
HOUSE BILL 2748

State of Washington 65th Legislature 2018 Regular Session

By Representatives Santos, Stonier, Muri, and Pollet

Read first time 01/15/18. Referred to Committee on Education.

1 AN ACT Relating to modifying the learning assistance program to
2 balance local control and state accountability by making the
3 allowable uses of program funds more flexible and requiring that the
4 expenditure of funds be consistent with the Washington integrated
5 student supports protocol; and amending RCW 28A.165.005, 28A.165.035,
6 28A.165.055, 28A.165.100, and 28A.710.280.

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

8 **Sec. 1.** RCW 28A.165.005 and 2017 3rd sp.s. c 13 s 403 are each
9 amended to read as follows:

10 ~~((1))~~ This chapter is designed to: ~~((a))~~ (1) Promote the use
11 of data when developing programs to assist students who are not
12 meeting academic standards ~~((and reduce disruptive behaviors in the~~
13 ~~classroom))~~; and ~~((b))~~ (2) guide school districts in providing the
14 most effective and efficient practices when implementing supplemental
15 instruction and services to assist students who are not meeting
16 academic standards ~~((and reduce disruptive behaviors in the~~
17 ~~classroom))~~.

18 ~~((2) School districts implementing a learning assistance program~~
19 ~~shall focus first on addressing the needs of students in grades~~
20 ~~kindergarten through four who are deficient in reading or reading~~
21 ~~readiness skills to improve reading literacy.))~~

1 **Sec. 2.** RCW 28A.165.035 and 2016 c 72 s 803 are each amended to
2 read as follows:

3 (1) Use of best practices that have been demonstrated through
4 research to be associated with increased student achievement
5 magnifies the opportunities for student success. (~~To the extent they~~
6 ~~are included as a best practice or strategy in one of the state menus~~
7 ~~or an approved alternative under this section or RCW 28A.655.235,~~)

8 The following are services and activities that may be supported by
9 the learning assistance program:

10 (a) Extended learning time opportunities occurring:

11 (i) Before or after the regular school day;

12 (ii) On Saturday; and

13 (iii) Beyond the regular school year;

14 (b) Services under RCW 28A.320.190;

15 (c) Intensive reading and literacy improvement strategies under
16 RCW 28A.655.235;

17 (d) Professional development for certificated and classified
18 staff that focuses on:

19 (i) The needs of a diverse student population;

20 (ii) Specific literacy and mathematics content and instructional
21 strategies; and

22 (iii) The use of student work to guide effective instruction and
23 appropriate assistance;

24 ~~((d))~~ (e) Consultant teachers to assist in implementing
25 effective instructional practices by teachers serving participating
26 students;

27 ~~((e))~~ (f) Tutoring support for participating students;

28 ~~((f))~~ (g) Outreach activities and support for parents of
29 participating students, including employing parent and family
30 engagement coordinators; and

31 ~~((g) Up to five percent of a district's learning assistance~~
32 ~~program allocation may be used for development of)~~ (h) Partnerships

33 with community-based organizations, educational service districts,
34 and other local agencies to deliver academic and nonacademic supports
35 to participating students who are significantly at risk of not being
36 successful in school to reduce barriers to learning, increase student
37 engagement, and enhance students' readiness to learn. The school
38 board must approve in an open meeting any community-based
39 organization or local agency before learning assistance funds may be
40 expended.

1 (2) (~~In addition to the state menu developed under RCW~~
2 ~~28A.655.235,~~) The office of the superintendent of public instruction
3 shall convene a panel of experts(~~, including the Washington state~~
4 ~~institute for public policy,~~) to develop (~~additional state menus~~
5 ~~of~~) best practices and strategies for use in the learning assistance
6 program to assist struggling students at all grade levels in English
7 language arts and mathematics (~~and reduce disruptive behaviors in~~
8 ~~the classroom~~). The office of the superintendent of public
9 instruction shall publish the (~~state menus~~) best practices and
10 strategies by July 1, (~~2015~~) 2018, and update (~~the state menus~~)
11 this publication by each July 1st thereafter.

12 (~~(3)(a) Beginning in the 2016-17 school year, except as provided~~
13 ~~in (b) of this subsection, school districts must use a practice or~~
14 ~~strategy that is on a state menu developed under subsection (2) of~~
15 ~~this section or RCW 28A.655.235.~~

16 (b) ~~Beginning in the 2016-17 school year, school districts may~~
17 ~~use a practice or strategy that is not on a state menu developed~~
18 ~~under subsection (2) of this section for two school years initially.~~
19 ~~If the district is able to demonstrate improved outcomes for~~
20 ~~participating students over the previous two school years at a level~~
21 ~~commensurate with the best practices and strategies on the state~~
22 ~~menu, the office of the superintendent of public instruction shall~~
23 ~~approve use of the alternative practice or strategy by the district~~
24 ~~for one additional school year. Subsequent annual approval by the~~
25 ~~superintendent of public instruction to use the alternative practice~~
26 ~~or strategy is dependent on the district continuing to demonstrate~~
27 ~~increased improved outcomes for participating students.~~

28 (c) ~~Beginning in the 2016-17 school year, school districts may~~
29 ~~enter cooperative agreements with state agencies, local governments,~~
30 ~~or school districts for administrative or operational costs needed to~~
31 ~~provide services in accordance with the state menus developed under~~
32 ~~this section and RCW 28A.655.235.~~

33 (4) ~~School districts are encouraged to implement best practices~~
34 ~~and strategies from the state menus developed under this section and~~
35 ~~RCW 28A.655.235 before the use is required.)~~

36 **Sec. 3.** RCW 28A.165.055 and 2017 3rd sp.s. c 13 s 405 are each
37 amended to read as follows:

38 (1) While the state allocations for the learning assistance
39 program under this chapter are intended to be flexible dollars within

1 the control of the public school and school district, this local
2 control must be balanced with local accountability for improvement in
3 student achievement.

4 (2) The funds for the learning assistance program shall be
5 appropriated in accordance with RCW 28A.150.260 and the omnibus
6 appropriations act. The distribution formula is for school district
7 allocation purposes only, except as provided in RCW
8 28A.150.260(10)(a)(ii), but all funds appropriated for the learning
9 assistance program must be expended for the purposes of RCW
10 28A.165.005 through 28A.165.065 in a manner consistent with the
11 Washington integrated student supports protocol, established under
12 RCW 28A.300.139.

13 ((+2)) (3) A district's high poverty-based allocation is
14 generated by its qualifying school buildings and must be expended by
15 the district for those buildings. This funding must supplement and
16 not supplant the district's expenditures under this chapter for those
17 school buildings.

18 **Sec. 4.** RCW 28A.165.100 and 2013 2nd sp.s. c 18 s 204 are each
19 amended to read as follows:

20 (1) Beginning with the 2014-15 school year, school districts
21 shall record in the statewide individual student data system annual
22 entrance and exit performance data for each student participating in
23 the learning assistance program according to specifications
24 established by the office of the superintendent of public
25 instruction.

26 (2) By August 1, 2014, and each August 1st thereafter, school
27 districts shall report to the office of the superintendent of public
28 instruction, using a common format prepared by the office:

29 (a) The amount of academic growth gained by students
30 participating in the learning assistance program;

31 (b) The number of students who gain at least one year of academic
32 growth; and

33 (c) The specific practices, activities, and programs used by each
34 school building that received learning assistance program funding.

35 (3) Beginning November 1, 2018, and each November 1st thereafter,
36 the office of the superintendent of public instruction shall compile
37 the school district data reported as required by subsection (2) of
38 this section, and report, in compliance with RCW 43.01.036, to the
39 appropriate committees of the legislature with the annual and

1 longitudinal gains for the specific practices, activities, and
2 programs used by the school districts to show which are the most
3 effective. The data must be disaggregated by student subgroups.

4 **Sec. 5.** RCW 28A.710.280 and 2016 c 241 s 128 are each amended to
5 read as follows:

6 (1) The legislature intends that state funding for charter
7 schools be distributed equitably with state funding provided for
8 other public schools.

9 (2) For eligible students enrolled in a charter school
10 established and operating in accordance with this chapter, the
11 superintendent of public instruction shall transmit to each charter
12 school an amount calculated as provided in this section and based on
13 the statewide average staff mix factor for certificated instructional
14 staff, including any enrichment to those statutory formulae that is
15 specified in the omnibus appropriations act. The amount must be the
16 sum of (a) and (b) of this subsection, as applicable.

17 (a) The superintendent shall, for purposes of making
18 distributions under this section, separately calculate and distribute
19 to charter schools moneys appropriated for general apportionment
20 under the same ratios as in RCW 28A.150.260.

21 (b) The superintendent also shall, for purposes of making
22 distributions under this section, and in accordance with the
23 applicable formulae for categorical programs specified in (b)(i)
24 through (v) of this subsection (2) and any enrichment to those
25 statutory formulae that is specified in the omnibus appropriations
26 act, separately calculate and distribute moneys appropriated by the
27 legislature to charter schools for:

28 (i) Supplemental instruction and services for (~~underachieving~~)
29 students who are not meeting academic standards through the learning
30 assistance program under RCW 28A.165.005 through 28A.165.065;

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

35 (iii) The opportunity for an appropriate education at public
36 expense as defined by RCW 28A.155.020 for all eligible students with
37 disabilities as defined in RCW 28A.155.020;

38 (iv) Programs for highly capable students under RCW 28A.185.010
39 through 28A.185.030; and

1 (v) Pupil transportation services to and from school in
2 accordance with RCW 28A.160.150 through 28A.160.180. Distributions
3 for pupil transportation must be calculated on a per eligible student
4 basis based on the allocation for the previous school year to the
5 school district in which the charter school is located.

6 (3) The superintendent of public instruction must adopt rules
7 necessary for the distribution of funding required by this section
8 and to comply with federal reporting requirements.

--- END ---