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ENGROSSED SECOND SUBSTITUTE SENATE BILL 5330

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State of Washington

63rd Legislature

2013 Regular Session

By Senate Ways & Means (originally sponsored by Senators Hargrove, Shin, and Hill)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to improved student achievement and student  
2 outcomes; amending RCW 28A.150.220, 28A.150.260, 28A.165.005,  
3 28A.165.015, 28A.165.025, 28A.165.035, and 28A.175.025; adding a new  
4 section to chapter 28A.415 RCW; adding new sections to chapter 28A.165  
5 RCW; adding new sections to chapter 28A.180 RCW; adding a new section  
6 to chapter 28A.630 RCW; adding a new section to chapter 43.09 RCW;  
7 adding a new section to chapter 28A.155 RCW; creating new sections; and  
8 providing an expiration date.

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

10 NEW SECTION. **Sec. 1.** The legislature intends to respond to our  
11 constitutional obligation to amply fund basic education by targeting  
12 our initial investments in the new basic education program on research-  
13 based practices that will result in improving student achievement,  
14 closing the opportunity gap, and reducing dropout rates. The  
15 legislature recognizes that reform efforts without funding is simply  
16 another unfunded mandate on our schools and an empty promise to our  
17 children. The legislature recognizes that funding is necessary but not  
18 sufficient to fully provide an equal opportunity for all students to  
19 learn. The legislature further recognizes that each student is

1 different and that to provide the opportunity to learn, the state must  
2 provide additional resources and programs to those students with the  
3 greatest barriers to being successful members of society, the  
4 workforces, and a democracy. It is the intent of the legislature to  
5 provide the necessary resources to each student through programs and  
6 initiatives that demonstrate the greatest relationship to that  
7 student's learning and ultimate success. By focusing our initial  
8 funding on programs that have positive student outcomes we are moving  
9 away from an input-based approach to school funding and towards a  
10 funding system that is tied to producing results.

11 The legislature intends to continue to make changes to the program  
12 of basic education in those areas where emerging research and evidence  
13 shows there are better and more efficient strategies for helping  
14 students succeed.

15 The legislature further intends to continue to focus on the  
16 individualized needs of every child and recognize that different  
17 children need differing levels of support in order to have an equal  
18 opportunity to access their full potential. By investing now in those  
19 educational support services that research demonstrates have a low risk  
20 of failure and good return on investment, the state anticipates we will  
21 save money in the future as the need for continuing intervention  
22 strategies for those same children later in their educational career is  
23 reduced. With this approach, the overall funding needs of the  
24 educational system will over time be reduced even as student  
25 achievement improves.

26 **Sec. 2.** RCW 28A.150.220 and 2011 1st sp.s. c 27 s 1 are each  
27 amended to read as follows:

28 (1) In order for students to have the opportunity to develop the  
29 basic education knowledge and skills under RCW 28A.150.210, school  
30 districts must provide instruction of sufficient quantity and quality  
31 and give students the opportunity to complete graduation requirements  
32 that are intended to prepare them for postsecondary education, gainful  
33 employment, and citizenship. The program established under this  
34 section shall be the minimum instructional program of basic education  
35 offered by school districts.

36 (2) Each school district shall make available to students the  
37 following minimum instructional offering each school year:

1 (a) For students enrolled in grades one through twelve, at least a  
2 district-wide annual average of one thousand hours, which shall be  
3 increased to at least one thousand eighty instructional hours for  
4 students enrolled in each of grades seven through twelve and at least  
5 one thousand instructional hours for students in each of grades one  
6 through six according to an implementation schedule adopted by the  
7 legislature, but not before the 2014-15 school year; and

8 (b) For students enrolled in kindergarten, at least four hundred  
9 fifty instructional hours, which shall be increased to at least one  
10 thousand instructional hours according to the implementation schedule  
11 under RCW 28A.150.315.

12 (3) The instructional program of basic education provided by each  
13 school district shall include:

14 (a) Instruction in the essential academic learning requirements  
15 under RCW 28A.655.070;

16 (b) Instruction that provides students the opportunity to complete  
17 twenty-four credits for high school graduation, subject to a phased-in  
18 implementation of the twenty-four credits as established by the  
19 legislature. Course distribution requirements may be established by  
20 the state board of education under RCW 28A.230.090;

21 (c) If the essential academic learning requirements include a  
22 requirement of languages other than English, the requirement may be met  
23 by students receiving instruction in one or more American Indian  
24 languages;

25 (d) Supplemental instruction and services for underachieving  
26 students through the learning assistance program under RCW 28A.165.005  
27 through 28A.165.065;

28 (e) Supplemental instruction and services for eligible and enrolled  
29 students whose primary language is other than English through the  
30 transitional bilingual instruction program under RCW 28A.180.010  
31 through 28A.180.080;

32 (f) The opportunity for an appropriate education at public expense  
33 as defined by RCW 28A.155.020 for all eligible students with  
34 disabilities as defined in RCW 28A.155.020; and

35 (g) Programs for highly capable students under RCW 28A.185.010  
36 through 28A.185.030.

37 (4) Nothing contained in this section shall be construed to require

1 individual students to attend school for any particular number of hours  
2 per day or to take any particular courses.

3 (5) Each school district's kindergarten through twelfth grade basic  
4 educational program shall be accessible to all students who are five  
5 years of age, as provided by RCW 28A.225.160, and less than twenty-one  
6 years of age and shall consist of a minimum of one hundred eighty  
7 school days per school year in such grades as are conducted by a school  
8 district, and one hundred eighty half-days of instruction, or  
9 equivalent, in kindergarten, to be increased to a minimum of one  
10 hundred eighty school days per school year according to the  
11 implementation schedule under RCW 28A.150.315. However, schools  
12 administering the Washington kindergarten inventory of developing  
13 skills may use up to three school days at the beginning of the school  
14 year to meet with parents and families as required in the parent  
15 involvement component of the inventory. In addition, effective May 1,  
16 1979, a school district may schedule the last five school days of the  
17 one hundred ((and)) eighty day school year for noninstructional  
18 purposes in the case of students who are graduating from high school,  
19 including, but not limited to, the observance of graduation and early  
20 release from school upon the request of a student, and all such  
21 students may be claimed as a full-time equivalent student to the extent  
22 they could otherwise have been so claimed for the purposes of RCW  
23 28A.150.250 and 28A.150.260.

24 (6) Nothing in this section precludes a school district from  
25 enriching the instructional program of basic education, such as  
26 offering additional instruction or providing additional services,  
27 programs, or activities that the school district determines to be  
28 appropriate for the education of the school district's students.

29 (7) The state board of education shall adopt rules to implement and  
30 ensure compliance with the program requirements imposed by this  
31 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental  
32 program approval requirements as the state board may establish.

33 **Sec. 3.** RCW 28A.150.260 and 2011 1st sp.s. c 27 s 2 are each  
34 amended to read as follows:

35 The purpose of this section is to provide for the allocation of  
36 state funding that the legislature deems necessary to support school

1 districts in offering the minimum instructional program of basic  
2 education under RCW 28A.150.220. The allocation shall be determined as  
3 follows:

4 (1) The governor shall and the superintendent of public instruction  
5 may recommend to the legislature a formula for the distribution of a  
6 basic education instructional allocation for each common school  
7 district.

8 (2) The distribution formula under this section shall be for  
9 allocation purposes only. Except as may be required under chapter  
10 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and  
11 regulations, nothing in this section requires school districts to use  
12 basic education instructional funds to implement a particular  
13 instructional approach or service. Nothing in this section requires  
14 school districts to maintain a particular classroom teacher-to-student  
15 ratio or other staff-to-student ratio or to use allocated funds to pay  
16 for particular types or classifications of staff. Nothing in this  
17 section entitles an individual teacher to a particular teacher planning  
18 period.

19 (3)(a) To the extent the technical details of the formula have been  
20 adopted by the legislature and except when specifically provided as a  
21 school district allocation, the distribution formula for the basic  
22 education instructional allocation shall be based on minimum staffing  
23 and nonstaff costs the legislature deems necessary to support  
24 instruction and operations in prototypical schools serving high,  
25 middle, and elementary school students as provided in this section.  
26 The use of prototypical schools for the distribution formula does not  
27 constitute legislative intent that schools should be operated or  
28 structured in a similar fashion as the prototypes. Prototypical  
29 schools illustrate the level of resources needed to operate a school of  
30 a particular size with particular types and grade levels of students  
31 using commonly understood terms and inputs, such as class size, hours  
32 of instruction, and various categories of school staff. It is the  
33 intent that the funding allocations to school districts be adjusted  
34 from the school prototypes based on the actual number of annual average  
35 full-time equivalent students in each grade level at each school in the  
36 district and not based on the grade-level configuration of the school  
37 to the extent that data is available. The allocations shall be further

1 adjusted from the school prototypes with minimum allocations for small  
2 schools and to reflect other factors identified in the omnibus  
3 appropriations act.

4 (b) For the purposes of this section, prototypical schools are  
5 defined as follows:

6 (i) A prototypical high school has six hundred average annual full-  
7 time equivalent students in grades nine through twelve;

8 (ii) A prototypical middle school has four hundred thirty-two  
9 average annual full-time equivalent students in grades seven and eight;  
10 and

11 (iii) A prototypical elementary school has four hundred average  
12 annual full-time equivalent students in grades kindergarten through  
13 six.

14 (4)(a) The minimum allocation for each level of prototypical school  
15 shall be based on the number of full-time equivalent classroom teachers  
16 needed to provide instruction over the minimum required annual  
17 instructional hours under RCW 28A.150.220 and provide at least one  
18 teacher planning period per school day, and based on the following  
19 general education average class size of full-time equivalent students  
20 per teacher:

	General education average class size
24 Grades K-3 . . . . .	25.23
25 Grade 4 . . . . .	27.00
26 Grades 5-6 . . . . .	27.00
27 Grades 7-8 . . . . .	28.53
28 Grades 9-12 . . . . .	28.74

29 (b) During the 2011-2013 biennium and beginning with schools with  
30 the highest percentage of students eligible for free and reduced-price  
31 meals in the prior school year, the general education average class  
32 size for grades K-3 shall be reduced until the average class size  
33 funded under this subsection (4) is no more than 17.0 full-time  
34 equivalent students per teacher beginning in the 2017-18 school year.  
35 Districts shall receive the funds allocated in excess of an average  
36 class size of 25.23 for grades K-3 only to the extent that the district  
37 documents a class size between 25.23 and the class size funded in the  
38 biennial operating budget.

1 (c) The minimum allocation for each prototypical middle and high  
 2 school shall also provide for full-time equivalent classroom teachers  
 3 based on the following number of full-time equivalent students per  
 4 teacher in career and technical education:

	Career and technical
	education average
	class size
8 Approved career and technical education offered at	
9 the middle school and high school level . . . . .	26.57
10 Skill center programs meeting the standards established	
11 by the office of the superintendent of public	
12 instruction . . . . .	22.76

13 (d) In addition, the omnibus appropriations act shall at a minimum  
 14 specify:

15 (i) A high-poverty average class size in schools where more than  
 16 fifty percent of the students are eligible for free and reduced-price  
 17 meals; and

18 (ii) A specialty average class size for laboratory science,  
 19 advanced placement, and international baccalaureate courses.

20 (5)(a) The minimum allocation for each level of prototypical school  
 21 shall include allocations for the following types of staff in addition  
 22 to classroom teachers:

	Elementary	Middle	High
	School	School	School
26 Principals, assistant principals, and other certificated building-level			
27 administrators . . . . .	1.253	1.353	1.880
28 Teacher librarians, a function that includes information literacy, technology,			
29 and media to support school library media programs . . . . .	0.663	0.519	0.523
30 Health and social services:			
31 School nurses . . . . .	0.076	0.060	0.096
32 Social workers . . . . .	0.042	0.006	0.015
33 Psychologists . . . . .	0.017	0.002	0.007
34 Guidance counselors, a function that includes parent outreach and graduation			
35 advising . . . . .	0.493	1.116	1.909

1	Teaching assistance, including any aspect of educational instructional			
2	services provided by classified employees . . . . .	0.936	0.700	0.652
3	Office support and other noninstructional aides . . . . .	2.012	2.325	3.269
4	Custodians . . . . .	1.657	1.942	2.965
5	Classified staff providing student and staff safety . . . . .	0.079	0.092	0.141
6	Parent involvement coordinators . . . . .	0.00	0.00	0.00

7       (b) The omnibus appropriations act shall specify the level of state  
8 funding for parent involvement coordinators. State funds provided for  
9 parent involvement coordinators must be spent by the school districts  
10 to employ parent involvement coordinators and implement parent  
11 involvement programs that have been shown by research to be successful.

12       (6)(a) The minimum staffing allocation for each school district to  
13 provide district-wide support services shall be allocated per one  
14 thousand annual average full-time equivalent students in grades K-12 as  
15 follows:

16			Staff per 1,000
17			K-12 students
18	Technology . . . . .		0.628
19	Facilities, maintenance, and grounds . . . . .		1.813
20	Warehouse, laborers, and mechanics . . . . .		0.332

21       (b) The minimum allocation of staff units for each school district  
22 to support certificated and classified staffing of central  
23 administration shall be 5.30 percent of the staff units generated under  
24 subsections (4)(a) and (b) and (5) of this section and (a) of this  
25 subsection.

26       (7) The distribution formula shall include staffing allocations to  
27 school districts for career and technical education and skill center  
28 administrative and other school-level certificated staff, as specified  
29 in the omnibus appropriations act.

30       (8)(a) Except as provided in (b) of this subsection, the minimum  
31 allocation for each school district shall include allocations per  
32 annual average full-time equivalent student for the following  
33 materials, supplies, and operating costs, to be adjusted for inflation  
34 from the 2008-09 school year:

35		Per annual average
36		full-time equivalent student



1		in grades K-12	
2	Technology . . . . .		\$54.43
3	Utilities and insurance . . . . .		\$147.90
4	Curriculum and textbooks . . . . .		\$58.44
5	Other supplies and library materials . . . . .		\$124.07
6	Instructional professional development for certified and		
7	classified staff . . . . .		\$9.04
8	Facilities maintenance . . . . .		\$73.27
9	Security and central office . . . . .		\$50.76

10 (b) During the 2011-2013 biennium, the minimum allocation for  
11 (~~maintenance~~) materials, supplies, and operating costs shall be  
12 increased as specified in the omnibus appropriations act. The  
13 following allocations, adjusted for inflation from the 2007-08 school  
14 year, are provided in the 2015-16 school year, after which the  
15 allocations shall be adjusted annually for inflation as specified in  
16 the omnibus appropriations act:

17		Per annual average	
18		full-time equivalent student	
19		in grades K-12	
20	Technology . . . . .		\$113.80
21	Utilities and insurance . . . . .		\$309.21
22	Curriculum and textbooks . . . . .		\$122.17
23	Other supplies and library materials . . . . .		\$259.39
24	Instructional professional development for certificated and		
25	classified staff . . . . .		\$18.89
26	Facilities maintenance . . . . .		\$153.18
27	Security and central office administration . . . . .		\$106.12

28 (9) In addition to the amounts provided in subsection (8) of this  
29 section, the omnibus appropriations act shall provide an amount based  
30 on full-time equivalent student enrollment in each of the following:

- 31 (a) Exploratory career and technical education courses for students  
32 in grades seven through twelve;
- 33 (b) Laboratory science courses for students in grades nine through  
34 twelve;
- 35 (c) Preparatory career and technical education courses for students  
36 in grades nine through twelve offered in a high school; and

1 (d) Preparatory career and technical education courses for students  
2 in grades eleven and twelve offered through a skill center.

3 (10) In addition to the allocations otherwise provided under this  
4 section, amounts shall be provided to support the following programs  
5 and services:

6 (a) To provide supplemental instruction and services for  
7 underachieving students through the learning assistance program under  
8 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the  
9 district percentage of students in grades K-12 who were eligible for  
10 free or reduced-price meals in the prior school year. The minimum  
11 allocation for the program shall provide for each level of prototypical  
12 school resources to provide, on a statewide average, 1.5156 hours per  
13 week in extra instruction with a class size of fifteen learning  
14 assistance program students per teacher.

15 (b) To provide supplemental instruction and services for students  
16 whose primary language is other than English, allocations shall be  
17 based on the head count number of students in each school who are  
18 eligible for and enrolled in the transitional bilingual instruction  
19 program under RCW 28A.180.010 through 28A.180.080. The minimum  
20 allocation for each level of prototypical school shall provide  
21 resources to provide, on a statewide average, 4.7780 hours per week in  
22 extra instruction with fifteen transitional bilingual instruction  
23 program students per teacher. Notwithstanding other provisions of this  
24 subsection (10), the actual per-student allocation may be scaled to  
25 provide a larger allocation for students needing more intensive  
26 intervention and a commensurate reduced allocation for students needing  
27 less intensive intervention, as detailed in the omnibus appropriations  
28 act.

29 (c) To provide additional allocations to support programs for  
30 highly capable students under RCW 28A.185.010 through 28A.185.030,  
31 allocations shall be based on two and three hundred fourteen one-  
32 thousandths percent of each school district's full-time equivalent  
33 basic education enrollment. The minimum allocation for the programs  
34 shall provide resources to provide, on a statewide average, 2.1590  
35 hours per week in extra instruction with fifteen highly capable program  
36 students per teacher.

37 (11) The allocations under subsections (4)(a) and (b), (5), (6),

1 and (8) of this section shall be enhanced as provided under RCW  
2 28A.150.390 on an excess cost basis to provide supplemental  
3 instructional resources for students with disabilities.

4 (12)(a) For the purposes of allocations for prototypical high  
5 schools and middle schools under subsections (4) and (10) of this  
6 section that are based on the percent of students in the school who are  
7 eligible for free and reduced-price meals, the actual percent of such  
8 students in a school shall be adjusted by a factor identified in the  
9 omnibus appropriations act to reflect underreporting of free and  
10 reduced-price meal eligibility among middle and high school students.

11 (b) Allocations or enhancements provided under subsections (4),  
12 (7), and (9) of this section for exploratory and preparatory career and  
13 technical education courses shall be provided only for courses approved  
14 by the office of the superintendent of public instruction under chapter  
15 28A.700 RCW.

16 (13)(a) This formula for distribution of basic education funds  
17 shall be reviewed biennially by the superintendent and governor. The  
18 recommended formula shall be subject to approval, amendment or  
19 rejection by the legislature.

20 (b) In the event the legislature rejects the distribution formula  
21 recommended by the governor, without adopting a new distribution  
22 formula, the distribution formula for the previous school year shall  
23 remain in effect.

24 (c) The enrollment of any district shall be the annual average  
25 number of full-time equivalent students and part-time students as  
26 provided in RCW 28A.150.350, enrolled on the first school day of each  
27 month, including students who are in attendance pursuant to RCW  
28 28A.335.160 and 28A.225.250 who do not reside within the servicing  
29 school district. The definition of full-time equivalent student shall  
30 be determined by rules of the superintendent of public instruction and  
31 shall be included as part of the superintendent's biennial budget  
32 request. The definition shall be based on the minimum instructional  
33 hour offerings required under RCW 28A.150.220. Any revision of the  
34 present definition shall not take effect until approved by the house  
35 ways and means committee and the senate ways and means committee.

36 (d) The office of financial management shall make a monthly review  
37 of the superintendent's reported full-time equivalent students in the  
38 common schools in conjunction with RCW 43.62.050.

1        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 28A.415  
2    RCW to read as follows:

3        (1) Subject to an appropriation for this specific purpose, the  
4    educator support program is created to provide mentor support to novice  
5    and probationary teachers. The superintendent of public instruction  
6    shall provide funding for the components in subsection (2) of this  
7    section and an average of two hours of mentor support per week for  
8    first year and probationary teachers and an average caseload of not  
9    greater than fifteen novice teachers for a full-time mentor. Mentor  
10   support is decreased to an average of one and one-half hours per week  
11   for second year teachers and an average of one hour per week for third-  
12   year teachers, with the mentor caseload adjusted accordingly.

13        (2) The program provided by a district must include: A paid  
14   orientation; assignment of a qualified mentor; development of a  
15   professional growth plan for each beginning teacher aligned with  
16   professional certification; release time for mentors and new teachers  
17   to work together; and teacher observation time with accomplished peers.

18        **Sec. 5.**    RCW 28A.165.005 and 2009 c 548 s 701 are each amended to  
19   read as follows:

20        This chapter is designed to: (1) Promote the use of assessment  
21   data when developing programs to assist underachieving students and  
22   students who exhibit behavior that is not conducive to their own  
23   learning or the learning of other students; and (2) guide school  
24   districts in providing the most effective and efficient practices when  
25   implementing supplemental instruction and services to assist  
26   underachieving students.

27        **Sec. 6.**    RCW 28A.165.015 and 2009 c 548 s 702 are each amended to  
28   read as follows:

29        Unless the context clearly indicates otherwise the definitions in  
30   this section apply throughout this chapter.

31        (1) "Approved program" means a program submitted to and approved by  
32   the office of the superintendent of public instruction and conducted  
33   pursuant to the plan that addresses the required elements as provided  
34   for in this chapter. The approved program must be included on the  
35   inventory of effective practices, activities, and programs developed by

1 the Washington institute for public policy as provided under section 6  
2 of this act unless the program is approved by the office of the  
3 superintendent of public instruction under section 7 of this act.

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:

8 (a) Scores below standard for his or her grade level on the  
9 statewide assessments and who is identified in the approved plan to  
10 receive services; or

11 (b) Has behavior that is not conducive to his or her own learning  
12 or the learning of others and who is not eligible for special education  
13 or related services.

14 (4) "Statewide assessments" means:

15 (a) One or more of the several basic skills assessments  
16 administered as part of the state's student assessment system, and  
17 assessments in the basic skills areas administered by local school  
18 districts; or

19 (b) For students who have behavior problems, an age-appropriate,  
20 research-based, standardized screening to be recommended by the office  
21 of the superintendent of public instruction.

22 (5) "Underachieving students" means students with the greatest  
23 academic deficits in basic skills as identified by the statewide  
24 assessments.

25 NEW SECTION. Sec. 7. A new section is added to chapter 28A.165  
26 RCW to read as follows:

27 (1) By August 1, 2014, the Washington institute for public policy  
28 shall prepare an inventory of evidence-based and research-based  
29 effective practices, activities, and programs for use by school  
30 districts in the learning assistance program. The inventory shall be  
31 updated every two years.

32 (2) School districts shall report to the office of the  
33 superintendent of public instruction:

34 (a) Annual entrance and exit data for individual students  
35 participating in the learning assistance program;

36 (b) The amount of academic growth gained by each student and the  
37 number of students that gain at least one year of academic growth; and

1 (c) The specific practices, activities, and programs used by each  
2 school building that receives learning assistance program funding. The  
3 office of the superintendent of public instruction shall develop  
4 standard categories and definitions of the specific practices,  
5 activities, and programs for school district reporting purposes.

6 (3) The office of the superintendent of public instruction shall  
7 use monitoring and quality control procedures designed to measure  
8 school district fidelity in implementing the programs on the inventory.

9 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.165  
10 RCW to read as follows:

11 School districts may use a practice, activity, or program that is  
12 not on the inventory list developed under section 6 of this act for one  
13 school year. If at the end of the school year, the school district can  
14 show that the students in the program experienced an increase in  
15 academic achievement, then the office of the superintendent of public  
16 instruction must approve the program for one additional school year.  
17 Subsequent annual approval by the superintendent's office is dependent  
18 on continued success in increasing academic performance of the students  
19 in the program.

20 **Sec. 9.** RCW 28A.165.025 and 2009 c 556 s 1 are each amended to  
21 read as follows:

22 (1) A participating school district shall submit the district's  
23 plan for using learning assistance funds to the office of the  
24 superintendent of public instruction for approval, to the extent  
25 required under subsection ~~((+2+))~~ (3) of this section. The program  
26 plan must identify the program activities to be implemented from RCW  
27 28A.165.035 and implement all of the elements in (a) through ~~((+h+))~~  
28 (i) of this subsection. The school district plan shall include the  
29 following:

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

33 (b) Processes used for identifying the underachieving students or  
34 students who have behaviors that are not conducive to their own  
35 learning or the learning of others, to be served by the program,

1 including the identification of school or program sites providing  
2 program activities;

3 (c) A statement that the program or activities are included on the  
4 inventory referenced in section 6 of this act or meets the exception  
5 provided under section 7 of this act;

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

- 12 (i) Achievement goals for the students;
- 13 (ii) Roles of the student, parents, or guardians and teachers in  
14 the plan;
- 15 (iii) Communication procedures regarding student accomplishment;
- 16 and
- 17 (iv) Plan reviews and adjustments processes;

18 ~~((d))~~ (e) How state level ~~((and))~~ classroom assessments, or  
19 screening tools recommended by the office of the superintendent of  
20 public instruction are used to inform instruction;

21 ~~((e))~~ (f) How focused and intentional instructional strategies  
22 including strategies to assist students to identify ways to help  
23 themselves establish a calm, safe, and orderly demeanor have been  
24 identified and implemented;

25 ~~((f))~~ (g) How highly qualified instructional staff are developed  
26 and supported in the program and in participating schools;

27 ~~((g))~~ (h) How other federal, state, district, and school  
28 resources are coordinated with school improvement plans and the  
29 district's strategic plan to support underachieving students; and

30 ~~((h))~~ (i) How a program evaluation will be conducted to determine  
31 direction for the following school year.

32 (2) For students with behaviors that are not conducive to learning,  
33 placement in the program may be temporary and episodic due to adverse  
34 childhood experiences or may be for a full school year.

35 (3) If a school district has received approval of its plan once, it  
36 is not required to submit a plan for approval under RCW 28A.165.045 or  
37 this section unless the district has made a significant change to the  
38 plan. If a district has made a significant change to only a portion of

1 the plan the district need only submit a description of the changes  
2 made and not the entire plan. Plans or descriptions of changes to the  
3 plan must be submitted by July 1st as required under this section. The  
4 office of the superintendent of public instruction shall establish  
5 guidelines for what a "significant change" is.

6 **Sec. 10.** RCW 28A.165.035 and 2008 c 321 s 4 are each amended to  
7 read as follows:

8 Use of best practices magnifies the opportunities for student  
9 success. The following are services and activities that may be  
10 supported by the learning assistance program:

11 (1) Extended learning time opportunities occurring:

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

13 (b) On Saturday; and

14 (c) Beyond the regular school year;

15 (2) Services under RCW 28A.320.190;

16 (3) Professional development for certificated and classified staff  
17 that focuses on:

18 (a) The needs of a diverse student population;

19 (b) Specific literacy and mathematics content and instructional  
20 strategies; and

21 (c) The use of student work and student behavior to guide effective  
22 instruction and appropriate assistance;

23 (4) Consultant teachers to assist in implementing effective  
24 instructional practices by teachers serving participating students;

25 (5) Tutoring support for participating students; and

26 (6) Research-based outreach activities and support for parents of  
27 participating students, including employing a parent involvement  
28 coordinator as provided in RCW 28A.150.260.

29 **Sec. 11.** RCW 28A.175.025 and 2007 c 408 s 2 are each amended to  
30 read as follows:

31 Subject to the availability of funds appropriated for this purpose,  
32 the office of the superintendent of public instruction shall create a  
33 grant program and award grants to local partnerships of schools,  
34 families, and communities to begin the phase in of a statewide  
35 comprehensive dropout prevention, intervention, and retrieval system.  
36 This program shall be known as the building bridges program.



1 (1) For purposes of RCW 28A.175.025 through 28A.175.075, a  
2 "building bridges program" means a local partnership of schools,  
3 families, and communities that provides all of the following programs  
4 or activities:

5 (a) A system that identifies individual students at risk of  
6 dropping out from middle through high school based on local predictive  
7 data, including state assessment data starting in the fourth grade, and  
8 provides timely interventions for such students and for dropouts,  
9 including a plan for educational success as already required by the  
10 student learning plan as defined under RCW 28A.655.061. Students  
11 identified shall include foster care youth, youth involved in the  
12 juvenile justice system, and students receiving special education  
13 services under chapter 28A.155 RCW;

14 (b) Coaches or mentors for students as necessary;

15 (c) Staff responsible for coordination of community partners that  
16 provide a seamless continuum of academic and nonacademic support in  
17 schools and communities;

18 (d) Retrieval or reentry activities; and

19 (e) Alternative educational programming, including, but not limited  
20 to, career and technical education exploratory and preparatory programs  
21 and online learning opportunities.

22 (2) One of the grants awarded under this section shall be for a  
23 two-year demonstration project focusing on providing fifth through  
24 twelfth grade students with a program that utilizes technology and is  
25 integrated with state standards, basic academics, cross-cultural  
26 exposures, and age-appropriate preemployment training. The project  
27 shall:

28 (a) Establish programs in two western Washington and one eastern  
29 Washington urban areas;

30 (b) Identify at-risk students in each of the distinct communities  
31 and populations and implement strategies to close the achievement gap;

32 (c) Collect and report data on participant characteristics and  
33 outcomes of the project, including the characteristics and outcomes  
34 specified under RCW 28A.175.035(1)(e); and

35 (d) Submit a report to the legislature by December 1, 2009.

36 (3) The following school districts shall receive priority when  
37 grants are awarded under this section:

1       (a) School districts that have the highest levels of truancy as  
2 demonstrated by the number of petitions filed in accordance with RCW  
3 28A.225.015 and 28A.225.030;

4       (b) School districts that receive readiness to learn grants in  
5 accordance with RCW 28A.300.555; and

6       (c) Nonprofit organizations engaged in effective programs to lower  
7 the dropout rate, engage students in learning, and improve student  
8 achievement.

9       NEW SECTION. Sec. 12. The legislature finds that in the past ten  
10 years, there has been a significant increase in the number of students  
11 who participate in the transitional bilingual program. This  
12 demographic shift requires changes in the services and support provided  
13 in schools to ensure the success of each and every student, including  
14 addressing the students' cultures and linguistic needs. The  
15 legislature further finds that there are successful partnerships  
16 between institutions of higher education and school districts that are  
17 increasing the ability for educators to work effectively with English  
18 language learners and are models for providing job-embedded training in  
19 classrooms with greater than fifteen percent English language learners,  
20 including training regarding language acquisition; appropriate  
21 assessment of student language proficiency, including academic  
22 achievement and social language; and cultural competence training. The  
23 legislature intends to build on the success of these partnerships and  
24 provide training in other districts based upon the level of language  
25 diversity of the students in the district.

26       NEW SECTION. Sec. 13. A new section is added to chapter 28A.180  
27 RCW to read as follows:

28       (1) School districts with more than fifteen percent language  
29 diversity in the student population must be allocated funding to the  
30 extent funds are specifically appropriated for this purpose, to provide  
31 research-based professional development to all educators in the school  
32 on successful, best practice strategies for English language learner  
33 instruction. The professional development strategies must be one  
34 developed or identified by the office of the superintendent of public  
35 instruction under subsection (2) of this section.

36       (2) The office of the superintendent of public instruction shall:

1 (a) Develop or identify research-based or evidence-based  
2 professional development of effective professional development  
3 strategies for English language learner instruction; and

4 (b) Adopt rules necessary to implement this section.

5 NEW SECTION. **Sec. 14.** A new section is added to chapter 28A.180  
6 RCW to read as follows:

7 (1) Beginning in the 2013-14 school year and thereafter, funding  
8 for the transitional bilingual instruction program shall be scaled to  
9 provide more support to students requiring the most intensive  
10 intervention and less support to students requiring less intervention,  
11 as specified in the omnibus appropriations act.

12 (2) Beginning in the 2014-15 school year and thereafter, additional  
13 funding shall be provided in the omnibus appropriations act for  
14 students who exit the program the previous year. The additional  
15 funding shall be used to provide academic support for students who have  
16 exited the transitional bilingual instruction program, if needed, or  
17 the school district shall use this funding within the transitional  
18 bilingual instruction program. The funding provided under this  
19 subsection is not a component of the basic education program and does  
20 not represent an individual entitlement to any particular student.

21 NEW SECTION. **Sec. 15.** A new section is added to chapter 28A.630  
22 RCW to read as follows:

23 (1) Better decisions require better information. The office of the  
24 superintendent of public instruction shall create a pilot program with  
25 one school district and provide support for the district to use  
26 longitudinal data.

27 (2) The purposes of the program are as follows:

28 (a) To enhance the ability of the school district to efficiently  
29 and accurately manage, analyze, and use education data, including  
30 individual student records and program and funding information;

31 (b) To enable the school district to make data-informed decisions  
32 to improve student learning and outcomes and close achievement gaps.

33 (3) This section expires December 1, 2017.

34 NEW SECTION. **Sec. 16.** A new section is added to chapter 43.09 RCW  
35 to read as follows:

1 Audits of school districts by the state auditor shall include, but  
2 not be limited to, findings determining the compliance of school  
3 districts regarding the expenditure and the reporting of the  
4 expenditure of the state funds provided for parent involvement  
5 coordinators and parent involvement programs funded under RCW  
6 28A.150.260.

7 NEW SECTION. **Sec. 17.** A new section is added to chapter 28A.155  
8 RCW to read as follows:

9 (1) The office of the superintendent of public instruction must  
10 establish interagency agreements with the department of social and  
11 health services, the department of services for the blind, and any  
12 other state agency that provides high school transition services for  
13 students with disabilities. The purpose of the interagency agreements  
14 is to foster effective multiagency collaboration to provide transition  
15 services for students with disabilities age fourteen through twenty-  
16 one, or through high school graduation, whichever occurs first.  
17 Interagency agreements are also intended to streamline services and  
18 programs, promote efficiencies, and establish a uniform focus on  
19 improved outcomes related to self-sufficiency. This subsection does  
20 not require transition services plan development in addition to what  
21 exists on the effective date of this section.

22 (2) The office of the superintendent of public instruction must  
23 collaborate with the professional educator standards board to build  
24 into existing and ongoing educator requirements that special education  
25 teachers and school psychologists receive training to be appropriately  
26 prepared to address the transition needs of students with disabilities.

27 (3) To the extent that data is available through data-sharing  
28 agreements established by the education data center under RCW  
29 43.41.400, the education data center must monitor the following  
30 outcomes for students with disabilities after high school graduation:

31 (a) The number of students who, within one year of high school  
32 graduation:

33 (i) Enter integrated employment paid at the greater of minimum wage  
34 or competitive wage for the type of employment, with access to related  
35 employment and health benefits; or

36 (ii) Enter a postsecondary education or training program focused on  
37 leading to integrated employment;

1 (b) The wages and number of hours worked per pay period;  
2 (c) The impact of employment on any state and federal benefits for  
3 individuals with disabilities;  
4 (d) Indicators of the types of settings in which students who  
5 previously received transition services primarily reside;  
6 (e) Indicators of improved economic status and self-sufficiency;  
7 (f) Data on those students for whom a postsecondary or integrated  
8 employment outcome does not occur within one year of high school  
9 graduation, including:  
10 (i) Information on the reasons that the desired outcome has not  
11 occurred;  
12 (ii) The number of months the student has not achieved the desired  
13 outcome; and  
14 (iii) The efforts made to ensure the student achieves the desired  
15 outcome.  
16 (4) To the extent that the data elements in subsection (3) of this  
17 section are not available to the education data center through data-  
18 sharing agreements, the office of the superintendent of public  
19 instruction must attempt to collect the data through a single  
20 communication after the student's graduation.  
21 (5) The office of the superintendent of public instruction must  
22 prepare an annual report on the data and outcomes in subsection (3) of  
23 this section and submit the report to the legislature.

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