
SENATE BILL 6553

State of Washington

65th Legislature

2018 Regular Session

By Senators Rivers and Palumbo

1 AN ACT Relating to early literacy; amending RCW 28A.165.035,
2 28A.165.100, 28A.320.202, 28A.320.203, 28A.415.400, 28A.655.110, and
3 28A.655.235; adding new sections to chapter 28A.165 RCW; and adding
4 new sections to chapter 28A.300 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.165
7 RCW to read as follows:

8 The definitions in this section apply throughout sections 2
9 through 11 of this act unless the context clearly requires otherwise.

10 (1) "Diagnostic literacy assessment" means an assessment given to
11 students suspected of being below grade level in literacy in order to
12 determine what specific literacy strengths and challenges a student
13 may have and to inform the selection of instructional practices and
14 supports appropriate for the student's specific literacy strengths
15 and challenges. A diagnostic literacy assessment should identify
16 students who have a significant literacy challenge as defined in this
17 section.

18 (2) "Dyslexia" means a specific learning disability that is
19 neurobiological in origin, characterized by difficulties with either
20 accurate or fluent word recognition, or both, and by poor spelling
21 and decoding abilities. These difficulties typically result from a

1 deficit in the phonological component of language that is often
2 unexpected in relation to other cognitive abilities and the provision
3 of effective classroom instruction. Secondary consequences may
4 include problems in reading comprehension and reduced reading
5 experience that can impede growth of vocabulary and background
6 knowledge.

7 (3) "Evidence-based" means an activity, strategy, or intervention
8 that demonstrates a statistically significant effect on improving
9 student outcomes or other relevant outcomes based on:

10 (a) Strong evidence from at least one well-designed and well-
11 implemented experimental study;

12 (b) Moderate evidence from at least one well-designed and well-
13 implemented quasi-experimental study; or

14 (c) Promising evidence from at least one well-designed and well-
15 implemented correlational study with statistical controls for
16 selection bias.

17 (4) "Literacy coach" means an educator holding a valid Washington
18 state reading endorsement who provides professional development,
19 mentoring, and other professional learning practices in evidence-
20 based literacy assessment, instruction, and interventions that are
21 age, developmentally, and culturally appropriate. Literacy coaches
22 should have training on evidence-based practices in literacy
23 coaching, including effective use of time and effective strategies
24 for working with educators, and should adhere to the professional
25 learning standards and definitions outlined in RCW 28A.415.432 and
26 28A.415.434.

27 (5) "Literacy screening assessment" means an assessment used to
28 assess all students to determine whether a student may be below grade
29 level in literacy achievement. The literacy screening assessment
30 should identify students who may have significant literacy challenges
31 or less severe literacy challenges, which then requires the use of a
32 diagnostic literacy assessment for such students.

33 (6) "Literacy specialist" means an educator holding a valid
34 Washington state reading endorsement who: Conducts literacy
35 diagnostic assessments; implements tier two and tier three supports,
36 as defined in subsections (9) and (10) of this section, for students
37 with significant literacy challenges and other less severe literacy
38 challenges; advises teachers and administrators on aligning supports
39 with the literacy needs of specific students or groups of students;

1 and oversees other adults in implementing evidence-based literacy
2 assessments, instruction, and supports.

3 (7) "Significant literacy challenges" means specific reading,
4 writing, or other literacy challenges, identified through literacy
5 diagnostic assessments that indicate performance significantly below
6 grade level for the student's grade on one or more specific standards
7 in the English language arts and literacy standards as provided in
8 the superintendent of public instruction's guidance developed under
9 section 2 of this act.

10 (8) "Tier one support" means high quality, evidence-based
11 instruction or practices designed to benefit all students, while
12 still differentiated to meet their needs. Generally, these supports
13 are implemented across larger groups of students, such as across the
14 entire school or a specific grade.

15 (9) "Tier two support" means high quality, evidence-based
16 instruction or practices designed to support students who are not
17 making adequate progress or have been identified as at risk. These
18 supports should offer increasingly intensive instruction matched to
19 the students' specific identified needs based on their achievement
20 levels and rates of progress. Generally, these supports are
21 implemented with small groups of students with common needs.

22 (10) "Tier three support" means high quality, evidence-based
23 instruction or practices designed to deliver individualized,
24 intensive supports to students whose specific identified needs
25 require more intensive supports than tier two supports. These
26 supports are matched to a student's specific identified needs based
27 on the student's achievement levels and rates of progress. Generally,
28 these supports are implemented with individual students.

29 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.165
30 RCW to read as follows:

31 (1) Beginning with the 2019-20 school year, each school district
32 must use one or more of the literacy screening and diagnostic
33 literacy assessments compiled by the superintendent of public
34 instruction in accordance with section 5 of this act, to identify
35 students in grades kindergarten through four who are eligible for
36 English language arts and literacy services provided in the learning
37 assistance program. These assessments must be used to determine the
38 literacy achievement of each student, the student's specific literacy

1 strengths and challenges, and whether the student has a significant
2 literacy challenge.

3 (2) At least once every nine weeks, school districts must use
4 formative assessments to measure the progress of students identified
5 with either significant literacy challenges or students in grade four
6 who received a score of basic or below basic on the third grade
7 statewide student assessment in English language arts in the previous
8 school year. The formative assessment progress results must be
9 reported to the student's parents or guardians.

10 **Sec. 3.** RCW 28A.165.035 and 2016 c 72 s 803 are each amended to
11 read as follows:

12 (1) Use of best practices that have been demonstrated through
13 research to be associated with increased student achievement
14 magnifies the opportunities for student success. With the exception
15 of the requirements in subsection (4) of this section, to the extent
16 they are included as (~~a—best~~) an evidence-based practice or
17 strategy in one of the state menus or an approved alternative under
18 this section or RCW 28A.655.235, the following are services and
19 activities that may be supported by the learning assistance program:

20 (a) Extended learning time opportunities occurring:

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

22 (ii) On Saturday; and

23 (iii) Beyond the regular school year;

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

25 (c) Professional development for certificated and classified
26 staff that focuses on:

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

28 (ii) Specific literacy and mathematics content and instructional
29 strategies; and

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

32 (d) Consultant teachers to assist in implementing effective
33 instructional practices by teachers serving participating students;

34 (e) Tutoring support for participating students;

35 (f) Outreach activities and support for (~~parents~~) families of
36 participating students, including employing parent and family
37 engagement coordinators; and

38 (g) Up to five percent of a district's learning assistance
39 program allocation may be used for development of partnerships with

1 community-based organizations, educational service districts, and
2 other local agencies to deliver academic and nonacademic supports to
3 participating students who are significantly at risk of not being
4 successful in school to reduce barriers to learning, increase student
5 engagement, and enhance students' readiness to learn. The school
6 board must approve in an open meeting any community-based
7 organization or local agency before learning assistance funds may be
8 expended.

9 (2)(a) In addition to the state menu developed under RCW
10 28A.655.235, the office of the superintendent of public instruction
11 shall convene a panel of experts, including the Washington state
12 institute for public policy, to develop additional state menus of
13 ((best)) evidence-based practices and strategies for use in the
14 learning assistance program to assist struggling students at all
15 grade levels in English language arts and literacy, and mathematics
16 and reduce disruptive behaviors in the classroom.

17 (b) The state menus developed under RCW 28A.655.235, and this
18 subsection (2) must distinguish between practices and strategies
19 showing strong, moderate, and promising evidence as defined in the
20 definition of "evidence-based" in section 1 of this act and must
21 provide research informed guidance on whether the practices and
22 strategies are most effective as one or more of tier one, tier two,
23 or tier three supports, as defined in section 1 of this act, in a
24 multitiered system of supports.

25 (c) The office of the superintendent of public instruction shall
26 publish the state menus by July 1, 2015, and update the state menus
27 by each July 1st thereafter.

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

32 (b) Beginning in the 2016-17 school year, school districts may
33 use a practice or strategy that is not on a state menu developed
34 under subsection (2) of this section for two school years initially.
35 If the district is able to demonstrate improved outcomes for
36 participating students over the previous two school years at a level
37 commensurate with the ((best)) evidence-based practices and
38 strategies on the state menu, the office of the superintendent of
39 public instruction shall approve use of the alternative practice or
40 strategy by the district for one additional school year. Subsequent

1 annual approval by the superintendent of public instruction to use
2 the alternative practice or strategy is dependent on the district
3 continuing to demonstrate increased improved outcomes for
4 participating students.

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

10 ~~(4) ((School districts are encouraged to implement best practices~~
11 ~~and strategies from the state menus developed under this section and~~
12 ~~RCW 28A.655.235 before the use is required))~~ Beginning in the 2019-20
13 school year, to the extent they are included as an evidence-based
14 practice or strategy on the state menu developed under RCW
15 28A.655.235, the learning assistance program may provide the
16 following services, educators, and activities to support students in
17 grades kindergarten through four in literacy:

18 (a) Valid and reliable, standards-aligned literacy assessments
19 approved by the superintendent of public instruction in accordance
20 with section 5 of this act or other evaluative services needed to
21 identify a student's specific literacy strengths and challenges,
22 including but not limited to dyslexia;

23 (b) Literacy specialists as defined in section 1 of this act;

24 (c) Literacy coaches as defined in section 1 of this act;

25 (d) Paraeducators or other instructional support staff who have
26 received training in evidence-based, standards-aligned literacy
27 assessments, instruction, and supports and receive ongoing support
28 and guidance from literacy coaches and literacy specialists;

29 (e) Professional development and coaching conducted by literacy
30 coaches in evidence-based, standards-aligned literacy assessment,
31 instruction, and supports that are age, developmentally, and
32 culturally appropriate;

33 (f) Purchase and maintenance of evidence-based, standards-aligned
34 instructional resources designed to provide targeted literacy
35 supports in specific components of literacy as well as professional
36 development in how to utilize such instructional resources;

37 (g) Community and family engagement focused on:

38 (i) Evidence-based ways families can support literacy development
39 as required in RCW 28A.320.202 and 28A.320.203; and

1 (ii) Interpretation or translation services required for meeting
2 the purposes of RCW 28A.320.203 and 28A.655.230;

3 (h) Literacy instruction through summer school programming or
4 other extended learning opportunities using evidence-based,
5 standards-aligned literacy instructional and support practices
6 provided by educators who have received professional development in
7 these practices; and

8 (i) Evidence-based instructional and support practices and
9 strategies within a multitiered system of supports that are
10 identified on the state menu developed under RCW 28A.655.235
11 including school-wide or grade-wide tier one supports. Tier two and
12 tier three supports must be delivered by literacy specialists or
13 under the guidance of literacy specialists by educators trained in
14 evidence-based, standards-aligned literacy assessment, instruction,
15 and supports.

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

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

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

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

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

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

35 (b) To account for students served by the learning assistance
36 program multiple times during a single year, the superintendent of
37 public instruction must allow school districts to record growth by
38 submitting the total number of days in the learning assistance
39 program, rather than the dates they entered and exited the program.

1 (c) The superintendent of public instruction must ensure the
2 learning assistance program reporting processes can capture the
3 learning that happens over the summer through summer school or other
4 programs funded with state learning assistance program funds outside
5 of the school year.

6 (3) The office of the superintendent of public instruction shall
7 compile the school district data and report annual and longitudinal
8 gains for the specific practices, activities, and programs used by
9 the school districts to show which are the most effective. The data
10 must be disaggregated by student subgroups.

11 NEW SECTION. Sec. 5. A new section is added to chapter 28A.300
12 RCW to read as follows:

13 (1) The superintendent of public instruction must review and
14 approve literacy screening and diagnostic literacy assessments for
15 school districts to use to identify the literacy achievement of
16 students in grades kindergarten through four and students with
17 specific literacy challenges as required in RCW 28A.320.202. The
18 superintendent of public instruction must ensure these assessments
19 are valid and reliable and aligned with the English language arts and
20 literacy standards adopted in accordance with RCW 28A.655.070, the
21 Washington kindergarten inventory of developing skills administered
22 in accordance with RCW 28A.655.080, and the second grade reading
23 assessment administered in accordance with RCW 28A.300.320.

24 (2) After reviewing the assessments in accordance with subsection
25 (1) of this section, the superintendent of public instruction must
26 identify and post approved literacy assessments on the office of the
27 superintendent of public instruction's web site for school districts
28 to use.

29 (3) The superintendent of public instruction must consult with
30 the English language arts panel of experts established in RCW
31 28A.655.235 and literacy assessment experts in selecting the
32 assessments in accordance with subsections (1) and (2) of this
33 section and provide the opportunity for public feedback on proposed
34 assessments before approval.

35 (4) For grade kindergarten, the superintendent of public
36 instruction shall ensure the assessments approved in subsections (1)
37 and (2) of this section are selected to obtain information not
38 covered by the Washington kindergarten inventory of developing
39 skills.

1 (5) The superintendent of public instruction must develop
2 recommended conversions for calculating growth for the recommended
3 literacy screening assessments to the extent the literacy screening
4 assessment design allows for such calculations.

5 (6) The superintendent of public instruction must provide
6 guidance on how student performance levels on the approved diagnostic
7 literacy assessments and different sections of those assessments
8 correlate with grade level performance. The superintendent of public
9 instruction's guidance must include when performance indicates the
10 student has significant literacy challenges on a level commensurate
11 with the lowest level on the statewide student assessment in English
12 language arts, below basic, or is likely to score at this level on
13 the third grade statewide student assessment in English language
14 arts.

15 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.300
16 RCW to read as follows:

17 The superintendent of public instruction must align the
18 categories of interventions in Washington's education data system
19 maintained by the superintendent with the evidence-based practices
20 and strategies in the state menus developed in accordance with RCW
21 28A.165.035 and 28A.655.235. The superintendent of public instruction
22 must collect and report data on all allowed evidence-based practices
23 and strategies on the state menus. The purpose of the superintendent
24 of public instruction's alignment is to determine the impacts on
25 student learning of the evidence-based practices and strategies in
26 the state menus.

27 **Sec. 7.** RCW 28A.320.202 and 2013 2nd sp.s. c 18 s 102 are each
28 amended to read as follows:

29 (1)(a) School districts are responsible for providing a
30 comprehensive system of instruction and services in ~~((reading and))~~
31 early literacy to kindergarten through fourth grade students that is
32 based on the degree of student need for additional support. ~~((Reading~~
33 ~~and))~~

34 (b) Early literacy systems provided by school districts must
35 include(~~(+~~

36 ~~+))~~ the annual use of literacy screening assessments ((and
37 ~~other tools to identify at-risk readers))~~ for all students in
38 kindergarten through fourth grade(~~(, such as))~~ to determine their

1 literacy achievement levels and to identify students who should be
2 given a diagnostic literacy assessment because they may have a
3 significant literacy challenge. The literacy screening assessments
4 must be those approved by the superintendent of public instruction in
5 accordance with section 5 of this act.

6 (i) For kindergarten students, the Washington kindergarten
7 inventory of developing skills(~~(, the Washington state early learning~~
8 and development guidelines for birth through third grade~~,~~)) satisfies
9 this literacy screening assessment requirement.

10 (ii) For second grade students, the second grade reading
11 assessment under RCW (~~28A.300.310, and locally used assessments and~~
12 other tools; and)) 28A.300.320 satisfies this literacy screening
13 assessment requirement.

14 (2) Early literacy systems provided by school districts must also
15 include research-based family involvement and engagement strategies,
16 including strategies to help families and guardians assist in
17 improving students' (~~reading and~~) early literacy skills at home.

18 (3) For any student identified as potentially having a
19 significant literacy challenge on a literacy screening assessment
20 required under subsection (1) of this section, the school district
21 must use a diagnostic literacy assessment from the approved list of
22 assessments compiled by the superintendent of public instruction in
23 accordance with section 5 of this act to determine whether the
24 student has a significant literacy challenge and the student's
25 specific literacy strengths and challenges. School districts may also
26 use other evaluative methods to determine the student's specific
27 literacy strengths and challenges, including but not limited to
28 dyslexia.

29 **Sec. 8.** RCW 28A.320.203 and 2013 2nd sp.s. c 18 s 104 are each
30 amended to read as follows:

31 (1) Each school district shall require that report cards for
32 students in kindergarten through fourth grade include information
33 regarding how the student is progressing on acquiring (~~reading~~)
34 literacy skills and whether the student is (~~at~~) on grade level in
35 reading and writing.

36 (2)(a) Except as provided in (b) of this subsection, if a student
37 is not (~~reading at~~) on or above grade level(~~)~~) in literacy
38 achievement then the teacher, with the support of other school
39 personnel as appropriate, must explain to the parent or guardian

1 which interventions and strategies will be used to help improve the
2 student's (~~reading~~) literacy skills and must provide strategies for
3 parents or guardians to assist with improving the student's reading
4 skills at home.

5 (b) If the student has a significant literacy challenge, this
6 communication must happen through a meeting with the parent or
7 guardian. Schools that have regularly scheduled parent teacher
8 conferences may use those meetings to comply with (a) of this
9 subsection. At the meeting, schools must try to provide translation
10 or interpretation services, if necessary. If no meeting occurs
11 despite efforts, schools must provide the information in writing to
12 the parent or guardian.

13 (i) Students participating in the transitional bilingual
14 instruction program are exempt from (a) of this subsection, unless
15 the student has participated in the transitional bilingual
16 instruction program for three school years and receives a score of
17 below basic on the third grade statewide student assessment in
18 English language arts.

19 (ii) Students with disabilities whose individualized education
20 program includes specially designed instruction in literacy or
21 English language arts are exempt from (a) of this subsection.
22 Communication and consultation with parents or guardians of such
23 students shall occur through the individualized education program
24 process required under chapter 28A.155 RCW.

25 (3)(a) Each school shall report to the school district the number
26 of students in grades kindergarten through four who are (~~reading~~)
27 performing below grade level in literacy achievement, including how
28 many have a significant literacy challenge, and the interventions
29 that are being provided to improve the (~~reading~~) literacy skills of
30 the students(~~, with the~~). This information must be disaggregated by
31 subgroups of students.

32 (b) The school district shall aggregate the reports from the
33 schools and provide the reports to the office of the superintendent
34 of public instruction.

35 (c) The office of the superintendent of public instruction shall
36 submit a statewide report annually to the education committees of the
37 legislature and the educational opportunity gap oversight and
38 accountability committee.

1 **Sec. 9.** RCW 28A.415.400 and 2013 2nd sp.s. c 18 s 103 are each
2 amended to read as follows:

3 (1) High-quality professional development is essential for
4 educators to keep abreast of the important advances in research that
5 are occurring regarding instructional strategies and curriculum.
6 Professional development in early literacy is especially important to
7 support the instruction of young readers since reading proficiency is
8 a crucial element for student academic success.

9 (2) Subject to funds appropriated for this specific purpose, the
10 office of the superintendent of public instruction shall create
11 partnerships with the educational service districts and public or
12 private institutions of higher education with approved educator
13 preparation programs to develop and deliver (~~(research)~~) evidence-
14 based professional development learning opportunities in ((reading))
15 literacy instruction ((and—early—literacy)) for teachers of
16 kindergarten through fourth grade students, with an emphasis on
17 coaching classroom teachers in tier one supports, as defined in
18 section 1 of this act.

19 **Sec. 10.** RCW 28A.655.110 and 2010 c 235 s 703 are each amended
20 to read as follows:

21 (1) Beginning with the 1994-95 school year, to provide the local
22 community and electorate with access to information on the
23 educational programs in the schools in the district, each school
24 shall publish annually a school performance report and deliver the
25 report to each parent with children enrolled in the school and make
26 the report available to the community served by the school. The
27 annual performance report shall be in a form that can be easily
28 understood and be used by parents, guardians, and other members of
29 the community who are not professional educators to make informed
30 educational decisions. As data from the assessments in RCW
31 28A.655.060 becomes available, the annual performance report should
32 enable parents, educators, and school board members to determine
33 whether students in the district's schools are attaining mastery of
34 the student learning goals under RCW 28A.150.210, and other important
35 facts about the schools' performance in assisting students to learn.
36 The annual report shall make comparisons to a school's performance in
37 preceding years, student performance relative to the goals and the
38 percentage of students performing at each level of the assessment, a
39 comparison of student performance at each level of the assessment to

1 the previous year's performance, and information regarding school-
2 level plans to achieve the goals.

3 (2)(a) The annual performance report shall include, but not be
4 limited to: ~~((a))~~ (i) A brief statement of the mission of the
5 school and the school district; ~~((b))~~ (ii) enrollment statistics
6 including student demographics; ~~((c))~~ (iii) expenditures per pupil
7 for the school year; ~~((d))~~ (iv) a summary of student scores on all
8 mandated tests; ~~((e))~~ (v) a concise annual budget report; ~~((f))~~
9 (vi) student attendance, graduation, and dropout rates; ~~((g))~~ (vii)
10 information regarding the use and condition of the school building or
11 buildings; ~~((h))~~ (viii) a brief description of the learning
12 improvement plans for the school; ~~((i))~~ (ix) a summary of the
13 feedback from parents and community members obtained under RCW
14 28A.655.115; and ~~((j))~~ (x) an invitation to all parents and
15 citizens to participate in school activities.

16 (b) Beginning with the 2018-19 school year, school districts must
17 include in the annual performance report the number of students in
18 grades kindergarten through four who have a significant literacy
19 challenge and the number who are below grade level in literacy
20 achievement at the school, district, and state level, disaggregated
21 by subgroups of students.

22 (3)(a) The superintendent of public instruction shall develop by
23 June 30, 1994, and update periodically, a model report form, which
24 shall also be adapted for computers, that schools may use to meet the
25 requirements of subsections (1) and (2) of this section. In order to
26 make school performance reports broadly accessible to the public, the
27 superintendent of public instruction, to the extent feasible, shall
28 make information on each school's report available on or through the
29 superintendent's internet web site.

30 (b) In time for school districts to report the information
31 required in subsection (2)(b) of this section for the 2018-19 school
32 year, the superintendent of public instruction shall update the model
33 report form to enable school districts to include the number of
34 students in grades kindergarten through four who have a significant
35 literacy challenge and the number who are below grade level in
36 literacy achievement at the school, district, and state level,
37 disaggregated by subgroups of students.

38 **Sec. 11.** RCW 28A.655.235 and 2013 2nd sp.s. c 18 s 106 are each
39 amended to read as follows:

1 (1)(a) Beginning in the 2015-16 school year, except as otherwise
2 provided in this (~~subsection (1)~~) section, for any student who
3 received a score of basic or below basic on the third grade statewide
4 student assessment in English language arts in the previous school
5 year, the school district must implement an intensive (~~reading and~~)
6 literacy improvement strategy from ((a)) the state menu of ((best))
7 evidence-based practices established in accordance with subsection
8 ((+3)) (4) of this section or an alternative strategy in accordance
9 with subsection ((+4)) (5) of this section.

10 (b) Beginning in the 2019-20 school year, except as otherwise
11 provided in this section, for any student in grades kindergarten
12 through third who is identified as having a significant literacy
13 challenge on the diagnostic literacy assessments required in section
14 2 of this act, the school district must implement an intensive
15 literacy improvement strategy supporting the student from the state
16 menu of evidence-based practices established in accordance with
17 subsection (4) of this section or an alternative strategy in
18 accordance with subsection (5) of this section.

19 (c) Reading and literacy improvement strategies for students with
20 disabilities whose individualized education program includes
21 specially designed instruction in reading or English language arts
22 shall be as provided in the individualized education program.

23 (2)(a) Also beginning in the 2015-16 school year, in any school
24 where more than forty percent of the tested students received a score
25 of basic or below basic on the third grade statewide student
26 assessment in English language arts in the previous school year, as
27 calculated under this subsection (2), the school district must
28 implement an intensive (~~reading and~~) literacy improvement strategy
29 from a state menu of ((best)) evidence-based practices established in
30 accordance with subsection ((+3)) (4) of this section or an
31 alternative strategy in accordance with subsection ((+4)) (5) of
32 this section for all students in grades kindergarten through four at
33 the school.

34 (b) Also beginning in the 2019-20 school year, in any school
35 where more than twenty percent of students, as calculated under this
36 subsection (2), in grades kindergarten through third are identified
37 as having a significant literacy challenge through the assessments
38 required in RCW 28A.320.202, the school district must implement an
39 intensive literacy improvement strategy from the state menu of
40 evidence-based practices established in accordance with subsection

1 (4) of this section or an alternative strategy in accordance with
2 subsection (5) of this section for all students in grades
3 kindergarten through third at the school for the rest of the school
4 year and the following school year.

5 (c) For the purposes of this subsection (2), the office of the
6 superintendent of public instruction shall exclude the following from
7 the calculation of a school's percentage of tested students receiving
8 a score of basic or below basic on the third grade statewide student
9 assessment:

10 (i) Students enrolled in the transitional bilingual instruction
11 program unless the student has participated in the transitional
12 bilingual instruction program for three school years;

13 (ii) Students with disabilities whose individualized education
14 program specifies a different standard to measure reading performance
15 than is required for the statewide student assessment; and

16 (iii) Schools with fewer than ten students in (~~the~~) the
17 relevant grade.

18 (3)(a) Any school identified as needing to implement a school-
19 wide intensive literacy improvement strategy under subsection (2) of
20 this section must submit to the superintendent of public instruction
21 a school level literacy improvement plan that incorporates the latest
22 assessment results and targets early literacy development through
23 evidence-based assessments, instruction, and supports that are age,
24 developmentally, and culturally appropriate and are aligned with
25 state standards. These supports must include literacy coaching and
26 other professional development for teachers.

27 (b) The literacy improvement plan must address specifically how
28 the learning assistance program will facilitate an increase in
29 literacy rates.

30 (c) The literacy improvement plan must include provisions on how
31 the school will differentiate tier one, tier two, and tier three
32 supports to address the various reasons students are not reading or
33 writing at grade level. The differentiated tiers must be high
34 quality, evidence-based supports and instruction with embedded,
35 periodic, formative assessments.

36 (d) The literacy improvement plan must be developed in
37 consultation with the school's literacy coach, literacy specialist,
38 librarian, and classroom teachers. The plan must be shared with all
39 school staff and the implementation progress reviewed regularly with
40 relevant staff.

1 (e) Schools are encouraged to utilize the needs assessment in the
2 Washington integrated student supports protocol developed in
3 accordance with RCW 28A.300.139 and specific early literacy needs
4 assessments to inform the development of the literacy improvement
5 plan.

6 (f) Literacy improvement plans may address both academic and
7 nonacademic issues, such as reducing disruptive behaviors or chronic
8 absenteeism.

9 (g) The superintendent of public instruction shall adopt rules
10 necessary to implement the development and submittal of literacy
11 improvement plans required by this subsection (3). The rules must
12 include methods to reduce duplication with other school improvement
13 plans.

14 (4)(a) The office of the superintendent of public instruction
15 shall convene a panel of experts(~~(, including the Washington state~~
16 ~~institute for public policy,~~)) to develop a state menu of ((best))
17 evidence-based practices and strategies for intensive ((~~reading and~~))
18 literacy improvement designed to assist struggling students in
19 reaching grade level in ((~~reading~~)) literacy by the end of fourth
20 grade. The state menu must also be used to advise the superintendent
21 on the selection of approved assessments in accordance with section 5
22 of this act.

23 (b) The panel of experts must include a representative from the
24 Washington state institute for public policy, a literacy specialist,
25 literacy coach, an active researcher in early literacy education, an
26 active researcher in early childhood education, a current
27 administrator with authority over kindergarten to fourth grade
28 classrooms, and a current kindergarten to fourth grade certificated
29 classroom teacher.

30 (c) The state menu must also include ((best)) evidence-based
31 practices and strategies to improve the ((~~reading and~~)) literacy of
32 students who are English language learners and for system
33 improvements that schools and school districts can implement to
34 improve ((~~reading~~)) literacy instruction for all students.

35 (d) Following RCW 28A.165.035, the state menus developed under
36 this subsection (4) must be organized by strong, moderate, and
37 promising evidence and must provide research-informed guidance on
38 whether the practices and strategies are most effective as one or
39 more of tier one, tier two, or tier three supports in a multitiered
40 system of supports. The superintendent should also provide guidance

1 in the state menu on key lessons derived from research that
2 distinguish between effective and ineffective implementation of the
3 approved practices and rubrics for schools to use to assess the
4 quality of practices.

5 (e) The office of the superintendent of public instruction shall
6 publish the state menu by July 1, 2014, and update the state menu by
7 each July 1st thereafter. The superintendent of public instruction
8 must provide the opportunity for public comment on any proposed state
9 menu prior to the annual update of a state menu.

10 ~~((4))~~ (5) School districts may use an alternative practice or
11 strategy that is not on a state menu developed under subsection
12 ~~((3))~~ (4) of this section for two school years initially. If the
13 district is able to demonstrate improved outcomes for participating
14 students over the previous two school years at a level commensurate
15 with the best practices and strategies on the state menu, the office
16 of the superintendent of public instruction must approve use of the
17 alternative practice or strategy by the district for one additional
18 school year. Subsequent annual approval by the superintendent of
19 public instruction to use the alternative practice or strategy is
20 dependent on the district continuing to demonstrate an increase in
21 improved outcomes for participating students.

--- END ---