actions to reduce the child's absences; or

(c) File a petition under subsection (1) of this section.

(3) The petition may be filed by a school district employee who is not an attorney.

(4) If the school district fails to file a petition under this section, the parent of a child with seven or more unexcused absences in any month during the current school year or upon the 15th unexcused absence during the current school year may file a petition with the juvenile court alleging a violation of RCW 28A.225.010.

(5) Petitions filed under this section may be served by certified mail, return receipt requested. If such service is unsuccessful, or the return receipt is not signed by the addressee, personal service is

required. [2021 c 119 s 7; (2021 c 119 s 5 expired August 1, 2021); 2017 c 291 s 6; 2016 c 205 s 7; 2012 c 157 s 1; 1999 c 319 s 2; 1996 c 134 s 3; 1995 c 312 s 68; 1992 c 205 s 203; 1990 c 33 s 220; 1986 c 132 s 3; 1979 ex.s. c 201 s 2. Formerly RCW 28A.27.022.]

Effective date—2021 c 119 ss 7-15: "Sections 7 through 15 of this act take effect August 1, 2021." [2021 c 119 s 18.]

Expiration date—2021 c 119 ss 5 and 6: "Sections 5 and 6 of this act expire August 1, 2021." [2021 c 119 s 17.]

Effective date—2021 c 119 ss 1-6: See note following RCW 28A.225.007.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.

Short title—1995 c 312: See note following RCW 13.32A.010.

Part headings not law—Severability—1992 c 205: See notes following RCW 13.40.010.

RCW 28A.225.031 Alcohol or controlled substances testing—Authority to order. The authority of a court to issue an order for testing to determine whether the child has consumed or used alcohol or controlled substances applies to all persons subject to a petition under RCW 28A.225.030 regardless of whether the petition was filed before July 27, 1997. [1997 c 68 s 3.]

RCW 28A.225.035 Petition to juvenile court—Contents—Court action—Referral to community engagement board or other coordinated intervention—Transfer of jurisdiction upon relocation. (1) A petition for a civil action under RCW 28A.225.030 or 28A.225.015 shall consist of a written notification to the court alleging that:

(a) The child has unexcused absences as described in RCW 28A.225.030(1) during the current school year;

(b) Actions taken by the school district have not been successful in substantially reducing the child's absences from school; and

(c) Court intervention and supervision are necessary to assist the school district or parent to reduce the child's absences from school.

(2) The petition shall set forth the name, date of birth, school, address, gender, race, and ethnicity of the child and the names and addresses of the child's parents, and shall set forth the languages in which the child and parent are fluent, whether there is an existing individualized education program, and the child's current academic status in school.

(3) The petition shall set forth facts that support the allegations in this section and shall generally request relief available under this chapter and provide information about what the court might order under RCW 28A.225.090.

(4)(a) When a petition is filed under RCW 28A.225.030 or 28A.225.015, it shall initially be stayed by the juvenile court, and the child and the child's parent must be referred to a community engagement board or other coordinated means of intervention as set

forth in the memorandum of understanding under RCW 28A.225.026. The community engagement board must provide to the court a description of the intervention and prevention efforts to be employed to substantially reduce the child's unexcused absences, along with a timeline for completion.

(b) If a community engagement board or other coordinated means of intervention is not in place as required by RCW 28A.225.026, the juvenile court shall schedule a hearing at which the court shall consider the petition.

(5) When a referral is made to a community engagement board, the community engagement board must meet with the child, a parent, and the school district representative and enter into an agreement with the petitioner and respondent regarding expectations and any actions necessary to address the child's truancy within twenty days of the referral. If the petition is based on RCW 28A.225.015, the child shall not be required to attend and the agreement under this subsection shall be between the community engagement board, the school district, and the child's parent. The court may permit the community engagement board or truancy prevention counselor to provide continued supervision over the student, or parent if the petition is based on RCW 28A.225.015.

(6) If the community engagement board fails to reach an agreement, or the parent or student does not comply with the agreement within the timeline for completion set by the community engagement board, the community engagement board shall return the case to the juvenile court. The stay of the petition shall be lifted, and the juvenile court shall schedule a hearing at which the court shall consider the petition.

(7)(a) Notwithstanding the provisions in subsection (4)(a) of this section, a hearing shall not be required if other actions by the court would substantially reduce the child's unexcused absences. Such actions may include referral to an existing community engagement board, use of the Washington assessment of risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, the provision of community-based services, and the provision of evidence-based treatments that have been found to be effective in supporting at-risk youth and their families. When a juvenile court hearing is held, the court shall:

(i) Separately notify the child, the parent of the child, and the school district of the hearing. If the parent is not fluent in English, notice should be provided in a language in which the parent is fluent as indicated on the petition pursuant to RCW 28A.225.030(1);

(ii) Notify the parent and the child of their rights to present evidence at the hearing; and

(iii) Notify the parent and the child of the options and rights available under chapter 13.32A RCW.

(b) If the child is not provided with counsel, the advisement of rights must take place in court by means of a colloquy between the court, the child if eight years old or older, and the parent.

(8)(a) The court may require the attendance of the child if eight years old or older, the parents, and the school district at any hearing on a petition filed under RCW 28A.225.030.

(b) The court may not issue a bench warrant for a child for failure to appear at a hearing on an initial truancy petition filed under RCW 28A.225.030. If there has been proper service, the court may instead enter a default order assuming jurisdiction under the terms specified in subsection (12) of this section.

(9) A school district is responsible for determining who shall represent the school district at hearings on a petition filed under RCW 28A.225.030 or 28A.225.015.

(10) The court may permit the first hearing to be held without requiring that either party be represented by legal counsel, and to be held without a guardian ad litem for the child under RCW 4.08.050. At the request of the school district, the court shall permit a school district representative who is not an attorney to represent the school district at any future hearings.

(11) If the child is in a special education program or has a diagnosed mental or emotional disorder, the court shall inquire as to what efforts the school district has made to assist the child in attending school.

(12) If the allegations in the petition are established by a preponderance of the evidence, the court shall grant the petition and enter an order assuming jurisdiction to intervene for the period of time determined by the court, after considering the facts alleged in the petition and the circumstances of the juvenile, to most likely cause the juvenile to return to and remain in school while the juvenile is subject to this chapter. In no case may the order expire before the end of the school year in which it is entered.

(13)(a) If the court assumes jurisdiction, the school district shall periodically report to the court any additional unexcused absences by the child, actions taken by the school district, and an update on the child's academic status in school at a schedule specified by the court.

(b) The first report under this subsection (13) must be received no later than three months from the date that the court assumes jurisdiction.

(14) Community engagement boards and the courts shall coordinate, to the extent possible, proceedings and actions pertaining to children who are subject to truancy petitions and at-risk youth petitions in RCW 13.32A.191 or child in need of services petitions in RCW 13.32A.140.

(15) If after a juvenile court assumes jurisdiction in one county the child relocates to another county, the juvenile court in the receiving county shall, upon the request of a school district or parent, assume jurisdiction of the petition filed in the previous county. [2021 c 119 s 14; 2016 c 205 s 8; 2012 c 157 s 2; 2009 c 266 s 3; 2001 c 162 s 1; 1999 c 319 s 3; 1997 c 68 s 1. Prior: 1996 c 134 s 4; 1996 c 133 s 31; 1995 c 312 s 69.]

Effective date—2021 c 119 ss 7-15: See note following RCW 28A.225.030.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.

Findings—Short title—Intent—Construction—1996 c 133: See notes following RCW 13.32A.197.

Short title—1995 c 312: See note following RCW 13.32A.010.

RCW 28A.225.055 Excused absences—Search and rescue activities. The legislature finds that state-recognized search and rescue activities, as defined in chapter 38.52 RCW and the rules interpreting

the chapter, are recognized as activities deserving of excuse from school. Therefore, the legislature strongly encourages that excused absences be granted to students for up to five days each year to participate in search and rescue activities, subject to approval by the student's parent and the principal of the student's school, and provided that the activities do not cause a serious adverse effect upon the student's educational progress. [2002 c 214 s 1.]

RCW 28A.225.060 Custody and disposition of child absent from school without excuse. Any school district official, sheriff, deputy sheriff, marshal, police officer, or any other officer authorized to make arrests, may take into custody without a warrant a child who is required under the provisions of RCW 28A.225.010 through 28A.225.140 to attend school and is absent from school without an approved excuse, and shall deliver the child to: (1) The custody of a person in parental relation to the child; (2) the school from which the child is absent; or (3) a program designated by the school district. [1995 c 312 s 73; 1990 c 33 s 223; 1979 ex.s. c 201 s 5; 1977 ex.s. c 291 s 52; 1969 ex.s. c 223 s 28A.27.070. Prior: 1909 c 97 p 366 s 5; RRS s 5076; prior: 1907 c 231 s 5; 1905 c 162 s 5. Formerly RCW 28A.27.070, 28.27.070.]

Short title—1995 c 312: See note following RCW 13.32A.010.

Effective dates—Severability—1977 ex.s. c 291: See notes following RCW 13.04.005.

RCW 28A.225.080 Employment permits. Except as otherwise provided in this code, no child under the age of fifteen years shall be employed for any purpose by any person, company or corporation, in this state during the hours which the public schools of the district in which such child resides are in session, unless the said child shall present a certificate from a school superintendent as provided for in RCW 28A.225.010, excusing the said child from attendance in the public schools and setting forth the reason for such excuse, the residence and age of the child, and the time for which such excuse is given. Every owner, superintendent, or overseer of any establishment, company or corporation shall keep such certificate on file so long as such child is employed by him or her. The form of said certificate shall be furnished by the superintendent of public instruction. Proof that any child under fifteen years of age is employed during any part of the period in which public schools of the district are in session, shall be deemed prima facie evidence of a violation of this section. [1990 c 33 s 225; 1969 ex.s. c 223 s 28A.27.090. Prior: 1909 c 97 p 365 s 2; RRS s 5073; prior: 1907 c 231 s 2; 1905 c 162 s 2; 1903 c 48 s 2. Formerly RCW 28A.27.090, 28.27.090.]

RCW 28A.225.090 Court orders—Penalties—Parents' defense. (1) A court may order a child subject to a petition under RCW 28A.225.035 to do one or more of the following:

(a) Attend the child's current school, and set forth minimum attendance requirements, which shall not consider a suspension day as an unexcused absence;

(b) If there is space available and the program can provide educational services appropriate for the child, order the child to attend another public school, an alternative education program, center, a skill center, dropout prevention program, or another public educational program;

(c) Attend a private nonsectarian school or program including an education center. Before ordering a child to attend an approved or certified private nonsectarian school or program, the court shall: (i) Consider the public and private programs available; (ii) find that placement is in the best interest of the child; and (iii) find that the private school or program is willing to accept the child and will not charge any fees in addition to those established by contract with the student's school district. If the court orders the child to enroll in a private school or program, the child's school district shall contract with the school or program to provide educational services for the child. The school district shall not be required to contract for a weekly rate that exceeds the state general apportionment dollars calculated on a weekly basis generated by the child and received by the district. A school district shall not be required to enter into a contract that is longer than the remainder of the school year. A school district shall not be required to enter into or continue a contract if the child is no longer enrolled in the district;

(d) Submit to a substance abuse assessment if the court finds on the record that such assessment is appropriate to the circumstances and behavior of the child and will facilitate the child's compliance with the mandatory attendance law and, if any assessment, including a urinalysis test ordered under this subsection indicates the use of controlled substances or alcohol, order the minor to abstain from the unlawful consumption of controlled substances or alcohol and adhere to the recommendations of the substance abuse assessment at no expense to the school; or

(e) Submit to a mental health evaluation or other diagnostic evaluation and adhere to the recommendations of the drug assessment, at no expense to the school, if the court finds on the court records that such evaluation is appropriate to the circumstances and behavior of the child, and will facilitate the child's compliance with the mandatory attendance law.

(2) If the child fails to comply with the court order, the court may impose:

(a) Community restitution;

(b) Nonresidential programs with intensive wraparound services;

(c) A requirement that the child meet with a mentor for a specified number of times; or

(d) Other services and interventions that the court deems appropriate.

(3) Any parent violating any of the provisions of either RCW 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than twenty-five dollars for each day of unexcused absence from school. The court shall remit fifty percent of the fine collected under this section to the child's school district. It shall be a defense for a parent charged with violating RCW 28A.225.010 to show that he or she exercised reasonable diligence in attempting to cause a child in his or her custody to attend school or that the child's school did not perform its duties as required in RCW 28A.225.020. The court may order the parent to provide community restitution instead of imposing a fine. Any fine imposed pursuant to this section may be suspended upon the condition that a parent charged with violating RCW 28A.225.010

shall participate with the school and the child in a supervised plan for the child's attendance at school or upon condition that the parent attend a conference or conferences scheduled by a school for the purpose of analyzing the causes of a child's absence.

(4) If a child continues to be truant after entering into a court-approved order with the community engagement board under RCW 28A.225.035, the juvenile court shall find the child in contempt, and the court may impose alternatives to detention consistent with best practice models for reengagement with school.

(5) Nothing in this section shall be construed to limit the court's inherent contempt power or curtail its exercise.

(6) Subsections (1), (2), and (4) of this section shall not apply to a six or seven year old child required to attend public school under RCW 28A.225.015. [2021 c 119 s 15; 2019 c 312 s 14; 2019 c 312 s 13; 2017 c 291 s 5; 2016 c 205 s 9; 2009 c 266 s 4; 2008 c 171 s 1; 2002 c 175 s 29. Prior: 2000 c 162 s 15; 2000 c 162 s 6; 2000 c 61 s 1; 1999 c 319 s 4; 1998 c 296 s 39; 1997 c 68 s 2; prior: 1996 c 134 s 6; 1996 c 133 s 32; 1995 c 312 s 74; 1992 c 205 s 204; 1990 c 33 s 226; 1987 c 202 s 189; 1986 c 132 s 5; 1979 ex.s. c 201 s 6; 1969 ex.s. c 223 s 28A.27.100; prior: 1909 c 97 p 365 s 3; RRS s 5074; prior: 1907 c 231 s 3; 1905 c 162 s 3. Formerly RCW 28A.27.100, 28.27.100.]

Effective date—2021 c 119 ss 7-15: See note following RCW 28A.225.030.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.

Effective date—2019 c 312 ss 5 and 14: See note following RCW 7.21.030.

Effective date—Findings—Intent—2019 c 312: See notes following RCW 7.21.080.

Effective date—2002 c 175: See note following RCW 7.80.130.

Effective date—2000 c 162 ss 11-17: See note following RCW 43.185C.265.

Findings—Intent—Part headings not law—Short title—1998 c 296: See notes following RCW 74.13.025.

Findings—Short title—Intent—Construction—1996 c 133: See notes following RCW 13.32A.197.

Short title—1995 c 312: See note following RCW 13.32A.010.

Part headings not law—Severability—1992 c 205: See notes following RCW 13.40.010.

Intent—1987 c 202: See note following RCW 2.04.190.

RCW 28A.225.095 Authority of court commissioners and family law commissioners to hear cases under this chapter. In any judicial district having a court commissioner, the court commissioner shall

have the power, authority, and jurisdiction, concurrent with a juvenile court judge, to hear all cases under RCW 28A.225.030, 28A.225.090, and 28A.225.035 and to enter judgment and make orders with the same power, force, and effect as any judge of the juvenile court, subject to motion or demand by any party within ten days from the entry of the order or judgment by the court commissioner as provided in RCW 2.24.050. In any judicial district having a family law commissioner appointed pursuant to chapter 26.12 RCW, the family law commissioner shall have the power, authority, and jurisdiction, concurrent with a juvenile court judge, to hear cases under RCW 28A.225.030, 28A.225.090, and 28A.225.035 and to enter judgment and make orders with the same power, force, and effect as any judge of the juvenile court, subject to motion or demand by any party within ten days from the entry of the order or judgment by the court commissioner as provided in RCW 2.24.050. [1995 c 312 s 71.]

Effective dates—1995 c 312 ss 71 and 82: "(1) Section 71 of this act shall take effect September 1, 1995.

(2) Section 82 of this act shall take effect September 1, 1996." [1995 c 312 s 85.]

Short title—1995 c 312: See note following RCW 13.32A.010.

RCW 28A.225.110 Fines applied to support of schools. Notwithstanding the provisions of RCW 10.82.070, fifty percent of all fines except as otherwise provided in RCW 28A.225.010 through 28A.225.140 shall be applied to the support of the public schools in the school district where such offense was committed: PROVIDED, That all fees, fines, forfeitures, and penalties collected or assessed by a district court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW, and fifty percent shall be paid to the county treasurer who shall deposit such amount to the credit of the courts in the county for the exclusive purpose of enforcing the provisions of RCW 28A.225.010 through 28A.225.140. [1995 c 312 s 75; 1990 c 33 s 228; 1987 c 202 s 191; 1969 ex.s. c 199 s 54; 1969 ex.s. c 223 s 28A.27.104. Prior: 1909 c 97 p 368 s 11; RRS s 5082; prior: 1907 c 231 s 12; 1905 c 162 s 11. Formerly RCW 28A.27.104, 28.27.104, 28.27.100, part.]

Short title—1995 c 312: See note following RCW 13.32A.010.

Intent—1987 c 202: See note following RCW 2.04.190.

RCW 28A.225.140 Enforcing officers not personally liable for costs. No officer performing any duty under any of the provisions of RCW 28A.225.010 through 28A.225.140, or under the provisions of any rules that may be passed in pursuance hereof, shall in any wise become liable for any costs that may accrue in the performance of any duty prescribed by RCW 28A.225.010 through 28A.225.140. [1990 c 33 s 231; 1969 ex.s. c 223 s 28A.27.130. Prior: 1909 c 97 p 368 s 12; RRS s 5083; prior: 1907 c 231 s 13; 1905 c 162 s 12. Formerly RCW 28A.27.130, 28.27.130.]

RCW 28A.225.151 Student-level truancy data—Reports—Data protocols and guidance for school districts. (1) As required under subsection (2) of this section, the office of superintendent of public instruction shall collect and school districts shall submit student-level truancy data in order to allow a better understanding of actions taken under RCW 28A.225.030. The office shall prepare an annual report to the legislature by December 15th of each year.

(2) The reports under subsection (1) of this section shall include, disaggregated by student group:

(a) The number of enrolled students and the number of unexcused absences;

(b) The number of enrolled students with 15 or more unexcused absences in a school year or seven or more unexcused absences in a month during a school year;

(c) A description of any programs or schools developed to serve students who have had seven or more unexcused absences in a month or 15 in a year including information about the number of students in the program or school and the number of unexcused absences of students during and after participation in the program. The school district shall also describe any placements in an approved private nonsectarian school or program or certified program under a court order under RCW 28A.225.090;

(d) The number of petitions filed by a school district with the juvenile court and, beginning in the 2018-19 school year, whether the petition results in:

(i) Referral to a community engagement board;

(ii) Other coordinated means of intervention;

(iii) A hearing in the juvenile court; or

(iv) Other less restrictive disposition (e.g., change of placement, home school, alternative learning experience, residential treatment); and

(e) Each instance of imposition of detention for failure to comply with a court order under RCW 28A.225.090, with a statement of the reasons for each instance of detention.

(3) A report required under this section shall not disclose the name or other identification of a child or parent.

(4) The K-12 data governance group shall develop the data protocols and guidance for school districts in the collection of data to provide a clearer understanding of actions taken under RCW 28A.225.030. [2021 c 119 s 8; (2021 c 119 s 6 expired August 1, 2021); 2017 c 291 s 7; 1996 c 134 s 5; 1995 c 312 s 72.]

Effective date—2021 c 119 ss 7-15: See note following RCW 28A.225.030.

Expiration date—2021 c 119 ss 5 and 6: See note following RCW 28A.225.030.

Effective date—2021 c 119 ss 1-6: See note following RCW 28A.225.007.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.

Short title—1995 c 312: See note following RCW 13.32A.010.

RCW 28A.225.155 Condensed compliance reports—Second-class districts. Any compliance reporting requirements as a result of laws in this chapter that apply to second-class districts may be submitted in accordance with RCW 28A.330.250. [2011 c 45 s 15.]

Conflict with federal requirements—2011 c 45: See note following RCW 28A.330.250.

RCW 28A.225.160 Qualification for admission to district's schools—Fees for preadmission screening. (1) Except as provided in subsection (3) of this section and otherwise provided by law, it is the general policy of the state that the common schools shall be open to the admission of all persons who are five years of age and less than 21 years residing in that school district, and remain open for admission to students with disabilities as defined in RCW 28A.155.020 from age 21 until the end of the school year in which those students turn 22 years of age. Except as otherwise provided by law or rules adopted by the superintendent of public instruction, districts may establish uniform entry qualifications, including but not limited to birthdate requirements, for admission to kindergarten and first grade programs of the common schools. Such rules may provide for individualized exceptions based upon the ability, or the need, or both, of an individual student. Nothing in this section authorizes school districts, public schools, or the superintendent of public instruction to create state-funded programs based on entry qualification exceptions except as otherwise expressly provided by law.

(2) For the purpose of complying with any rule adopted by the superintendent of public instruction that authorizes a preadmission screening process as a prerequisite to granting individualized exceptions to the uniform entry qualifications, a school district may collect fees to cover expenses incurred in the administration of any preadmission screening process: PROVIDED, That in so establishing such fee or fees, the district shall adopt rules for waiving and reducing such fees in the cases of those persons whose families, by reason of their low income, would have difficulty in paying the entire amount of such fees.

(3) A student who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010 shall be permitted to continue enrollment at the grade level in the common schools commensurate with the grade level of the student when attending school in the sending state as defined in Article II of RCW 28A.705.010, regardless of age or birthdate requirements. [2025 c 256 s 8; 2023 c 420 s 2; 2009 c 380 s 3; 2006 c 263 s 703; 1999 c 348 s 5; 1986 c 166 s 1; 1979 ex.s. c 250 s 4; 1977 ex.s. c 359 s 14; 1969 ex.s. c 223 s 28A.58.190. Prior: 1909 c 97 p 261 s 1, part; RRS s 4680, part; prior: 1897 c 118 s 64, part; 1890 p 371 s 44, part. Formerly RCW 28A.58.190, 28.58.190 part, 28.01.060.]

Findings—Intent—2025 c 256: See note following RCW 28A.155.020.

Findings—Purpose—Part headings not law—2006 c 263: See notes following RCW 28A.150.230.

Intent—1999 c 348: See note following RCW 28A.205.010.

Effective date—Severability—1979 ex.s. c 250: See notes following RCW 28A.150.220.

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.

Program of basic education, RCW 28A.225.160 as part of: RCW 28A.150.200.

RCW 28A.225.170 Admission to schools—Children on United States reservations—Idaho residents with Washington addresses. (1) Any child who is of school age and otherwise eligible residing within the boundaries of any military, naval, lighthouse, or other United States reservation, national park, or national forest or residing upon rented or leased undeeded lands within any Indian reservation within the state of Washington, shall be admitted to the public school, or schools, of any contiguous district without payment of tuition: PROVIDED, That the United States authorities in charge of such reservation or park shall cooperate fully with state, county, and school district authorities in the enforcement of the laws of this state relating to the compulsory attendance of children of school age, and all laws relating to and regulating school attendance.

(2) Any child who is of school age and otherwise eligible, residing in a home that is located in Idaho but that has a Washington address for the purposes of the United States postal service, shall be admitted, without payment of tuition, to the nearest Washington school district and shall be considered a resident student for state apportionment and all other purposes. [2003 c 411 s 1; 1969 ex.s. c 223 s 28A.58.210. Prior: 1945 c 141 s 10; 1933 c 28 s 10; 1925 ex.s. c 93 s 1; Rem. Supp. 1945 s 4680-1. Formerly RCW 28A.58.210, 28.58.210, 28.27.140.]

RCW 28A.225.200 Education of pupils in another district—Limitation as to state apportionment—Exemption. (1) A local district may be authorized by the educational service district superintendent to transport and educate its pupils in other districts for one year, either by payment of a compensation agreed upon by such school districts, or under other terms mutually satisfactory to the districts concerned when this will afford better educational facilities for the pupils and when a saving may be effected in the cost of education. Notwithstanding any other provision of law, the amount to be paid by the state to the resident school district for apportionment purposes and otherwise payable pursuant to RCW 28A.150.250 through 28A.150.290, 28A.150.350 through 28A.150.410, 28A.160.150 through 28A.160.200, 28A.300.035, and 28A.300.170 shall not be greater than the regular apportionment for each high school student of the receiving district. Such authorization may be extended for an additional year at the discretion of the educational service district superintendent.

(2) Subsection (1) of this section shall not apply to districts participating in a cooperative project established under RCW 28A.340.030 which exceeds two years in duration or to nonhigh school districts participating in an interdistrict cooperative under RCW 28A.340.080 through 28A.340.090. [2010 c 99 s 6; (2010 c 99 s 5 expired September 1, 2011); 2009 c 548 s 706; 1990 c 33 s 234; 1988 c

268 s 6; 1979 ex.s. c 140 s 1; 1975 1st ex.s. c 275 s 111; 1969 ex.s. c 176 s 141; 1969 ex.s. c 223 s 28A.58.225. Prior: 1965 ex.s. c 154 s 10. Formerly RCW 28A.58.225, 28.24.110.]

Effective date—2010 c 99 s 6: "Section 6 of this act takes effect September 1, 2011." [2010 c 99 s 13.]

Expiration date—2010 c 99 s 5: "Section 5 of this act expires September 1, 2011." [2010 c 99 s 12.]

Findings—Intent—2010 c 99: See note following RCW 28A.340.080.

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Findings—Severability—1988 c 268: See notes following RCW 28A.340.010.

Severability—1979 ex.s. c 140: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1979 ex.s. c 140 s 4.]

Rights preserved—Severability—1969 ex.s. c 176: See notes following RCW 28A.310.010.

RCW 28A.225.210 Admission of district pupils tuition free. Every school district shall admit on a tuition free basis: (1) All persons of school age who reside within this state, and do not reside within another school district carrying the grades for which they are eligible to enroll: PROVIDED, That nothing in this subsection shall be construed as affecting RCW 28A.225.220 or 28A.225.250; and (2) all students who meet the definition of children of military families in transition under Article II of RCW 28A.705.010 who are in the care of a noncustodial parent or other person standing in loco parentis and who lives in another state while the parent is under military orders. [2009 c 380 s 6; 1990 c 33 s 235; 1983 c 3 s 37; 1969 c 130 s 9; 1969 ex.s. c 223 s 28A.58.230. Prior: 1917 c 21 s 9; RRS s 4718. Formerly RCW 28A.58.230, 28.58.230.]

Designation of high school district nonhigh district students shall attend—Effect when attendance otherwise: RCW 28A.540.110.

Education of children with disabilities: RCW 28A.155.050.

RCW 28A.225.215 Enrollment of children without legal residences. (1) A school district shall not require proof of residency or any

other information regarding an address for any child who is eligible by reason of age for the services of the school district if the child does not have a legal residence.

(2) A school district shall enroll a child without a legal residence under subsection (1) of this section at the request of the child or parent or guardian of the child. [1989 c 118 s 1. Formerly RCW 28A.58.235.]

RCW 28A.225.216 Children of military families—Residency—Child with individualized education program or section 504 plan—Transportation not required—Definitions. (1)(a) A child of a military family complies with the residency requirements for enrollment in a school district if, as a result of a parent's active duty status, call to active duty, or notification of an impending call or order to active duty, the child relocates to Washington and the child's military parent is:

(i) Transferred to, or has received official notice of a pending transfer to, a military installation located within the state of Washington;

(ii) Transferred to, or has received official notice of a pending transfer to, a military installation located in a state bordering Washington; or

(iii) Relocating due to a military exigency, for example overseas deployment, sea duty, or other mobilization.

(b) A parent of the child must provide the school district with a copy of official military orders or other documentation issued by the appropriate military authority confirming the directed move.

(c) A parent of the child must provide to the school district proof of the child's residence in the school district within 90 calendar days of enrollment. The parent may use the address of any of the following as proof of residence in the school district:

(i) A temporary lodging within the school district where the military family is expecting to obtain permanent housing;

(ii) A purchased or leased residence, or a signed purchase and sale agreement or lease agreement for a residence; or

(iii) Any federal government housing or off-base military housing, including off-base military housing that may be provided through a public-private venture.

(2)(a) A school district shall accept, on a conditional basis, an application for enrollment and course registration, including enrollment in a specific school or program within the school district, from a child of a military family who meets the requirements of subsection (1)(a) of this section, prior to the child arriving in Washington or a bordering state. A school district shall accept applications submitted by any reasonable means, including electronic transmission or mail. School districts must provide military families with the maximum flexibility practicable in the method of application submission, consistent with verification, privacy, and administrative requirements.

(b) Upon verification that the requirements of subsection (1)(b) and (c) of this section have been satisfied, the school district shall finalize the enrollment of the child of a military family.

(3) In the case of a child of a military family who had an individualized education program or plan developed under section 504

of the federal rehabilitation act of 1973 in effect in another state, the school district shall:

(a) Take the necessary steps to accept the transfer of the child's educational records, including any prior evaluations;

(b) Upon enrollment, provide the child with appropriate services and accommodations without unreasonable delay, including services comparable to those described in the child's previously held individualized education program or section 504 plan; and

(c) If the school district determines that an evaluation is necessary, take reasonable steps to conduct the evaluation as expeditiously as practicable, consistent with applicable federal and state law.

(4) A nonresident school district is not required to provide a child of a military family with transportation to and from the resident school district unless otherwise required by state or federal law.

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

(a) "Active duty" has the same meaning as in RCW 28A.705.010.

(b) "Child of a military family" and "child" have the same meaning as "children of military families" in RCW 28A.705.010.

(c) "Military installation" has the same meaning as in RCW 28A.705.010.

(d) "Parent" means a parent, guardian, or other person or entity having legal custody of a child of a military family. [2026 c 32 s 1; 2019 c 72 s 1.]

RCW 28A.225.217 Children of military families—Continued enrollment in district schools. (1) A student shall be permitted to remain enrolled in the school in which the student was enrolled while residing with the custodial parent if the student:

(a) Meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010; and

(b) Is placed in the care of a noncustodial parent or guardian when the custodial parent is required to relocate due to military orders.

(2) A nonresident school district shall not be required to provide transportation to and from the school unless otherwise required by state or federal law. [2009 c 380 s 8.]

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; or

(d) The purpose of the transfer is for the student to enroll in an online course or online school program offered by an online provider approved under RCW 28A.250.020.

(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. [2013 2nd sp.s. c 18 s 510. Prior: 1995 c 335 s 602; 1995 c 52 s 2; 1993 c 336 s 1008; 1990 1st ex.s. c 9 s 201; 1969 c 130 s 10; 1969 ex.s. c 223 s 28A.58.240; prior: 1963 c 47 s 2; prior: 1921 c 44 s 1, part; 1899 c 142 s 8, part; RRS s 4780, part. Formerly RCW 28A.58.240, 28.58.240.]

Application—Enforcement of laws protecting health and safety—2013 2nd sp.s. c 18: See note following RCW 28A.600.022.

Part headings, table of contents not law—1995 c 335: See note following RCW 28A.150.360.

Findings—Intent—Part headings not law—1993 c 336: See notes following RCW 28A.150.210.

Findings—1993 c 336: See note following RCW 28A.150.210.

Finding—1990 1st ex.s. c 9: "The legislature finds that academic achievement of Washington students can and should be improved. The legislature further finds that student success depends, in large part, on increased parental involvement in their children's education.

In order to take another step toward improving education in Washington, it is the purpose of this act to enhance the ability of parents to exercise choice in where they prefer their children attend school; inform parents of their options under local policies and state law for the intradistrict and interdistrict enrollment of their children; and provide additional program opportunities for secondary students." [1990 1st ex.s. c 9 s 101.]

Severability—1990 1st ex.s. c 9: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1990 1st ex.s. c 9 s 502.]

Education of children with disabilities: RCW 28A.155.040, 28A.155.050.

RCW 28A.225.225 Applications from school employees' children, nonresident students, or students receiving home-based instruction to attend district school—Acceptance and rejection standards—Notification. (1) Except for students who reside out-of-state and students under RCW 28A.225.217, a district shall accept applications from nonresident students who are the children of full-time certificated and classified school employees, and those children shall be permitted to enroll:

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

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

(c) At a school in the district that provides early intervention services pursuant to RCW 43.216.580 or preschool services pursuant to RCW 28A.155.070, if the student is eligible for such services.

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

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

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

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

(d) The student has repeatedly failed to comply with requirements for participation in an online school program, such as participating in weekly direct contact with the teacher or monthly progress evaluations.

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

(4) Except as provided in subsection (1) of this section, 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;

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

(d) 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 (4)(d) must apply uniformly to both resident and nonresident applicants.

For purposes of subsections (2)(a) and (4)(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.

(5) 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). [2020 c 90 s 6; 2013 2nd sp.s. c 18 s 511; 2013 c 192 s 2; 2009 c 380 s 7; 2008 c 192 s 1; 2003 c 36 s 1; 1999 c 198 s 2; 1997 c 265 s 3; 1995 c 52 s 3; 1994 c 293 s 1; 1990 1st ex.s. c 9 s 203.]

Effective date—2020 c 90: See note following RCW 43.216.580.

Application—Enforcement of laws protecting health and safety—2013 2nd sp.s. c 18: See note following RCW 28A.600.022.

Severability—1997 c 265: See note following RCW 13.40.160.

Captions, headings not law—1990 1st ex.s. c 9: "Part headings and section headings do not constitute any part of the law." [1990 1st ex.s. c 9 s 501.]

Finding—Severability—1990 1st ex.s. c 9: See notes following RCW 28A.225.220.

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.

(4) The provisions of this section that are applicable to students under the age of 21 must remain applicable to students with disabilities as defined in RCW 28A.155.020 from age 21 through the end of the school year in which those students turn 22 years of age. [2025 c 256 s 9; 1990 1st ex.s. c 9 s 204; 1990 c 33 s 236; 1977 c 50 s 1; 1975 1st ex.s. c 66 s 1. Formerly RCW 28A.58.242.]

Findings—Intent—2025 c 256: See note following RCW 28A.155.020.

Finding—Severability—1990 1st ex.s. c 9: See notes following RCW 28A.225.220.

Severability—1975 1st ex.s. c 66: "If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1975 1st ex.s. c 66 s 4.]

Designation of high school district nonhigh district students shall attend—Effect when attendance otherwise: RCW 28A.540.110.

RCW 28A.225.240 Apportionment credit. (1) If a student under the age of twenty-one years is allowed to enroll in any common school outside the school district within which the student resides or a school district of which the student is considered to be a resident for attendance purposes by operation of law, the student's attendance shall be credited to the nonresident school district of enrollment for state apportionment and all other purposes.

(2) The provisions of this section that are applicable to students under the age of 21 must remain applicable to students with disabilities as defined in RCW 28A.155.020 from age 21 through the end of the school year in which those students turn 22 years of age. [2025 c 256 s 10; 1975 1st ex.s. c 66 s 2. Formerly RCW 28A.58.243.]

Findings—Intent—2025 c 256: See note following RCW 28A.155.020.

Severability—1975 1st ex.s. c 66: See note following RCW 28A.225.230.

RCW 28A.225.250 Cooperative programs among school districts—Rules. (1) The state superintendent of public instruction is directed and authorized to develop and adopt rules governing cooperative programs between and among school districts and educational service districts that the superintendent deems necessary to assure:

(a) Correct calculation of state apportionment payments;

(b) Proper budgeting and accounting for interdistrict cooperative program revenues and expenditures;

(c) Reporting of student, personnel, and fiscal data to meet state needs; and

(d) Protection of the right of residents of Washington under twenty-one years of age to a tuition-free program of basic education.

(2) Unless specifically authorized in law, interdistrict cooperative programs shall not be designed to systematically increase state allocation above amounts required if services were provided by

the resident school district. [1995 c 335 s 603; 1969 c 130 s 11. Formerly RCW 28A.58.243.]

Part headings, table of contents not law—1995 c 335: See note following RCW 28A.150.360.

Education of children with disabilities: RCW 28A.155.040, 28A.155.050.

RCW 28A.225.260 Reciprocity exchanges with other states. If the laws of another state permit its school districts to extend similar privileges to pupils resident in this state, the board of directors of any school district contiguous to a school district in such other state may make agreements with the officers of the school district of that state for the attendance of any pupils resident therein upon the payment of tuition.

If a district accepts out-of-state pupils whose resident district is contiguous to a Washington school district, such district shall charge and collect the cost for educating such pupils and shall not include such out-of-state pupils in the computation of the district's share of state and/or county funds.

The board of directors of any school district which is contiguous to a school district in another state may make agreements for and pay tuition for any children of their district desiring to attend school in the contiguous district of the other state. The tuition to be paid for the attendance of resident pupils in an out-of-state school as provided in this section shall be no greater than the cost of educating such elementary or secondary pupils, as the case may be, in the out-of-state educating district. [1969 ex.s. c 223 s 28A.58.250. Prior: 1963 c 47 s 3; prior: 1921 c 44 s 1, part; 1899 c 142 s 8, part; RRS s 4780, part. Formerly RCW 28A.58.250, 28.58.250.]

Education of children with disabilities: RCW 28A.155.040.

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 43.216.580 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. [2020 c 90 s 7; 2008 c 192 s 2; 2003 c 36 s 2; 1990 1st ex.s. c 9 s 205.]

Effective date—2020 c 90: See note following RCW 43.216.580.

Captions, headings not law—1990 1st ex.s. c 9: See note following RCW 28A.225.225.

Finding—Severability—1990 1st ex.s. c 9: See notes following RCW 28A.225.220.

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

Findings—Purpose—Part headings not law—2006 c 263: See notes following RCW 28A.150.230.

Captions, headings not law—1990 1st ex.s. c 9: See note following RCW 28A.225.225.

Finding—Severability—1990 1st ex.s. c 9: See notes following RCW 28A.225.220.

RCW 28A.225.290 Enrollment options information booklet *(as amended by 2009 c 450)*. (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~~)) 28A.600.400; and

(c) Information about the seventh and eighth grade choice program under RCW 28A.230.090. [2009 c 450 s 5; 1990 1st ex.s. c 9 s 207.]

Findings—Intent—2009 c 450: See note following RCW 28A.600.280.

RCW 28A.225.290 Enrollment options information booklet—Posting on website *(as amended by 2009 c 524)*. (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 and shall be posted on the website of 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~~)) 28A.600.400; ((~~and~~))

(c) Information about the seventh and eighth grade choice program under RCW 28A.230.090; and

(d) Information about the college high school diploma options under RCW 28B.50.535. [2009 c 524 s 3; 1990 1st ex.s. c 9 s 207.]

Intent—2009 c 524: See note following RCW 28B.50.535.

RCW 28A.225.290 Enrollment options information *(as amended by 2009 c 556)*. (1) The superintendent of public instruction shall prepare and annually ((~~distribute an~~)) provide access to information ((~~booklet~~)) outlining parents' and guardians' enrollment options for their children. Providing online access to the information satisfies the requirements of this section unless a parent or guardian specifically requests information to be provided in written form.

(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~~)) School districts shall provide access to the information in this section to the public. Providing online access to the information satisfies the requirements of this subsection unless a parent or guardian specifically requests the information be provided in written form.

(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~~)) 28A.600.390; and

(c) Information about the seventh and eighth grade choice program under RCW 28A.230.090. [2009 c 556 s 6; 1990 1st ex.s. c 9 s 207.]

Reviser's note: *(1) RCW 28A.175.090 expired December 31, 1994.

**(2) The program was named "the running start program" by 2009 c 450 s 7.

(3) RCW 28A.225.290 was amended three times during the 2009 legislative session, each without reference to the other. For rule of

construction concerning sections amended more than once during the same legislative session, see RCW 1.12.025.

Captions, headings not law—1990 1st ex.s. c 9: See note following RCW 28A.225.225.

Finding—Severability—1990 1st ex.s. c 9: See notes following RCW 28A.225.220.

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. Providing online access to the information satisfies the requirements of this section unless a parent or guardian specifically requests information to be provided in written form. [2009 c 556 s 7; 1990 1st ex.s. c 9 s 208.]

Captions, headings not law—1990 1st ex.s. c 9: See note following RCW 28A.225.225.

Finding—Severability—1990 1st ex.s. c 9: See notes following RCW 28A.225.220.

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 s 209.]

Captions, headings not law—1990 1st ex.s. c 9: See note following RCW 28A.225.225.

Finding—Severability—1990 1st ex.s. c 9: See notes following RCW 28A.225.220.

RCW 28A.225.330 Enrolling students from other districts—Requests for information and permanent records—Immunity from liability—Rules. (1) When enrolling a student who has attended school in another school district, the school enrolling the student may request the parent and the student to briefly indicate in writing whether or not the student has:

(a) Any history of placement in special educational programs;

(b) Any past, current, or pending disciplinary action;

(c) Any history of violent behavior, or behavior listed in RCW 13.04.155;

(d) Any unpaid fines or fees imposed by other schools; and

(e) Any health conditions affecting the student's educational needs.

(2) The school enrolling the student shall request the student's permanent record including records of disciplinary action, history of violent behavior or behavior listed in RCW 13.04.155, attendance, immunization records, and academic performance from the school the student previously attended.

(3) Upon request, school districts shall furnish a set of unofficial educational records to a parent or guardian of a student who is transferring out of state and who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010. School districts may charge the parent or guardian the actual cost of providing the copies of the records.

(4) If information is requested under subsection (2) of this section, the information shall be transmitted within two school days after receiving the request and the records shall be sent as soon as possible. The records of a student who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010 shall be sent within 10 days after receiving the request. Any school district or district employee who releases the information in compliance with this section is immune from civil liability for damages unless it is shown that the school district employee acted with gross negligence or in bad faith. The professional educator standards board shall provide by rule for the discipline under chapter 28A.410 RCW of a school principal or other chief administrator of a public school building who fails to make a good faith effort to assure compliance with this subsection.

(5) Any school district or district employee who releases the information in compliance with federal and state law is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

(6)(a) A school may not prevent students who are the subject of a dependency proceeding pursuant to chapter 13.34 RCW from enrolling if there is incomplete information as enumerated in subsection (1) of this section during the 10 business days that the department of children, youth, and families has to obtain that information under RCW 74.13.631.

(b) If the student who is the subject of a dependency proceeding is subject to an order in a federally recognized tribal court that is the equivalent of a shelter care or dependency order pursuant to chapter 13.34 RCW, or the student is eligible for benefits under the federal foster care system as defined in RCW 28B.117.020, the school may not prevent the student from enrolling if there is incomplete information as enumerated in subsection (1) of this section during the 10 business days from the date the equivalent order is entered or from a date determined by the state agency responsible for implementing the unaccompanied refugee minors program.

(c) Upon enrollment of a student who is the subject of a dependency proceeding, the school district must make reasonable efforts to obtain and assess that child's educational history in order to meet the child's unique needs within two business days.

(7) For the purposes of this section, "students who are the subject of a dependency proceeding" has the same meaning as in RCW 28A.150.510. [2022 c 78 s 3; 2021 c 120 s 2; 2020 c 167 s 8; 2013 c 182 s 10; 2009 c 380 s 2; 2006 c 263 s 805; 1999 c 198 s 3; 1997 c 266 s 4. Prior: 1995 c 324 s 2; 1995 c 311 s 25; 1994 c 304 s 2.]

Findings—2013 c 182: See note following RCW 13.34.030.

Findings—Purpose—Part headings not law—2006 c 263: See notes following RCW 28A.150.230.

Findings—Intent—Severability—1997 c 266: See notes following RCW 28A.600.455.

Effective date—1994 c 304: See note following RCW 28A.635.060.

RCW 28A.225.350 Students subject to a dependency proceeding—Best interest determinations. (1)(a) The protocols required by RCW 74.13.560 for making best interest determinations for students who are the subject of a dependency proceeding pursuant to chapter 13.34 RCW must comply with the provisions of this section.

(b) The requirements of this section, and the development protocols described in RCW 74.13.560 for making best interest determinations for students who are the subject of a dependency proceeding pursuant to chapter 13.34 RCW, may also be applied to students who are the subject of a federally recognized tribal court shelter care or dependency order that is the equivalent of a shelter care or dependency order issued pursuant to chapter 13.34 RCW, and students who are eligible for benefits under the federal foster care system as defined in RCW 28B.117.020.

(2)(a) Best interest determinations should be made as quickly as possible in order to prevent educational discontinuity for the student.

(b) When making best interest determinations, every effort should be made to gather meaningful input from relevant and appropriate persons on their perspectives regarding which school the student should attend while the subject of a dependency proceeding, consistent with the student's case plan. Relevant and appropriate persons include:

(i) Representatives of the department of children, youth, and families for students who are the subject of a dependency proceeding pursuant to chapter 13.34 RCW, or representatives of other applicable child welfare agencies;

(ii) Representatives of the school of origin, such as a teacher, counselor, coach, or other meaningful person in the student's life;

(iii) Biological parents;

(iv) Foster parents;

(v) Educational liaisons identified under RCW 13.34.045;

(vi) The student's relatives; and

(vii) Depending on the student's age, the student.

(3) In accordance with RCW 74.13.550, whenever practical and in their best interest, students who are the subject of a dependency proceeding must remain enrolled in their school of origin.

(4) Student-centered factors must be used to determine what is in a student's best interest. In order to make a well-informed best interest determination, a variety of student-centered factors should be considered, including:

(a) How long is the student's current care placement expected to last?

(b) What is the student's permanency plan and how does it relate to school stability?

(c) How many schools has the student attended in the current year?

(d) How many schools has the student attended over the past few years?

(e) Considering the impacts of past transfers, how may transferring to a new school impact the student academically, emotionally, physically, and socially?

(f) What are the immediate and long-term educational plans of, and for, the student?

(g) How strong is the student academically?

(h) If the student has special needs, what impact will transferring to a new school have on the student's progress and services?

(i) To what extent are the programs and activities at the potential new school comparable to, or more appropriate than, those at the school of origin?

(j) Does one school have programs and activities that address the unique needs or interests of the student that the other school does not have?

(k) Which school does the student prefer?

(l) How deep are the student's ties to the student's school of origin?

(m) Would the timing of the school transfer coincide with a logical juncture, such as after testing, after an event that is significant to the student, or at the end of the school year?

(n) How would changing schools affect the student's ability to earn full academic credit, participate in sports or other extracurricular activities, proceed to the next grade, or graduate on time?

(o) How would the commute to the school under consideration impact the student, in terms of distance, mode of transportation, and travel time?

(p) How anxious is the student about having been removed from the home or about any upcoming moves?

(q) What school does the student's sibling attend?

(r) Are there safety issues to consider?

(5) The student must remain in the student's school of origin while a best interest determination is made and while disputes are resolved in order to minimize disruption and reduce the number of school transfers.

(6) School districts are encouraged to use any:

(a) Best interest determination guide developed by the office of the superintendent of public instruction during the discussion about the advantages and disadvantages of keeping the student in the school of origin or transferring the student to a new school; and

(b) Dispute resolution process developed by the office of the superintendent of public instruction when there is a disagreement about school placement, a best interest determination, or a dispute between agencies.

(7) The special education services of a student must not be interrupted by a transfer to a new school.

(8)(a) If the student's care placement changes to an area served by another school district, and it is determined to be in the best interest of the student to remain in the school of origin, the school district of origin and the school district in which the student is living shall agree upon a method to apportion the responsibility and costs for providing the student with transportation to and from the

school of origin. If the school districts are unable to agree upon an apportionment method, the responsibility and costs for transportation shall be shared equally between the districts.

(b) In accordance with this subsection, the department of children, youth, and families will reimburse school districts for half of all excess transportation costs for students under the placement and care authority of the department of children, youth, and families.

(9) For the purposes of this section, "students who are the subject of a dependency proceeding" has the same meaning as in RCW 28A.150.510, and "school of origin" means the school in which a child is enrolled at the time of placement in foster care. If a child's foster care placement changes, the school of origin must be considered the school in which the child is enrolled at the time of the placement change. [2022 c 78 s 4; 2018 c 139 s 2.]

Effective date—2018 c 139: "This act takes effect September 1, 2018." [2018 c 139 s 7.]

RCW 28A.225.360 Students in out-of-home care—School districts and the department of children, youth, and families collaboration. School districts must collaborate with the department of children, youth, and families as provided in RCW 74.13.560. [2018 c 139 s 1.]

Effective date—2018 c 139: See note following RCW 28A.225.350.

RCW 28A.225.370 Students subject to civil protection orders. (1) If any student is subject to a civil protection order, the school district and school building staff will make adjustments to the student's schedule and other modifications to the student's school environment to support compliance with court orders and maintain the student's access to education.

(2) If a student is the subject of a civil protection order that prohibits regular attendance at the student's assigned school, the school district must provide the student comparable educational services in another setting. In such a case, the district shall not charge tuition and must provide transportation at no cost. The district shall put in place any needed supports to make the transition to a new school environment successful for the student.

(3) A school district must provide notification to the parent or legal guardian of a student who is subject to a civil protection order of the modifications, accommodations, supports, and services being created or provided for the student pursuant to this section. [2021 c 215 s 86.]

Effective date—2022 c 268; 2021 c 215: See note following RCW 7.105.900.

RCW 28A.225.380 Documentation to show a child's age—Alternative documentation. The office of the superintendent of public instruction shall adopt a rule that requires public schools to accept birth certificates, passports, and alternative documents to show a child's age or date of birth for the purposes of enrollment. Alternative documents include, but are not limited to, a religious, hospital, or

physician's certificate showing the date of birth, an entry in a family bible, an adoption record, an affidavit from a parent, or a previously verified school record. [2025 c 109 s 4.]

Findings—2025 c 109: See note following RCW 70.58A.560.

RCW 28A.225.900 Rules. The superintendent of public instruction may adopt rules necessary to carry out the purposes of this chapter. [2021 c 119 s 3.]

Effective date—2021 c 119 ss 1-6: See note following RCW 28A.225.007.

Findings—Intent—2021 c 119: See note following RCW 28A.225.007.