
SENATE BILL 5837

State of Washington

63rd Legislature

2013 Regular Session

By Senators Frockt and McAuliffe

Read first time 02/21/13. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to implementing career and college ready graduation
2 requirements; amending RCW 28A.150.220, 28A.150.260, 28A.180.030,
3 28A.180.040, 28A.230.090, 28A.165.015, 28A.165.055, and 28A.165.065;
4 adding a new section to chapter 28A.165 RCW; creating a new section;
5 repealing RCW 28A.165.025 and 28A.165.045; and providing an effective
6 date.

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

8 NEW SECTION. **Sec. 1.** (1) The revised definition of the program of
9 basic education adopted in 2009 includes the expectation that students
10 will have the opportunity to complete twenty-four credits for high
11 school graduation. The state board of education has the statutory
12 authority to establish specific course requirements for graduation, and
13 in November 2010 the board adopted a career and college ready
14 graduation proposal based on several years of examination and review.
15 The board may not implement certain aspects of the proposal without
16 formal legislative authorization and funding. The revised definition
17 of basic education also requires an increase in minimum instructional
18 hours for secondary school students, with the implementation date to be
19 determined by the legislature.

1 (2) After further review, including considering the recommendations
2 of the quality education council and the joint task force on education
3 finance, the legislature finds that increasing instructional hours for
4 secondary students is a necessary but not sufficient expansion of the
5 education program to provide all students the opportunity to complete
6 career and college ready graduation requirements. The legislature
7 finds that students who are struggling in school, including English
8 language learners, may need opportunities for additional supplemental
9 instruction to take advantage of career and college ready graduation
10 requirements. Even after they are determined to be proficient in the
11 English language, English language learners may require opportunities
12 for additional support to catch up to their English-speaking peers in
13 other academic subjects such as mathematics or science. Students at
14 all grade levels would benefit from opportunities for additional family
15 support and counseling as they progress toward career and college
16 readiness. Providing additional targeted learning opportunities,
17 family support, and counseling are also essential for closing the
18 educational opportunity gap. The legislature has already stated that
19 it is a goal of basic education to give all students, not merely some
20 students, the opportunity to achieve personal and academic success.

21 (3) Therefore, the legislature intends to formally authorize, and
22 provide sufficient resources for, implementation of the opportunity for
23 students to complete twenty-four credits for graduation through a
24 comprehensive approach that includes increased instructional hours,
25 expansion of the learning assistance program and transitional bilingual
26 instructional programs, and resources to support additional family
27 engagement and counseling.

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

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

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

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

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

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

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

19 (b) Instruction that provides students the opportunity to complete
20 twenty-four credits for high school graduation, (~~subject to a phased-~~
21 ~~in implementation of the twenty-four credits as established by the~~
22 ~~legislature~~) beginning with students entering the ninth grade or
23 beginning the equivalent of a four-year high school program on or after
24 July 1, 2017. Course distribution requirements may be established by
25 the state board of education under RCW 28A.230.090;

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

30 (d) Supplemental instruction and services for underachieving
31 students through the learning assistance program under RCW 28A.165.005
32 through 28A.165.065;

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

37 (f) The opportunity for an appropriate education at public expense

1 as defined by RCW 28A.155.020 for all eligible students with
2 disabilities as defined in RCW 28A.155.020; and

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

5 (4) Nothing contained in this section shall be construed to require
6 individual students to attend school for any particular number of hours
7 per day or to take any particular courses.

8 (5) Each school district's kindergarten through twelfth grade basic
9 educational program shall be accessible to all students who are five
10 years of age, as provided by RCW 28A.225.160, and less than twenty-one
11 years of age and shall consist of a minimum of one hundred eighty
12 school days per school year in such grades as are conducted by a school
13 district, and one hundred eighty half-days of instruction, or
14 equivalent, in kindergarten, to be increased to a minimum of one
15 hundred eighty school days per school year according to the
16 implementation schedule under RCW 28A.150.315. However, effective May
17 1, 1979, a school district may schedule the last five school days of
18 the one hundred and eighty day school year for noninstructional
19 purposes in the case of students who are graduating from high school,
20 including, but not limited to, the observance of graduation and early
21 release from school upon the request of a student, and all such
22 students may be claimed as a full-time equivalent student to the extent
23 they could otherwise have been so claimed for the purposes of RCW
24 28A.150.250 and 28A.150.260.

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

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

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

36 The purpose of this section is to provide for the allocation of
37 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 (c) The minimum allocation for each prototypical middle and high
36 school shall also provide for full-time equivalent classroom teachers
37 based on the following number of full-time equivalent students per
38 teacher in career and technical education:

Career and technical
education average
class size

Approved career and technical education offered at
the middle school and high school level 26.57
Skill center programs meeting the standards established
by the office of the superintendent of public
instruction 22.76

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

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

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

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

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators	1.253	1.353	1.880
Teacher librarians, a function that includes information literacy, technology, and media to support school library media programs	0.663	0.519	0.523
Health and social services:			
School nurses	0.076	0.060	0.096
Social workers	0.042	0.006	0.015
Psychologists	0.017	0.002	0.007
Guidance counselors, a function that includes parent outreach and graduation advising	0.493	((1.116)) <u>1.616</u>	((1.909)) <u>2.409</u>
Teaching assistance, including any aspect of educational instructional services provided by classified employees	0.936	0.700	0.652

1	Office support and other noninstructional aides	2.012	2.325	3.269
2	Custodians	1.657	1.942	2.965
3	Classified staff providing student and staff safety	0.079	0.092	0.141
4	((Parent involvement)) <u>Family engagement</u> coordinators	((0.00))	0.00	0.00
5		<u>0.500</u>		

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

10			Staff per 1,000
11			K-12 students
12	Technology		0.628
13	Facilities, maintenance, and grounds		1.813
14	Warehouse, laborers, and mechanics		0.332

15 (b) The minimum allocation of staff units for each school district
16 to support certificated and classified staffing of central
17 administration shall be 5.30 percent of the staff units generated under
18 subsections (4)(a) and (b) and (5) of this section and (a) of this
19 subsection.

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

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

29			Per annual average
30			full-time equivalent student
31			in grades K-12
32	Technology		\$54.43
33	Utilities and insurance		\$147.90
34	Curriculum and textbooks		\$58.44
35	Other supplies and library materials		\$124.07
36	Instructional professional development for certified and		

1 classified staff \$9.04
 2 Facilities maintenance \$73.27
 3 Security and central office \$50.76

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

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

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

25 (a) Exploratory career and technical education courses for students
 26 in grades seven through twelve;

27 (b) Laboratory science courses for students in grades nine through
 28 twelve;

29 (c) Preparatory career and technical education courses for students
 30 in grades nine through twelve offered in a high school; and

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

33 (10) In addition to the allocations otherwise provided under this
 34 section, amounts shall be provided to support the following programs
 35 and services:

36 (a) To provide supplemental instruction and services for
 37 underachieving students through the learning assistance program under

1 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the
2 district percentage of students in grades K-12 who were eligible for
3 free or reduced-price meals in the prior school year. The minimum
4 allocation for each level of prototypical school for the program shall
5 provide (~~for each level of prototypical school~~) resources to provide,
6 on a statewide average, (~~1.5156~~) 2.000 hours per week in extra
7 instruction with a class size of fifteen learning assistance program
8 students per teacher.

9 (b) To provide supplemental instruction and services for students
10 whose primary language is other than English, allocations shall be
11 based on the following:

12 (i) The head count number of students in each school who are
13 eligible for and enrolled in the transitional bilingual instruction
14 program under RCW 28A.180.010 through 28A.180.080. The minimum
15 allocation (~~for each level of prototypical school~~) under this
16 subsection (10)(b)(i) shall provide resources to provide, on a
17 statewide average, (~~4.7780~~) the following hours per week in extra
18 instruction with fifteen transitional bilingual instruction program
19 students per teacher(~~.— Notwithstanding other provisions of this~~
20 subsection (10), the actual per student allocation may be scaled to
21 provide a larger allocation for students needing more intensive
22 intervention and a commensurate reduced allocation for students needing
23 less intensive intervention, as detailed in the omnibus appropriations
24 act)):

	<u>Hours per week</u>
25 <u>Grades K-6</u>	<u>4.778</u>
26 <u>Grades 7-8</u>	<u>6.000</u>
27 <u>Grades 9-12</u>	<u>8.000</u>

28
29 (ii) The head count number of students in each school who have
30 exited the transitional bilingual instruction program within the
31 previous two years based on their performance on the English
32 proficiency assessment approved by the superintendent of public
33 instruction under RCW 28A.180.090. The minimum allocation under this
34 subsection (10)(b)(ii) for each level of prototypical school shall
35 provide resources to provide, on a statewide average, 3.000 hours per
36 week in extra instruction with fifteen exited transitional bilingual
37 instruction program students per teacher.

1 (iii) School districts may not receive allocations under both
2 (b)(i) and (ii) of this subsection for the same student in a single
3 school year.

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

12 (d) To support the increase in instructional hours required under
13 RCW 28A.150.220(2)(a), beginning with the 2014-15 school year, the
14 minimum allocation for each prototypical middle and high school shall
15 provide resources to provide an additional 2.222 hours of instruction
16 per week per annual average full-time equivalent student enrolled in
17 grades seven through twelve, based on the general education average
18 class sizes specified in subsection (4)(a) of this section.

19 (11) The allocations under subsections (4)(a) and (b), (5), (6),
20 and (8) of this section shall be enhanced as provided under RCW
21 28A.150.390 on an excess cost basis to provide supplemental
22 instructional resources for students with disabilities.

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

30 (b) Allocations or enhancements provided under subsections (4),
31 (7), and (9) of this section for exploratory and preparatory career and
32 technical education courses shall be provided only for courses approved
33 by the office of the superintendent of public instruction under chapter
34 28A.700 RCW.

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

1 (b) In the event the legislature rejects the distribution formula
2 recommended by the governor, without adopting a new distribution
3 formula, the distribution formula for the previous school year shall
4 remain in effect.

5 (c) The enrollment of any district shall be the annual average
6 number of full-time equivalent students and part-time students as
7 provided in RCW 28A.150.350, enrolled on the first school day of each
8 month, including students who are in attendance pursuant to RCW
9 28A.335.160 and 28A.225.250 who do not reside within the servicing
10 school district. The definition of full-time equivalent student shall
11 be determined by rules of the superintendent of public instruction and
12 shall be included as part of the superintendent's biennial budget
13 request. The definition shall be based on the minimum instructional
14 hour offerings required under RCW 28A.150.220. Any revision of the
15 present definition shall not take effect until approved by the house
16 ways and means committee and the senate ways and means committee.

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

20 **Sec. 4.** RCW 28A.180.030 and 2001 1st sp.s. c 6 s 3 are each
21 amended to read as follows:

22 As used throughout this chapter, unless the context clearly
23 indicates otherwise:

24 (1) "Transitional bilingual instruction" means:

25 (a) A system of instruction which uses two languages, one of which
26 is English, as a means of instruction to build upon and expand language
27 skills to enable the pupil to achieve competency in English. Concepts
28 and information are introduced in the primary language and reinforced
29 in the second language: PROVIDED, That the program shall include
30 testing in the subject matter in English; or

31 (b) In those cases in which the use of two languages is not
32 practicable as established by the superintendent of public instruction
33 and unless otherwise prohibited by law, an alternative system of
34 instruction which may include English as a second language and is
35 designed to enable the pupil to achieve competency in English.

36 (2) "Primary language" means the language most often used by the
37 student for communication in his/her home.

1 (3) "Eligible pupil" means any enrollee of the school district
2 whose primary language is other than English and whose English language
3 skills are sufficiently deficient or absent to impair learning.

4 (4) "Exited pupil" means a student previously enrolled in the
5 transitional bilingual instruction program who is no longer eligible
6 for the program based on his or her performance on an English
7 proficiency assessment approved by the superintendent of public
8 instruction.

9 **Sec. 5.** RCW 28A.180.040 and 2009 c 380 s 5 are each amended to
10 read as follows:

11 (1) Every school district board of directors shall:

12 (a) Make available to each eligible pupil transitional bilingual
13 instruction to achieve competency in English, in accord with rules of
14 the superintendent of public instruction;

15 (b) Wherever feasible, ensure that communications to parents
16 emanating from the schools shall be appropriately bilingual for those
17 parents of pupils in the bilingual instruction program;

18 (c) Determine, by administration of an English test approved by the
19 superintendent of public instruction the number of eligible pupils
20 enrolled in the school district at the beginning of a school year and
21 thereafter during the year as necessary in individual cases;

22 (d) Ensure that a student who is a child of a military family in
23 transition and who has been assessed as in need of, or enrolled in, a
24 bilingual instruction program, the receiving school shall initially
25 honor placement of the student into a like program.

26 (i) The receiving school shall determine whether the district's
27 program is a like program when compared to the sending school's
28 program; and

29 (ii) The receiving school may conduct subsequent assessments
30 pursuant to RCW 28A.180.090 to determine appropriate placement and
31 continued enrollment in the program;

32 (e) Before the conclusion of each school year, measure each
33 eligible pupil's improvement in learning the English language by means
34 of a test approved by the superintendent of public instruction; ~~((and))~~

35 (f) Provide in-service training for teachers, counselors, and other
36 staff, who are involved in the district's transitional bilingual

1 program. Such training shall include appropriate instructional
2 strategies for children of culturally different backgrounds, use of
3 curriculum materials, and program models; and

4 (g) Make available a program of instructional support for up to two
5 years immediately after pupils exit from the program, for exited pupils
6 who need assistance in reaching grade-level performance in academic
7 subjects even though they have achieved English proficiency for
8 purposes of the transitional bilingual instructional program.

9 (2) The definitions in Article II of RCW 28A.705.010 apply to
10 subsection (1)(d) of this section.

11 **Sec. 6.** RCW 28A.230.090 and 2011 c 203 s 2 are each amended to
12 read as follows:

13 (1) The state board of education shall establish high school
14 graduation requirements or equivalencies for students, except as
15 provided in RCW 28A.230.122 and except those equivalencies established
16 by local high schools or school districts under RCW 28A.230.097. The
17 purpose of a high school diploma is to declare that a student is ready
18 for success in postsecondary education, gainful employment, and
19 citizenship, and is equipped with the skills to be a lifelong learner.

20 (a) Any course in Washington state history and government used to
21 fulfill high school graduation requirements shall consider including
22 information on the culture, history, and government of the American
23 Indian peoples who were the first inhabitants of the state.

24 (b) The certificate of academic achievement requirements under RCW
25 28A.655.061 or the certificate of individual achievement requirements
26 under RCW 28A.155.045 are required for graduation from a public high
27 school but are not the only requirements for graduation.

28 (c) Any decision on whether a student has met the state board's
29 high school graduation requirements for a high school and beyond plan
30 shall remain at the local level.

31 (2)(a) In recognition of the statutory authority of the state board
32 of education to establish and enforce minimum high school graduation
33 requirements, the state board shall periodically reevaluate the
34 graduation requirements and shall report such findings to the
35 legislature in a timely manner as determined by the state board.

36 (b) The state board shall reevaluate the graduation requirements
37 for students enrolled in vocationally intensive and rigorous career and

1 technical education programs, particularly those programs that lead to
2 a certificate or credential that is state or nationally recognized.
3 The purpose of the evaluation is to ensure that students enrolled in
4 these programs have sufficient opportunity to earn a certificate of
5 academic achievement, complete the program and earn the program's
6 certificate or credential, and complete other state and local
7 graduation requirements.

8 (c) The state board shall forward any proposed changes to the high
9 school graduation requirements to the education committees of the
10 legislature for review and to the quality education council established
11 under RCW 28A.290.010. The legislature shall have the opportunity to
12 act during a regular legislative session before the changes are adopted
13 through administrative rule by the state board. Changes that have a
14 fiscal impact on school districts, as identified by a fiscal analysis
15 prepared by the office of the superintendent of public instruction,
16 shall take effect only if formally authorized and funded by the
17 legislature through the omnibus appropriations act or other enacted
18 legislation.

19 (d) The state board of education shall adopt rules to implement the
20 career and college ready graduation requirement proposal adopted under
21 board resolution on November 10, 2010, to take effect beginning with
22 students entering the ninth grade or beginning the equivalent of a
23 four-year high school program on or after July 1, 2017. The provisions
24 of chapter . . . , Laws of 2013 (this act) and the increased funding
25 allocated under RCW 28A.150.260 as amended by chapter . . . , Laws of
26 2013 (this act) constitute the funding by the legislature required
27 under this section to implement the proposal.

28 (3) Pursuant to any requirement for instruction in languages other
29 than English established by the state board of education or a local
30 school district, or both, for purposes of high school graduation,
31 students who receive instruction in American sign language or one or
32 more American Indian languages shall be considered to have satisfied
33 the state or local school district graduation requirement for
34 instruction in one or more languages other than English.

35 (4) If requested by the student and his or her family, a student
36 who has completed high school courses before attending high school
37 shall be given high school credit which shall be applied to fulfilling
38 high school graduation requirements if:

1 (a) The course was taken with high school students, if the academic
2 level of the course exceeds the requirements for seventh and eighth
3 grade classes, and the student has successfully passed by completing
4 the same course requirements and examinations as the high school
5 students enrolled in the class; or

6 (b) The academic level of the course exceeds the requirements for
7 seventh and eighth grade classes and the course would qualify for high
8 school credit, because the course is similar or equivalent to a course
9 offered at a high school in the district as determined by the school
10 district board of directors.

11 (5) Students who have taken and successfully completed high school
12 courses under the circumstances in subsection (4) of this section shall
13 not be required to take an additional competency examination or perform
14 any other additional assignment to receive credit.

15 (6) At the college or university level, five quarter or three
16 semester hours equals one high school credit.

17 **Sec. 7.** RCW 28A.165.015 and 2009 c 548 s 702 are each amended to
18 read as follows:

19 Unless the context clearly indicates otherwise the definitions in
20 this section apply throughout this chapter.

21 ~~((("Approved program" means a program submitted to and approved
22 by the office of the superintendent of public instruction and conducted
23 pursuant to the plan that addresses the required elements as provided
24 for in this chapter.~~

25 ~~(+2))~~ "Basic skills areas" means reading, writing, and mathematics
26 as well as readiness associated with these skills.

27 ~~((+3))~~ (2) "Participating student" means a student in kindergarten
28 through grade twelve who scores below standard for his or her grade
29 level on the statewide student assessments or other assessments
30 administered by the school or district and who is identified ~~((in))~~ by
31 the ~~((approved plan))~~ district to receive services.

32 ~~((+4))~~ (3) "Statewide student assessments" means one or more of
33 the ~~((several basic skills assessments administered as part of the
34 state's student assessment system, and assessments in the basic skills
35 areas administered by local school districts))~~ assessments administered
36 by school districts as required under RCW 28A.655.070.

1 (~~(5)~~) (4) "Underachieving students" means students with the
2 greatest academic deficits in basic skills as identified by the
3 statewide, school, or district assessments.

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

6 (1) Each school district receiving learning assistance program
7 funds must:

8 (a) Use one or more of the curricula or instructional programs
9 recommended by the office of the superintendent of public instruction
10 under this section to provide supplemental instruction to participating
11 students;

12 (b) Record each participating student in the statewide individual
13 student data system;

14 (c) Monitor and document the performance and progress of
15 participating students, using multiple sources of performance data.
16 When the office of the superintendent of public instruction has the
17 capacity to provide data on individual student growth or student growth
18 percentiles using the statewide student assessment, the school district
19 must include this data in its monitoring of the performance of
20 participating students;

21 (d) Conduct an annual evaluation of the program by analyzing the
22 performance data for participating students compared to the chosen
23 instructional strategies and curriculum, qualifications and training of
24 staff, and other relevant factors; and

25 (e) Prepare and submit to the office of the superintendent of
26 public instruction a year-end report on the learning assistance
27 program, using a common format prepared by the office. The office must
28 design the report so that information required in the report is not
29 already collected by the state through another source.

30 (2) The year-end report submitted by each district receiving
31 learning assistance program funds must include:

32 (a) The processes, assessments, and criteria used to identify the
33 underachieving students served by the program;

34 (b) The schools or sites that provided program services during the
35 year;

36 (c) Which recommended curricula or instructional programs were used
37 during the year and at which school or site;

1 (d) Summary data on total expenditures and average expenditures per
2 participating student attributable to learning assistance program
3 funds, by school or program site and at the district level;

4 (e) A summary of the annual evaluation for the program, including
5 a summary of the results of the district's analysis of performance data
6 for participating students; and

7 (f) The program changes the school district intends to make for the
8 ensuing year based on the evaluation results, and the outcomes expected
9 from those changes.

10 (3) The office of the superintendent of public instruction shall
11 publish a list of recommended supplemental curricula or instructional
12 programs for use in the learning assistance program. The office shall
13 compile the list in consultation with research organizations based on
14 research evidence indicating the curricula or instructional programs
15 are associated with increased student achievement. The office must
16 update the list periodically.

17 **Sec. 9.** RCW 28A.165.055 and 2009 c 548 s 703 are each amended to
18 read as follows:

19 ~~((Each school district with an approved program is eligible for
20 state funds provided for the learning assistance program.))~~ (1) The
21 funds for the learning assistance program shall be appropriated for the
22 learning assistance program and distributed to school districts in
23 accordance with RCW 28A.150.260 and the omnibus appropriations act.

24 (2) Except as provided in subsection (3) of this section the
25 distribution formula is for school district allocation purposes only,
26 but funds appropriated for the learning assistance program must be
27 expended for the purposes of RCW 28A.165.005 through 28A.165.065.

28 (3)(a) School districts must allocate learning assistance program
29 funds to any school where more than fifty percent of the students are
30 eligible for free or reduced-price meals; and

31 (b) School districts must expend a greater amount per participating
32 student, on average, in schools where more than seventy-five percent of
33 the students are eligible for free or reduced-price meals, compared to
34 the amount expended per participating student in other schools in the
35 district.

1 **Sec. 10.** RCW 28A.165.065 and 2004 c 20 s 7 are each amended to
2 read as follows:

3 To ensure that school districts are meeting the requirements of
4 ~~((an approved program))~~ this chapter, the superintendent of public
5 instruction shall monitor ~~((such))~~ learning assistance programs no less
6 than once every four years. ~~((Individual student records shall be
7 maintained at the school district.))~~ The primary purpose of program
8 monitoring is to evaluate the effectiveness of a district's allocation
9 and expenditure of resources, choice of curricula and instructional
10 programs, and other program components on improving student
11 achievement. The office of the superintendent of public instruction
12 may provide technical assistance to school districts to improve the
13 effectiveness of a learning assistance program.

14 NEW SECTION. **Sec. 11.** The following acts or parts of acts are
15 each repealed:

- 16 (1) RCW 28A.165.025 (School district program plan) and 2009 c 556
- 17 s 1 & 2004 c 20 s 3; and
- 18 (2) RCW 28A.165.045 (Plan approval process) and 2009 c 556 s 2 &
- 19 2004 c 20 s 5.

20 NEW SECTION. **Sec. 12.** Sections 3 through 5 and 7 through 11 of
21 this act take effect September 1, 2013.

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