

---

**ENGROSSED SUBSTITUTE HOUSE BILL 1989**

---

**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** House Committee on Education (originally sponsored by Representatives McDermott, Talcott, Quall, Hunter, Kenney and Rockefeller; by request of Governor Locke)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to the learning assistance program; adding new  
2 sections to chapter 28A.165 RCW; and repealing RCW 28A.165.010,  
3 28A.165.012, 28A.165.030, 28A.165.040, 28A.165.050, 28A.165.060,  
4 28A.165.070, 28A.165.080, and 28A.165.090.

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

6 NEW SECTION. **Sec. 1.** PURPOSE. The learning assistance program  
7 requirements in this chapter are designed to: (1) Promote the use of  
8 assessment data when developing programs to assist underachieving  
9 students; and (2) guide school districts in providing the most  
10 effective and efficient practices when implementing programs to assist  
11 underachieving students. Further, this chapter provides the means by  
12 which a school district becomes eligible for learning assistance  
13 program funds and the distribution of those funds.

14 NEW SECTION. **Sec. 2.** DEFINITIONS. Unless the context clearly  
15 indicates otherwise the definitions in this section apply throughout  
16 this chapter.

17 (1) "Approved program" means a program submitted to and approved by

1 the office of the superintendent of public instruction and conducted  
2 pursuant to the plan that addresses the required elements as provided  
3 for in this chapter.

4 (2) "Basic skills areas" means reading, writing, and mathematics as  
5 well as readiness associated with these skills.

6 (3) "Participating student" means a student in kindergarten through  
7 grade twelve who scores below standard for his or her grade level on  
8 the statewide assessments and who is identified in the approved plan to  
9 receive services.

10 (4) "Statewide assessments" means one or more of the several basic  
11 skills assessments administered as part of the state's student  
12 assessment system, and assessments in the basic skills areas  
13 administered by local school districts.

14 (5) "Underachieving students" means students with the greatest  
15 academic deficits in basic skills as identified by the statewide  
16 assessments.

17 NEW SECTION. **Sec. 3.** PROGRAM PLAN. By July 1st of each year, a  
18 participating school district shall submit the district's plan for  
19 using learning assistance funds to the office of the superintendent of  
20 public instruction for approval. For the 2003-04 school year, school  
21 districts must identify the program activities to be implemented from  
22 section 4 of this act and are encouraged to implement the elements in  
23 subsections (1) through (8) of this section. Beginning in the 2004-05  
24 school year, the program plan must identify the program activities to  
25 be implemented from section 4 of this act and implement all of the  
26 elements in subsections (1) through (8) of this section. The school  
27 district plan shall include the following:

28 (1) District and school-level data on reading, writing, and  
29 mathematics achievement as reported pursuant to chapter 28A.655 RCW and  
30 relevant federal law;

31 (2) Processes used for identifying the underachieving students to  
32 be served by the program, including the identification of school or  
33 program sites providing program activities;

34 (3) How accelerated learning plans are developed and implemented  
35 for participating students, including:

36 (a) Achievement goals for the students;

- 1 (b) Roles of the student, parents, or guardians and teachers in the
- 2 plan;
- 3 (c) Communication procedures regarding student accomplishment; and
- 4 (d) Plan reviews and adjustments processes;
- 5 (4) How state level and classroom assessments are used to inform
- 6 instruction;
- 7 (5) How focused and intentional instructional strategies have been
- 8 identified and implemented;
- 9 (6) How highly qualified instructional staff are developed and
- 10 supported in the program and in participating schools;
- 11 (7) How other federal, state, district, and school resources are
- 12 coordinated with school improvement plans and the district's strategic
- 13 plan to support underachieving students; and
- 14 (8) How a program evaluation will be conducted to determine
- 15 direction for the following school year.

16 NEW SECTION. **Sec. 4.** PROGRAM ACTIVITIES. Use of best practices  
17 magnifies the opportunities for student success. The following are  
18 services and activities that may be supported by the learning  
19 assistance program:

- 20 (1) Extended learning time opportunities occurring:
  - 21 (a) Before or after the regular school day;
  - 22 (b) On Saturday; and
  - 23 (c) Beyond the regular school year;
- 24 (2) Professional development for certificated and classified staff  
25 that focuses on:
  - 26 (a) The needs of a diverse student population;
  - 27 (b) Specific literacy and mathematics content and instructional  
28 strategies; and
  - 29 (c) The use of student work to guide effective instruction;
- 30 (3) Consultant teachers to assist in implementing effective  
31 instructional practices by teachers serving participating students;
- 32 (4) Tutoring support for participating students; and
- 33 (5) Outreach activities and support for parents of participating  
34 students.

35 NEW SECTION. **Sec. 5.** PLAN APPROVAL PROCESS. A participating  
36 school district shall annually submit a program plan to the office of

1 the superintendent of public instruction for approval. The program  
2 plan must address all of the elements in section 3 of this act and  
3 identify the program activities to be implemented from section 4 of  
4 this act.

5 School districts achieving reading and mathematics goals as  
6 prescribed in chapter 28A.655 RCW shall have their program approved  
7 once the program plan and activities submittal is completed.

8 School districts not achieving reading and mathematics goals as  
9 prescribed in chapter 28A.655 RCW and that are not in a state or  
10 federal program of school improvement shall be subject to program  
11 approval once the plan components are reviewed by the office of the  
12 superintendent of public instruction for the purpose of receiving  
13 technical assistance in the final development of the plan.

14 School districts with one or more schools in a state or federal  
15 program of school improvement shall have their plans and activities  
16 reviewed and approved in conjunction with the state or federal program  
17 school improvement program requirements.

18 NEW SECTION. **Sec. 6.** FUNDS--ELIGIBILITY--DISTRIBUTION. Each  
19 school district with an approved program is eligible for state funds  
20 provided for the learning assistance program. The funds shall be  
21 appropriated for the learning assistance program in accordance with the  
22 biennial appropriations act. The distribution formula is for school  
23 district allocation purposes only. Beginning with the 2005-06 school  
24 year, the distribution formula shall be based on a poverty factor.

25 NEW SECTION. **Sec. 7.** MONITORING. To ensure that school districts  
26 are meeting the requirements of an approved program, the superintendent  
27 of public instruction shall monitor such programs no less than once  
28 every four years. Individual student records shall be maintained at  
29 the school district.

30 NEW SECTION. **Sec. 8.** RULES. The superintendent of public  
31 instruction shall adopt rules in accordance with chapter 34.05 RCW that  
32 are necessary to implement this chapter.

33 NEW SECTION. **Sec. 9.** CAPTIONS NOT LAW. Captions used in this act  
34 are not any part of the law.

1        NEW SECTION.    **Sec. 10.**    The following acts or parts of acts are  
2 each repealed:

3            (1) RCW 28A.165.010 (Intent) and 1989 c 233 s 1 & 1987 c 478 s 1;

4            (2) RCW 28A.165.012 (Program created) and 1987 c 478 s 2;

5            (3) RCW 28A.165.030 (Definitions) and 1999 c 78 s 1, 1990 c 33 s  
6 148, & 1987 c 478 s 3;

7            (4)    RCW    28A.165.040    (Application    for    state    funds--Needs  
8 assessment--Plan) and 1990 c 33 s 149, 1989 c 233 s 2, & 1987 c 478 s  
9 4;

10           (5) RCW 28A.165.050 (Identification of students--Coordination of  
11 use of funds) and 1987 c 478 s 5;

12           (6) RCW 28A.165.060 (Services or activities under program) and 1989  
13 c 233 s 3 & 1987 c 478 s 6;

14           (7) RCW 28A.165.070 (Eligibility for funds--Distribution of funds--  
15 Development of allocation formula) and 1995 1st sp.s. c 13 s 1, 1993  
16 sp.s. c 24 s 520, 1990 c 33 s 150, & 1987 c 478 s 7;

17           (8) RCW 28A.165.080 (Monitoring) and 1990 c 33 s 151 & 1987 c 478  
18 s 8; and

19           (9) RCW 28A.165.090 (Rules) and 1990 c 33 s 152 & 1987 c 478 s 9.

20        NEW SECTION.    **Sec. 11.**    Sections 1 through 9 of this act are each  
21 added to chapter 28A.165 RCW.

--- END ---