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**SECOND SUBSTITUTE HOUSE BILL 1182**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Santos, Steele, Dolan, Ortiz-Self, and Slatter)

READ FIRST TIME 02/11/20.

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; amending RCW 28A.165.055, 28A.165.005,  
6 28A.165.035, 28A.165.035, 28A.165.100, 28A.165.065, 28A.300.139,  
7 28A.320.190, and 28A.710.280; adding a new section to chapter 28A.630  
8 RCW; creating new sections; providing an effective date; and  
9 providing expiration dates.

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

11 NEW SECTION. **Sec. 1.** (1) The legislature acknowledges that the  
12 learning assistance program was developed to provide supplemental  
13 services for public school students who are not meeting academic  
14 standards. Initially, school districts were allowed to use learning  
15 assistance program funds in a flexible manner to support  
16 participating students. Over time, the legislature restricted, and  
17 established priorities for, the use of learning assistance program  
18 funds. The legislature finds that it is time to restore flexibility  
19 to the use of learning assistance program funds; however, local  
20 control must be balanced with local accountability for improvement in  
21 student academic achievement.

1 (2) (a) The legislature acknowledges that it established the  
2 Washington integrated student supports protocol in 2016 to, among  
3 other things: (i) Support a school-based approach to promoting the  
4 success of all students by coordinating academic and nonacademic  
5 supports to reduce barriers to academic achievement and educational  
6 attainment; (ii) fulfill a vision of public education where educators  
7 focus on education, students focus on learning, and auxiliary  
8 supports enable teaching and learning to occur unimpeded; and (iii)  
9 support the integration of high quality, evidence-based, student-  
10 centered, coordinated school-based approaches throughout the state.

11 (b) The protocol developed by the center for the improvement of  
12 student learning, within the office of the superintendent of public  
13 instruction, includes the following components: (i) Student-level and  
14 system-level needs and strengths assessments; (ii) community partners  
15 that provide nonacademic supports; (iii) coordination and integration  
16 of academic and nonacademic supports with the school district and  
17 schools; and (iv) analysis of school-level and student-level data to  
18 determine the efficiency of the activities, practices, and programs  
19 funded by the district's learning assistance program.

20 (3) (a) During a four-year pilot project, the legislature intends  
21 to restore flexibility to the use of learning assistance program  
22 funds, but to require that school districts budget and expend  
23 learning assistance program funds at both the district and school  
24 levels in a manner consistent with the Washington integrated student  
25 supports protocol. Before engaging in the budgeting process, it is  
26 expected that school districts will use needs assessments and data to  
27 map the resources of the district, each school, and the community;  
28 identify gaps in the coordination and integration of academic and  
29 nonacademic supports; and engage community partners in strategic  
30 planning that prioritizes the needs of students. It is also expected  
31 that each school will use needs assessments and data to determine how  
32 to best engage community partners to address the academic and  
33 nonacademic needs of its students in an integrated and coordinated  
34 manner. Data must be used in an iterative process to drive decisions  
35 about how learning assistance program funds are used in the district  
36 and schools, and to determine whether decisions about the use of  
37 program funds resulted in improvement in students' academic  
38 achievement.

39 (b) In addition, the legislature intends to require monitoring of  
40 school district learning assistance programs to ensure fidelity in

1 implementing best practices in a manner consistent with the  
2 Washington integrated student supports protocol. School districts and  
3 schools should be able to demonstrate the link between the results of  
4 the various needs assessments, the learning assistance program budget  
5 and expenditures, and the improvement in participating students'  
6 academic achievement. At the end of the four-year period, the  
7 legislature intends to review innovations made after the  
8 implementation of this act by school districts to reduce barriers to  
9 student achievement. The legislature intends to continue to allow  
10 flexible use of learning assistance program funds, as described under  
11 this act, as long as that use results in greater student academic  
12 growth gains across the state.

13 NEW SECTION. **Sec. 2.** (1) In preparation for the required  
14 implementation of the Washington integrated student supports protocol  
15 as described in this act, school districts are encouraged to expend  
16 the appropriations for the learning assistance program, under RCW  
17 28A.165.005 through 28A.165.065, in a manner consistent with the  
18 Washington integrated student supports protocol, established under  
19 RCW 28A.300.139. Plans for district expenditures should consider the  
20 needs of participating students at the school district's various  
21 schools, and prioritize student needs based on system-level,  
22 including district, school, and community, needs assessments and  
23 student-level needs assessments performed as part of the Washington  
24 integrated student supports protocol.

25 (2) This section expires August 1, 2022.

26 **Sec. 3.** RCW 28A.165.055 and 2018 c 266 s 104 are each amended to  
27 read as follows:

28 (1) While the state allocations for the learning assistance  
29 program under this chapter are intended to be flexible dollars within  
30 the control of the public school and school district, this local  
31 control must be balanced with local accountability for improvement in  
32 student achievement. Therefore, the expenditure of learning  
33 assistance program funds must be consistent with the Washington  
34 integrated student supports protocol, established under RCW  
35 28A.300.139. Plans for district expenditures must address the needs  
36 of participating students at the school district's various schools,  
37 and prioritize student needs based on system-level, including  
38 district, school, and community, needs assessments and student-level

1 needs assessments performed as part of the Washington integrated  
2 student supports protocol, established under RCW 28A.300.139.

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

10 ~~((2))~~ (3) A district's high poverty-based allocation is  
11 generated by its qualifying schools as defined in RCW 28A.150.260(10)  
12 and must be expended by the district for those schools. This funding  
13 must supplement and not supplant the district's expenditures under  
14 this chapter for those schools.

15 **Sec. 4.** RCW 28A.165.005 and 2017 3rd sp.s. c 13 s 403 are each  
16 amended to read as follows:

17 ~~((1))~~ This chapter is designed to: ~~((a))~~ (1) Promote the use  
18 of data when developing programs to assist students who are not  
19 meeting academic standards ~~((and reduce disruptive behaviors in the~~  
20 ~~classroom))~~; and ~~((b))~~ (2) guide school districts in providing the  
21 most effective and efficient practices when implementing supplemental  
22 instruction and services to assist students who are not meeting  
23 academic standards ~~((and reduce disruptive behaviors in the~~  
24 ~~classroom))~~.

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

29 **Sec. 5.** RCW 28A.165.035 and 2018 c 75 s 7 are each amended to  
30 read as follows:

31 (1) Use of best practices that have been demonstrated through  
32 research to be associated with increased student achievement  
33 magnifies the opportunities for student success. To the extent they  
34 are included as a best practice or strategy in one of the state menus  
35 or an approved alternative under this section or RCW 28A.655.235, the  
36 following are services and activities that may be supported by the  
37 learning assistance program:

38 (a) Extended learning time opportunities occurring:

1 (i) Before or after the regular school day;  
2 (ii) On Saturday; and  
3 (iii) Beyond the regular school year;  
4 (b) Services under RCW 28A.320.190;  
5 (c) Intensive reading and literacy improvement strategies under  
6 RCW 28A.655.235;  
7 (d) Professional development for certificated and classified  
8 staff that focuses on:  
9 (i) The needs of a diverse student population;  
10 (ii) Specific literacy and mathematics content and instructional  
11 strategies; and  
12 (iii) The use of student work to guide effective instruction and  
13 appropriate assistance;  
14 ~~((d))~~ (e) Consultant teachers to assist in implementing  
15 effective instructional practices by teachers serving participating  
16 students;  
17 ~~((e))~~ (f) Tutoring support for participating students;  
18 ~~((f))~~ (g) Outreach activities and support for parents of  
19 participating students, including employing parent and family  
20 engagement coordinators; ~~((and~~  
21 ~~(g) Up to five percent of a district's learning assistance~~  
22 ~~program allocation may be used for development of))~~  
23 (h) Partnerships with community-based organizations, educational  
24 service districts, and other local agencies to deliver academic and  
25 nonacademic supports to participating students who are significantly  
26 at risk of not being successful in school to reduce barriers to  
27 learning, increase student engagement, and enhance students'  
28 readiness to learn. The school board must approve in an open meeting  
29 any community-based organization or local agency before learning  
30 assistance funds may be expended for the purpose of partnerships  
31 under this subsection;  
32 (i) Screening and intervention requirements under RCW  
33 28A.320.260, even if the student being screened or provided with  
34 supports is not eligible to participate in the learning assistance  
35 program; and  
36 (j) Staff trainings necessary to implement RCW 28A.320.260.  
37 (2) In addition to the state menu developed under RCW  
38 28A.655.235, the office of the superintendent of public instruction  
39 shall convene a panel of experts, including the Washington state  
40 institute for public policy, to develop additional state menus of

1 best practices and strategies for use in the learning assistance  
2 program to assist struggling students at all grade levels in English  
3 language arts and mathematics and reduce disruptive behaviors in the  
4 classroom. The office of the superintendent of public instruction  
5 shall publish the state menus by July 1, 2015, and update the state  
6 menus by each July 1st thereafter.

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

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

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

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

31 ~~((5) School districts may use learning assistance program  
32 allocations to meet the screening and intervention requirements of  
33 RCW 28A.320.260, even if the student being screened or provided with  
34 supports is not eligible to participate in the learning assistance  
35 program. The learning assistance program allocations may also be used  
36 for school district staff trainings necessary to implement the  
37 provisions of RCW 28A.320.260.))~~

38 **Sec. 6.** RCW 28A.165.035 and 2018 c 75 s 7 are each amended to  
39 read as follows:

1 (1) Use of best practices that have been demonstrated through  
2 research to be associated with increased student achievement  
3 magnifies the opportunities for student success. (~~To the extent they~~  
4 ~~are included as a best practice or strategy in one of the state menus~~  
5 ~~or an approved alternative under this section or RCW 28A.655.235,~~)  
6 The office of the superintendent of public instruction shall convene  
7 a panel of experts to identify best practices and strategies that may  
8 be used to provide behavioral and other nonacademic supports to  
9 participating students or to assist them in meeting state standards  
10 in federally required state assessments. The office of the  
11 superintendent of public instruction shall publish the best practices  
12 and strategies by July 1, 2023, and update this publication by each  
13 July 1st thereafter.

14 (2) The following are services and activities that may be  
15 supported by the learning assistance program:

16 (a) Extended learning time opportunities occurring:

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

18 (ii) On Saturday; and

19 (iii) Beyond the regular school year;

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

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

23 (d) Professional development for certificated and classified  
24 staff that focuses on:

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

26 (ii) Specific literacy and mathematics content and instructional  
27 strategies; and

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

30 (~~(d)~~) (e) Consultant teachers to assist in implementing  
31 effective instructional practices by teachers serving participating  
32 students;

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

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

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

39 (h) Partnerships with community-based organizations, educational  
40 service districts, and other local agencies to deliver academic and

1 nonacademic supports to participating students who are significantly  
2 at risk of not being successful in school to reduce barriers to  
3 learning, increase student engagement, and enhance students'  
4 readiness to learn. The academic and nonacademic supports must be  
5 identified through system-level, including district, school, and  
6 community, needs assessments and student-level needs assessments  
7 performed as part of the Washington integrated student supports  
8 protocol, established under RCW 28A.300.139. The school board must  
9 approve in an open meeting any community-based organization or local  
10 agency before learning assistance funds may be expended for the  
11 purpose of partnerships under this subsection;

12 (i) Screening and intervention requirements under RCW  
13 28A.320.260, even if the student being screened or provided with  
14 supports is not eligible to participate in the learning assistance  
15 program; and

16 (j) Staff trainings necessary to implement RCW 28A.320.260.

17 ~~((2) In addition to the state menu developed under RCW~~  
18 ~~28A.655.235, the office of the superintendent of public instruction~~  
19 ~~shall convene a panel of experts, including the Washington state~~  
20 ~~institute for public policy, to develop additional state menus of~~  
21 ~~best practices and strategies for use in the learning assistance~~  
22 ~~program to assist struggling students at all grade levels in English~~  
23 ~~language arts and mathematics and reduce disruptive behaviors in the~~  
24 ~~classroom. The office of the superintendent of public instruction~~  
25 ~~shall publish the state menus by July 1, 2015, and update the state~~  
26 ~~menus by each July 1st thereafter.~~

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

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



1 ~~or strategy is dependent on the district continuing to demonstrate~~  
2 ~~increased improved outcomes for participating students.~~

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

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

11 ~~(5) School districts may use learning assistance program~~  
12 ~~allocations to meet the screening and intervention requirements of~~  
13 ~~RCW 28A.320.260, even if the student being screened or provided with~~  
14 ~~supports is not eligible to participate in the learning assistance~~  
15 ~~program. The learning assistance program allocations may also be used~~  
16 ~~for school district staff trainings necessary to implement the~~  
17 ~~provisions of RCW 28A.320.260.)~~

18 **Sec. 7.** RCW 28A.165.100 and 2019 c 208 s 1 are each amended to  
19 read as follows:

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

25 (2) By August 1, 2014, and each September 30th thereafter, school  
26 districts shall report to the office of the superintendent of public  
27 instruction, using a common format prepared by the office:

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

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

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

35 (d) Other data if required by the office of the superintendent of  
36 public instruction to demonstrate the efficacy of the learning  
37 assistance program expenditures to show student academic growth  
38 gains, including indicators aligned with the accountability framework  
39 for schools receiving support under RCW 28A.657.110.

1 (3) By January 1, 2020, and each January 1st thereafter, the  
2 office of the superintendent of public instruction shall compile the  
3 school district data reported as required by subsection (2) of this  
4 section, and report, in compliance with RCW 43.01.036, to the  
5 appropriate committees of the legislature with the annual and  
6 longitudinal gains for the specific practices, activities, and  
7 programs used by the school districts and schools to show which are  
8 the most effective. The data must be disaggregated by student  
9 subgroups.

10 **Sec. 8.** RCW 28A.165.065 and 2013 2nd sp.s. c 18 s 206 are each  
11 amended to read as follows:

12 To ensure that school districts are meeting the requirements of  
13 this chapter, the superintendent of public instruction shall monitor  
14 learning assistance programs no less than once every four years. The  
15 primary purpose of program monitoring is to evaluate the  
16 effectiveness of a district's allocation and expenditure of resources  
17 and monitor school district fidelity in implementing best practices.  
18 The office of the superintendent of public instruction may provide  
19 technical assistance to school districts identified, using data  
20 reported as required under RCW 28A.165.100, as needing to improve the  
21 effectiveness of a learning assistance program.

22 **Sec. 9.** RCW 28A.300.139 and 2016 c 72 s 801 are each amended to  
23 read as follows:

24 (1) Subject to the availability of amounts appropriated for this  
25 specific purpose, the Washington integrated student supports protocol  
26 is established. The protocol shall be developed by the center for the  
27 improvement of student learning, established in RCW 28A.300.130,  
28 based on the framework described in this section. The purposes of the  
29 protocol include:

30 (a) Supporting a school-based approach to promoting the success  
31 of all students by coordinating academic and nonacademic supports to  
32 reduce barriers to academic achievement and educational attainment;

33 (b) Fulfilling a vision of public education where educators focus  
34 on education, students focus on learning, and auxiliary supports  
35 enable teaching and learning to occur unimpeded;

36 (c) Encouraging the creation, expansion, and quality improvement  
37 of community-based supports that can be integrated into the academic  
38 environment of schools and school districts;

1 (d) Increasing public awareness of the evidence showing that  
2 academic outcomes are a result of both academic and nonacademic  
3 factors; and

4 (e) Supporting statewide and local organizations in their efforts  
5 to provide leadership, coordination, technical assistance,  
6 professional development, and advocacy to implement high-quality,  
7 evidence-based, student-centered, coordinated approaches throughout  
8 the state.

9 (2)(a) The Washington integrated student supports protocol must  
10 be sufficiently flexible to adapt to the unique needs of schools and  
11 districts across the state, yet sufficiently structured to provide  
12 all students with the individual support they need for academic  
13 success.

14 (b) The essential framework of the Washington integrated student  
15 supports protocol includes:

16 (i) Needs assessments: A system-level needs assessment with  
17 resource mapping must be conducted in order to identify academic and  
18 nonacademic supports that are currently available or lacking in  
19 schools, school districts, and the community. A student-level needs  
20 assessment must be conducted for all at-risk students in order to  
21 develop or identify the needed academic and nonacademic supports  
22 within the students' school and community. These supports must be  
23 coordinated to provide students with a package of mutually  
24 reinforcing supports designed to meet the individual needs of each  
25 student.

26 (ii) Integration and coordination: The school and district  
27 leadership and staff must develop close relationships with providers  
28 of academic and nonacademic supports to enhance the effectiveness of  
29 the protocol.

30 (iii) Community partnerships: Community partners must be engaged  
31 to provide nonacademic supports to reduce barriers to students'  
32 academic success, including supports to students' families.

33 (iv) Data driven: Students' needs and outcomes must be tracked  
34 over time to determine student progress and evolving needs.

35 (c) The framework must facilitate the ability of any academic or  
36 nonacademic provider to support the needs of at-risk students,  
37 including, but not limited to: Out-of-school providers, social  
38 workers, mental health counselors, physicians, dentists, speech  
39 therapists, and audiologists.

1       **Sec. 10.** RCW 28A.320.190 and 2019 c 252 s 113 are each amended  
2 to read as follows:

3       (1) The extended learning opportunities program is created for  
4 eligible (~~(eleventh and)~~) ninth through twelfth grade students who  
5 are not on track to meet local or state graduation requirements as  
6 well as eighth grade students who need additional assistance in order  
7 to have the opportunity for a successful entry into high school. The  
8 program shall provide early notification of graduation status and  
9 information on education opportunities including preapprenticeship  
10 programs that are available.

11       (2) Under the extended learning opportunities program and to the  
12 extent funds are available for that purpose, districts shall make  
13 available to students in grade twelve who have failed to meet one or  
14 more local or state graduation requirements the option of continuing  
15 enrollment in the school district in accordance with RCW 28A.225.160.  
16 Districts are authorized to use basic education program funding to  
17 provide instruction to eligible students under RCW 28A.150.220(5).

18       (3) Under the extended learning opportunities program,  
19 instructional services for eligible students can occur during the  
20 regular school day, evenings, on weekends, or at a time and location  
21 deemed appropriate by the school district, including the educational  
22 service district, in order to meet the needs of these students.  
23 Instructional services provided under this section do not include  
24 services offered at private schools. Instructional services can  
25 include, but are not limited to, the following:

26       (a) Individual or small group instruction;

27       (b) Attendance in a public high school or public alternative  
28 school classes or at a skill center;

29       (c) Inclusion in remediation programs, including summer school;

30       (d) Language development instruction for English language  
31 learners;

32       (e) Online curriculum and instructional support, including  
33 programs for credit retrieval and statewide student assessment  
34 preparatory classes; and

35       (f) Reading improvement specialists available at the educational  
36 service districts to serve eighth(~~(, eleventh, and)~~) through twelfth  
37 grade educators through professional development in accordance with  
38 RCW 28A.415.350. The reading improvement specialist may also provide  
39 direct services to eligible students and those students electing to

1 continue a fifth year in a high school program who are still  
2 struggling with basic reading skills.

3 **Sec. 11.** RCW 28A.710.280 and 2018 c 266 s 403 are each amended  
4 to read as follows:

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

8 (2) For eligible students enrolled in a charter school  
9 established and operating in accordance with this chapter, the  
10 superintendent of public instruction shall transmit to each charter  
11 school an amount calculated as provided in this section and based on  
12 the statewide average salaries set forth in RCW 28A.150.410 for  
13 certificated instructional staff adjusted by the regionalization  
14 factor that applies to the school district in which the charter  
15 school is geographically located, including any enrichment to those  
16 statutory formulae that is specified in the omnibus appropriations  
17 act. The amount must be the sum of (a) and (b) of this subsection.

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

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

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

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

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

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

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

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

11 NEW SECTION. **Sec. 12.** A new section is added to chapter 28A.630  
12 RCW to read as follows:

13 (1) By December 1, 2023, and by December 1st annually for the  
14 next two years, and in compliance with RCW 43.01.036, the center for  
15 the improvement of student learning, established under RCW  
16 28A.300.130, must:

17 (a) Review the learning assistance program data and reports  
18 submitted by school districts to the office of the superintendent of  
19 public instruction under RCW 28A.165.100 to determine which school  
20 districts have achieved the greatest student academic growth gains;  
21 and

22 (b) Report to the appropriate committees of the legislature with  
23 a summary of the innovations made by these school districts to reduce  
24 barriers to student academic achievement.

25 (2) This section expires June 30, 2026.

26 NEW SECTION. **Sec. 13.** Section 5 of this act expires August 1,  
27 2022.

28 NEW SECTION. **Sec. 14.** Sections 3 and 6 of this act take effect  
29 August 1, 2023.

30 NEW SECTION. **Sec. 15.** Sections 1, 3, 4, and 6 through 10 of  
31 this act expire June 30, 2026.

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