

SUPERINTENDENT OF PUBLIC INSTRUCTION

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March 25, 2014

(X) Action Required

(X) Informational

BULLETIN NO. 008-14 SCHOOL APPORTIONMENT AND FINANCIAL SERVICES/ DIGITAL LEARNING DEPARTMENT

TO: Educational Service District Superintendents

School District Superintendents

Assistant Superintendents for Business and/or Business Managers

FROM: Randy I. Dorn, State Superintendent of Public Instruction

RE: Choice Transfers, Interdistrict Agreements, and Standard Choice Transfer

System (SCTS)

CONTACT: Becky McLean, Program Supervisor, Enrollment Reporting and

Categorical Funding, (360) 725-6306, becky.mclean@k12.wa.us Susan Canaga, Support Manager, Digital Learning Department,

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Purpose

This bulletin provides information and requirements for enrolling and claiming students that are not residents of a school district for state funding. Additionally, this bulletin provides information on the new Education Data System (EDS) Standard Choice Transfer System (SCTS), authorized by the passage of Engrossed Substitute Senate bill (ESSB) 5946 (2013). Usage of the SCTS is required for students enrolling full time in out-of-district online programs but available to be used for all students' Choice Transfers or Interdistrict Agreements.

Background on Enrollment Reporting

School districts that provide educational services to students may claim those students for state funding under three specific circumstances:

- 1. A student is a resident of the district, resides on federal or tribal land that is contiguous to a district, or resides in a district that does not offer a grade in which the student is eligible to enroll;
- 2. The district has a Choice Transfer in place which gives the district the right to claim a student who is not a resident; or

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 The district has an Interdistrict Agreement in place which gives the district the right to claim a specific percentage of full-time equivalency (FTE), given by a student's district of residence.

Without one of these three circumstances in place, a district cannot submit a claim of the student's FTE for apportionment purposes to the Office of Superintendent of Public Instruction (OSPI).

Residence is defined in WAC 392-137-115:

"WAC 392-137-115 Student residence—Definition. As used in this chapter, the term "student residence" means the physical location of a student's principal abode—i.e., the home, house, apartment, facility, structure, or location, etc.—where the student lives the majority of the time. The following shall be considered in applying this section:

- (1) the mailing address of the student—e.g., parent's address or post office box—may be different than the student's principal abode.
- (2) The student's principal abode may be different than the principal abode of the student's parent(s).
 - (3) The lack of a mailing address for a student does not preclude residency under this section.
 - (4) If students are expected to reside at address for twenty consecutive days or more."

Background on Standard Choice Transfer System (SCTS)

The SCTS application was developed as a result of the 2013 Legislature's approval of ESSB 5946 which directed the OSPI Digital Learning Department to create a standardized Choice Transfer form to be used by districts to release students for online course or program enrollment. RCW 28A.250.070 has been amended as a result. An application within EDS has been developed to meet this requirement.

Districts are required to use this system for all students who are "choicing" out of their resident district to a nonresident district for the purpose of enrolling in an online school program. The SCTS application can also be used by districts for choice students enrolling in non-online programs as well as the partial release of FTE through an Interdistrict Agreement.

Implementation of the SCTS will begin on March 31, 2014. Each district will need to establish a Choice Coordinator role(s) in EDS who is responsible for processing the Choice Transfers and Interdistrict Agreements within the system. Instructions on how to begin and navigate the SCTS can be found at

http://digitallearning.k12.wa.us/options/districts/choice.php.

Clarification on Choice Transfer

Under Revised Code of Washington (RCW) 28A.225.200 through 28A.225.240, students have the right to request enrollment in a district other than the district of their

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residence through a Choice Transfer request. Choice law allows districts the ability to grant a student's choice as well as instances where the choice may be refused by either of the districts. This law provides students and their parent(s) or guardian(s) the opportunity to appeal a choice denial decision to OSPI for final determination, as defined in RCW 28A.225.230.

A Choice Transfer occurs when the following takes place:

 There has been release from a student's district of residence (where the student resides), at the student's request, and there has been acceptance from another district within the state of Washington.

AND

2. The original district of residence retains no responsibility for provision of, or funding for, the student's educational program.

For the duration of the Choice Transfer, the nonresident district is responsible for all services and state and federal requirements related to the student (the same responsibilities they have for a student that resides within their district boundaries). This includes, but is not limited to, basic education, special education, home/hospital services, truancy, Comprehensive Education Data and Research System (CEDARS) reporting, and administration of state educational assessments.

Important items to remember:

- 1. A Choice Transfer is initiated by students and/or their parent(s) or guardian(s) through a Choice Transfer request but is completed by the two districts.
- 2. Choice Transfers must have beginning and ending dates and are limited to one school year. Choice Transfers must be renewed annually for the following school year.
- Prior to a fully executed Choice Transfer and before the begin date of the Choice Transfer, the student remains the responsibility of the resident district and must continue to attend their current school until the transfer's begin date or be subject to truancy procedures.
- 4. Districts are required to have policies in place that establish rational, fair, and equitable standards for acceptance and rejection of choice requests as well as the conditions for which a Choice Transfer would be rescinded.
- 5. Once a Choice Transfer is completed, the choice district would enroll the student pursuant to their district's enrollment processes, which could include a record request from the last district where the student was enrolled.
- 6. Students and parent(s) or guardian(s) must be notified of their right to appeal district decisions that reject choice requests or terminate existing Choice Transfers. Appeals can be made both to the district and to OSPI.

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- 7. Choice Transfers must state the reasons the transfer may be rescinded by the nonresident district or specify the district policy where rescindment conditions are established.
- 8. The nonresident district is responsible for notifying the resident district of the Choice Transfer's rescindment and is effective upon the date the resident district receives the notification. Until the resident district receives the notification, the nonresident district remains responsible for the student's education.
- 9. Under a Choice Transfer, the original resident district retains no ability to claim student FTE for state funding during the term of the transfer unless the Choice Transfer has been supplemented by an Interdistrict Agreement.

Clarification on Interdistrict Agreement

Enrollment under a Choice Transfer is in contrast to enrollment under an Interdistrict Agreement where the student remains a resident of their originating district, but the student's basic education, special education, or transitional bilingual instruction program (TBIP) services are shared with another district within the state of Washington. The resident district retains the obligations and responsibilities for the student including, but not limited to, the services mentioned above, unless a different arrangement is specified by the Interdistrict Agreement. The nonresident district that is sharing the student becomes a contractor of the resident district and has only those obligations so noted in the Interdistrict Agreement. The resident district maintains ultimate responsibility for the education being provided by the nonresident district.

Contrary to Choice Transfers, there is no law mandating Interdistrict Agreements and requiring a resident district to enter into an Interdistrict Agreement to share student FTE or provision of special education and TBIP services with a nonresident district. Further, there is no law that requires districts to offer an appeal right to students when districts choose not to share a student via an Interdistrict Agreement.

Important items to remember:

- Interdistrict Agreements must have beginning and ending dates and are limited to one school year. Interdistrict Agreements must be renewed annually for the following school year.
- 2. Students must continue to attend their current school schedule until notified of the acceptance of the Interdistrict Agreement and its start day or be subject to nonattendance procedures.
- 3. Once an Interdistrict Agreement is completed, the nonresident district would enroll the student pursuant to their district's enrollment processes, which could include a record request from the resident district.
- 4. Interdistrict Agreements must specify the maximum amount of FTE each district is allowed to claim for the student. The total FTE in Grades K–12 must not exceed

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- 1.0 FTE. Enrollment when combined with Skill Center or Running Start classes can exceed 1.0 FTE but the high school FTE is limited to 1.0 FTE.
- 5. When sharing the student's special education or TBIP services, an Interdistrict Agreement must specify which district will claim the student's headcount for special education or TBIP funding.
- 6. An Interdistrict Agreements should clearly state the conditions that would lead to a student's disenrollment from the nonresident district. It should also specify how the resident district is to be notified of a student's disenrollment from the nonresident district.
- A district serving a student pursuant to an Interdistrict Agreement may claim up to the amount of time a student is enrolled subject to their limitation specified in the agreement.
- 8. Interdistrict Agreements should comply with all of the requirements of the Interlocal Cooperation Act, chapter 39.34 RCW.

Reporting of Student's Enrollment

Forms P-223 and P-223H Reporting for State Funding:

Resident district's data reported on Forms P-223 and P-223H is used to calculate a district's special education funding, Levy Lid, and Nonhigh payments. Based on whether the student has a Choice Transfer or an Interdistrict Agreement in place, the instructions for reporting the student resident district differs.

Choice Transfer: A student who has "choiced" into a district is considered to be a resident of the "choice" district and, accordingly, is reported on Forms P-223 and P-223H as a resident of the "choice" district.

Interdistrict Agreement: A student who is attending a nonresident district, pursuant to an Interdistrict Agreement, is reported by the serving district on Forms P-223 and P-223H as a resident of the actual resident district. A separate form is required for each separate resident district. The amount of FTE claimed by the nonresident district is limited to the FTE specified in the Interdistrict Agreement.

School Apportionment and Financial Services (SAFS) Alternative Learning Experience (ALE) Reporting: For ALE enrollment reporting in the SAFS ALE application, students are reported by their home district, which is defined as the district the student actually resides in regardless of "choice."

CEDARS Reporting: Each district serving a student should report the student in CEDARS. Similar to Forms P-223 and P-223H reporting, a student who has "choiced" into a district is considered to be a resident of the "choice" district. The resident district would report the student as IsPrimary=Y while the other district(s) would report the

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student as IsPrimary=N. This allows OSPI to count each student only one time in their primary district when an unduplicated count is needed (i.e., federal accountability, graduation rates, etc.). In addition, state testing booklets are sent to the primary district as noted in CEDARS.

Questions

If you require assistance or have questions, please contact the following:

- Becky McLean, Program Supervisor, Enrollment Reporting and Categorical Funding, regarding Choice Transfers and Interdistrict Agreements at (360) 725-6306, or at becky.mclean@k12.wa.us
- Susan Canaga, Support Manager, Digital Learning Department, regarding the SCTS application at (206) 543-5426, or at susan.canaga@k12.wa.us

The agency TTY number is (360) 664-3631. This information is also available at www.k12.wa.us/bulletinsmemos/ on the agency Web site.

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SCHOOL APPORTIONMENT AND

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Attachment: Examples of Choice Transfers and Interdistrict Agreements

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