
SENATE BILL 6163

State of Washington

63rd Legislature

2014 Regular Session

By Senators Billig, Litzow, Frockt, Dammeier, McAuliffe, Rolfes, King, Tom, Kohl-Welles, and Keiser

Read first time 01/16/14. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to implementing the summer knowledge improvement
2 pilot program; amending RCW 28A.150.392; adding new sections to chapter
3 28A.630 RCW; creating a new section; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** STATEMENT OF THE PROBLEM--INTENT. The
6 legislature finds that studies have documented that many students
7 experience learning losses when they do not engage in educational
8 activities during the summer. The legislature further finds that such
9 academic regression has a disproportionate impact on low-income
10 students and widens the already existing educational opportunity gap.
11 Therefore, the legislature intends to authorize a pilot program to
12 implement an extended school year to combat summer learning loss and
13 provide an opportunity to evaluate the effectiveness of an extended
14 school year to improve student achievement, close the educational
15 opportunity gap, and provide successful models for other districts to
16 follow.

17 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this

1 section apply throughout this section and sections 3 through 6, 8, and
2 9 of this act unless the context clearly requires otherwise.

3 (1) "Eligible school" means any school that provides instruction to
4 students in at least the grades kindergarten through five where at
5 least seventy-five percent of the enrolled students qualify for the
6 free and reduced-price lunch program.

7 (2) "Institute" means the Washington state institute for public
8 policy.

9 NEW SECTION. **Sec. 3.** PILOT PROGRAM CREATED. (1) The summer
10 knowledge improvement pilot program is created to provide state funding
11 for an additional twenty school days for three consecutive school years
12 for students at an approved school to receive academic instruction
13 either before or at the end of the one hundred eighty-day school year
14 established for other schools in the school district.

15 (2) The purpose of the pilot program is to implement an extended
16 school year to combat summer learning loss and provide an opportunity
17 to evaluate the effectiveness of an extended school year to improve
18 student achievement, close the educational opportunity gap, and provide
19 successful models for other districts to follow.

20 NEW SECTION. **Sec. 4.** PLAN PROCESS AND COMPONENTS. (1) Any school
21 district in the state with an eligible school may submit a plan to the
22 office of the superintendent of public instruction by December 1, 2014,
23 to participate in the summer knowledge improvement pilot program. A
24 plan may address one or more eligible schools.

25 (2) The school district board of directors must solicit input on
26 the design of the plan from staff at the school, parents, and the
27 community, including at an open public meeting. The final plan must be
28 adopted by the school district board of directors at a subsequent open
29 public meeting before submitting the plan to the office of the
30 superintendent of public instruction.

31 (3) A plan must include, but is not limited to, the following
32 components:

33 (a) Proposed best practices and evidence-based strategies,
34 curriculum, and materials for improving student achievement and closing
35 the educational opportunity gap to be implemented over the extra twenty
36 days for all the students enrolled in the school. The best practices

1 and evidence-based strategies, curriculum, and materials must be
2 comparable or higher in academic rigor as is used during the regular
3 school year;

4 (b) Whether the additional twenty days will be provided only at the
5 beginning of the school year, only at the end of the school year, or in
6 some combination at both the beginning and end of the school year that
7 totals twenty;

8 (c) Identification of the measures that the school district will
9 use in assessing student achievement at the school;

10 (d) Evidence that at least seventy percent of the certificated and
11 classified school staff who work in the building at least two days per
12 week, and the principal of the school, agree to the plan; and

13 (e) An agreement to work with and provide information to the
14 evaluator of the pilot program identified under section 8 of this act.

15 NEW SECTION. **Sec. 5.** SELECTION OF SCHOOL DISTRICTS AND SCHOOLS.

16 (1) The office of the superintendent of public instruction must:
17 Review the plans submitted in accordance with section 4 of this act,
18 select up to ten schools for participation in the pilot program, and
19 notify the school districts no later than February 1, 2015, as to
20 whether the district will or will not be part of the pilot program. To
21 the extent practicable, the selected school districts shall be from
22 diverse geographic regions of the state and include different sizes of
23 school districts and schools.

24 (2) The selection criteria used must include, but are not limited
25 to, the following determinations:

26 (a) All of the required plan components are completed;

27 (b) The likelihood of the proposed best practices and evidence-
28 based strategies, curriculum, and materials improving student
29 achievement and closing the educational opportunity gap; and

30 (c) Any additional criteria that the office of the superintendent
31 of public instruction deems to be necessary to ensure high quality
32 plans are approved.

33 NEW SECTION. **Sec. 6.** FUNDING. (1) State funding for each school

34 in the pilot program shall be equal to twenty days of the average daily
35 per student amount of all the basic education and nonbasic education

1 funding provided by the state to the school for the regular one hundred
2 eighty-day school year, including transportation.

3 (2) Nonstate-provided funds may also be used to support the pilot
4 program.

5 (3) Neither the summer knowledge improvement pilot program nor the
6 funding provided for the pilot program may be considered part of the
7 state's basic education obligation as set forth under Article IX of the
8 state Constitution.

9 **Sec. 7.** RCW 28A.150.392 and 2009 c 548 s 109 are each amended to
10 read as follows:

11 (1) To the extent necessary, funds shall be made available for
12 safety net awards for districts with demonstrated needs for special
13 education funding beyond the amounts provided through the special
14 education funding formula under RCW 28A.150.390, including for the
15 summer knowledge improvement pilot program created in section 3 of this
16 act. If the federal safety net awards based on the federal eligibility
17 threshold exceed the federal appropriation in any fiscal year, then the
18 superintendent shall expend all available federal discretionary funds
19 necessary to meet this need. Safety net funds shall be awarded by the
20 state safety net oversight committee subject to the following
21 conditions and limitations:

22 (a) The committee shall consider additional funds for districts
23 that can convincingly demonstrate that all legitimate expenditures for
24 special education exceed all available revenues from state funding
25 formulas. In the determination of need, the committee shall also
26 consider additional available revenues from federal sources.
27 Differences in program costs attributable to district philosophy,
28 service delivery choice, or accounting practices are not a legitimate
29 basis for safety net awards. In the determination of need, the
30 committee shall require that districts demonstrate that they are
31 maximizing their eligibility for all state revenues related to services
32 for special education-eligible students and all federal revenues from
33 federal impact aid, medicaid, and the individuals with disabilities
34 education act-Part B and appropriate special projects. Awards
35 associated with (b) and (c) of this subsection shall not exceed the
36 total of a district's specific determination of need.

1 (b) The committee shall then consider the extraordinary high cost
2 needs of one or more individual special education students.
3 Differences in costs attributable to district philosophy, service
4 delivery choice, or accounting practices are not a legitimate basis for
5 safety net awards.

6 (c) Using criteria developed by the committee, the committee shall
7 then consider extraordinary costs associated with communities that draw
8 a larger number of families with children in need of special education
9 services, which may include consideration of proximity to group homes,
10 military bases, and regional hospitals. Safety net awards under this
11 subsection (1)(c) shall be adjusted to reflect amounts awarded under
12 (b) of this subsection.

13 (d) The maximum allowable indirect cost for calculating safety net
14 eligibility may not exceed the federal restricted indirect cost rate
15 for the district plus one percent.

16 (e) Safety net awards shall be adjusted based on the percent of
17 potential medicaid eligible students billed as calculated by the
18 superintendent of public instruction in accordance with chapter 318,
19 Laws of 1999.

20 (f) Safety net awards must be adjusted for any audit findings or
21 exceptions related to special education funding.

22 (2) The superintendent of public instruction may adopt such rules
23 and procedures as are necessary to administer the special education
24 funding and safety net award process. Before revising any standards,
25 procedures, or rules, the superintendent shall consult with the office
26 of financial management and the fiscal committees of the legislature.
27 In adopting and revising the rules, the superintendent shall ensure the
28 application process to access safety net funding is streamlined,
29 timelines for submission are not in conflict, feedback to school
30 districts is timely and provides sufficient information to allow school
31 districts to understand how to correct any deficiencies in a safety net
32 application, and that there is consistency between awards approved by
33 school district and by application period. The office of the
34 superintendent of public instruction shall also provide technical
35 assistance to school districts in preparing and submitting special
36 education safety net applications.

37 (3) On an annual basis, the superintendent shall survey districts
38 regarding their satisfaction with the safety net process and consider

1 feedback from districts to improve the safety net process. Each year
2 by December 1st, the superintendent shall prepare and submit a report
3 to the office of financial management and the appropriate policy and
4 fiscal committees of the legislature that summarizes the survey results
5 and those changes made to the safety net process as a result of the
6 school district feedback.

7 (4) The safety net oversight committee appointed by the
8 superintendent of public instruction shall consist of:

9 (a) One staff member from the office of the superintendent of
10 public instruction;

11 (b) Staff of the office of the state auditor who shall be nonvoting
12 members of the committee; and

13 (c) One or more representatives from school districts or
14 educational service districts knowledgeable of special education
15 programs and funding.

16 NEW SECTION. Sec. 8. PLAN IMPLEMENTATION. School districts that
17 have summer knowledge improvement pilot program plans approved by the
18 office of the superintendent of public instruction under section 5 of
19 this act shall begin implementation of the three-year pilot program
20 starting with the 2015-16 school year.

21 NEW SECTION. Sec. 9. PROGRAM EVALUATION. (1) The institute shall
22 conduct an evaluation of the summer knowledge improvement pilot program
23 created under section 3 of this act, including an examination of:

24 (a) Student academic progress as measured by the statewide
25 administered student assessments, if administered in the school, and
26 other student achievement measures, compared to similar students and
27 schools in school districts not participating in the program;

28 (b) Other student learning and benefits identified through random
29 surveys or interviews with teachers and parents; and

30 (c) The effectiveness over the entire school year in which the
31 pilot program takes place in combating summer learning loss, improving
32 student achievement, and closing the educational opportunity gap.

33 (2) The institute shall submit interim reports to the governor and
34 the appropriate committees of the legislature by December 1, 2016, and
35 December 1, 2017.

1 (3) Based on the effectiveness of the summer knowledge improvement
2 pilot program and a review of other programs or states that have
3 implemented extended school year programs, the institute shall
4 recommend whether the pilot program should be modified, continued, or
5 expanded to include other schools, including other elementary, middle,
6 and high schools. The institute shall submit the recommendations and
7 the final report on the pilot program to the governor and the
8 appropriate committees of the legislature by December 1, 2018.

9 NEW SECTION. **Sec. 10.** Sections 2 through 6, 8, and 9 of this act
10 are each added to chapter 28A.630 RCW.

11 NEW SECTION. **Sec. 11.** This act expires September 1, 2019.

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