
SUBSTITUTE SENATE BILL 5877

State of Washington

58th Legislature

2004 Regular Session

By Senate Committee on Education (originally sponsored by Senators Johnson, McAuliffe, Kohl-Welles and Rasmussen; by request of Governor Locke)

READ FIRST TIME 02/05/04.

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 when implementing programs to
10 assist underachieving students. It is the legislature's intent that
11 the primary purpose of the learning assistance program is to assist
12 school districts in meeting the needs of its early elementary students.
13 Further, this chapter provides the means by which a school district
14 becomes eligible for learning assistance program funds and the
15 distribution of those funds.

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

1 (1) "Approved program" means a program submitted to and approved by
2 the office of the superintendent of public instruction and conducted
3 pursuant to the plan that addresses the required elements as provided
4 for in this chapter.

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

7 (3) "Participating student" means a student in kindergarten through
8 grade eleven who scores below standard for his or her grade level on
9 the statewide assessments and who is identified in the approved plan to
10 receive services. Beginning with the 2007-2008 school year,
11 "participating student" means a student in kindergarten through grade
12 twelve who scores below standard for his or her grade level on the
13 statewide assessments and who is identified in the approved plan to
14 receive services.

15 (4) "Statewide assessments" means statewide tests at the third
16 grade level established pursuant to RCW 28A.230.190, sixth grade level
17 established pursuant to RCW 28A.230.193, and ninth grade level
18 established pursuant to RCW 28A.230.230.

19 (5) "Underachieving students" means students with the greatest
20 academic deficits in basic skills as identified by the statewide
21 assessments.

22 NEW SECTION. **Sec. 3.** PROGRAM PLAN. By July 1st of each year, a
23 participating school district shall submit the district's plan for
24 using learning assistance funds to the office of the superintendent of
25 public instruction for approval. For the 2004-05 school year, school
26 districts must identify the program activities to be implemented from
27 section 4 of this act and are encouraged to implement the elements in
28 subsections (1) through (8) of this section. Beginning in the 2005-06
29 school year, the program plan must identify the program activities to
30 be implemented from section 4 of this act and implement all of the
31 elements in subsections (1) through (8) of this section. The school
32 district plan shall include the following:

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

36 (2) Processes used for identifying the underachieving students to

1 be served by the program, including the identification of school or
2 program sites providing program activities;

3 (3) How accelerated learning plans are developed and implemented
4 for participating students. Accelerated learning plans may be
5 developed as part of existing student achievement plan process such as
6 student plans for achieving state high school graduation standards,
7 individual student academic plans, or the achievement plans for groups
8 of students. Accelerated learning plans shall include:

9 (a) Achievement goals for the students;

10 (b) Roles of the student, parents, or guardians and teachers in the
11 plan;

12 (c) Communication procedures regarding student accomplishment; and

13 (d) Plan reviews and adjustments processes;

14 (4) How state level and classroom assessments are used to inform
15 instruction;

16 (5) How focused and intentional instructional strategies have been
17 identified and implemented;

18 (6) How highly qualified instructional staff are developed and
19 supported in the program and in participating schools;

20 (7) How other federal, state, district, and school resources are
21 coordinated with school improvement plans and the district's strategic
22 plan to support underachieving students; and

23 (8) How a program evaluation will be conducted to determine
24 direction for the following school year.

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

29 (1) Extended learning time opportunities occurring:

30 (a) Before or after the regular school day;

31 (b) On Saturday; and

32 (c) Beyond the regular school year;

33 (2) Professional development for certificated and classified staff
34 that focuses on:

35 (a) The needs of the student population;

36 (b) Specific literacy and mathematics content and instructional
37 strategies; and

- 1 (c) The use of student work to guide effective instruction;
- 2 (3) Consultant teachers to assist in implementing effective
- 3 instructional practices by teachers serving participating students;
- 4 (4) Tutoring support for participating students; and
- 5 (5) Outreach activities and support for parents of participating
- 6 students.

7 NEW SECTION. **Sec. 5.** PLAN APPROVAL PROCESS. A participating
8 school district shall annually submit a program plan to the office of
9 the superintendent of public instruction for approval. The program
10 plan must address all of the elements in section 3 of this act and
11 identify the program activities to be implemented from section 4 of
12 this act.

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

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

22 School districts with one or more schools in a state or federal
23 program of school improvement shall have their plans and activities
24 reviewed and approved in conjunction with the state or federal program
25 school improvement program requirements.

26 NEW SECTION. **Sec. 6.** FUNDS--ELIGIBILITY--DISTRIBUTION. Each
27 school district with an approved program is eligible for state funds
28 provided for the learning assistance program. The funds shall be
29 appropriated for the learning assistance program in accordance with the
30 biennial appropriations act. The distribution formula is for school
31 district allocation purposes only. The distribution formula shall be
32 based upon an assessment of students and on one or more family income
33 factors measuring economic need.

34 NEW SECTION. **Sec. 7.** MONITORING. To ensure that school districts
35 are meeting the requirements of an approved program, the superintendent

1 of public instruction shall monitor such programs no less than once
2 every four years. Individual student records shall be maintained at
3 the school district.

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

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

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

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

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

13 (3) RCW 28A.165.030 (Definitions) and 1999 c 78 s 1, 1990 c 33 s
14 148, & 1987 c 478 s 3;

15 (4) RCW 28A.165.040 (Application for state funds--Needs
16 assessment--Plan) and 1990 c 33 s 149, 1989 c 233 s 2, & 1987 c 478 s
17 4;

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

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

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

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

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

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

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