

SHB 1208 - S AMD 738
By Senator Billig

ADOPTED 04/09/2021

1 Strike everything after the enacting clause and insert the
2 following:

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

15 (2)(a) The legislature expects that the learning assistance
16 program will continue to be used to fund supplemental instruction and
17 service to eligible students who are not meeting academic standards.

18 (b) However, the legislature intends to immediately remove
19 restrictions on the use of learning assistance program funds so that
20 school districts can flexibly use these funds to identify and address
21 the academic and nonacademic needs of students resulting from and
22 exacerbated by the COVID-19 pandemic. Removal of the restrictions
23 does not mean that learning assistance programs cannot continue to
24 use the best practices and strategies included on the state menus or
25 the services and activities listed in RCW 28A.165.035, as repealed by
26 this act.

27 (3)(a) Beginning September 1, 2025, or following the end of the
28 state of emergency declared by the governor due to COVID-19,
29 whichever is later, the legislature intends to continue the flexible
30 use of learning assistance program funds but require that budgeting
31 and expenditure of these funds occur through the framework of the

1 Washington integrated student supports protocol, established by the
2 legislature in 2016.

3 (b) To ease the transition, the legislature recommends that
4 school district boards of directors begin budgeting and expending
5 learning assistance program funds using the Washington integrated
6 student supports protocol as soon as possible.

7 (c) Under the protocol, before engaging in the process of
8 budgeting and expending learning assistance program funds, the
9 legislature expects school district boards of directors to perform
10 needs assessments and use data to map the resources of the school
11 district, each school, and the community. School boards are expected
12 to identify gaps in the coordination and integration of academic and
13 nonacademic supports and to engage community partners in strategic
14 planning that prioritizes the needs of students. Each school in the
15 district is also expected to use needs assessments and data to
16 determine how to best engage community partners to address the
17 academic and nonacademic needs of its students in an integrated and
18 coordinated manner. Finally, the legislature expects that schools and
19 school districts will use data in an iterative process to drive
20 decisions about how learning assistance program funds continue to be
21 used, and to determine whether decisions about the use of program
22 funds resulted in improvement in students' academic achievement.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.165
24 RCW to be codified between RCW 28A.165.005 and 28A.165.065 to read as
25 follows:

26 (1) Immediately upon the effective date of this section and
27 through the later of: (a) The expiration or termination of
28 Proclamation 20-05, and any subsequent orders extending or amending
29 the proclamation, declaring a state of emergency on February 29,
30 2020, for all counties in Washington due to COVID-19; or (b)
31 September 1, 2025, school districts must budget and expend the
32 appropriations for the learning assistance program, under RCW
33 28A.165.005 through 28A.165.065, to identify and address the academic
34 and nonacademic needs of students resulting from and exacerbated by
35 the COVID-19 pandemic.

36 (2) During the time period described in subsection (1) of this
37 section, school districts are encouraged to budget and expend the
38 appropriations for the learning assistance program, under RCW
39 28A.165.005 through 28A.165.065, using the framework of the

1 Washington integrated student supports protocol, established under
2 RCW 28A.300.139.

3 (3) If a school district elects to budget and expend learning
4 assistance program funds using the framework of the Washington
5 integrated student supports protocol, a district may use up to 15
6 percent of the district's learning assistance program allocation to
7 deliver academic, nonacademic, and social-emotional supports and
8 services to students through partnerships with community-based or
9 other out-of-school organizations in accordance with RCW 28A.300.139.
10 Any agreement entered into by a school district and a community
11 partner in accordance with RCW 28A.300.139 must:

12 (a) Specify that learning assistance program funds may be used
13 only to provide direct supports and services to students;

14 (b) Clearly identify the academic, nonacademic, or social-
15 emotional supports and services that will be made available to
16 students by the community partner and how those supports and services
17 align to the needs of the students as identified in the student-level
18 needs assessment required by RCW 28A.300.139; and

19 (c) Identify the in-school supports that will be reinforced by
20 the supports and services provided by the community partner to
21 promote student progress towards meeting academic standards.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.165
23 RCW to be codified between RCW 28A.165.005 and 28A.165.065 to read as
24 follows:

25 (1) While the state allocations for the learning assistance
26 program under this chapter are intended to be flexible dollars within
27 the control of the public school and school district, this local
28 control must be balanced with local accountability for improvement in
29 student achievement.

30 (2) School district boards of directors must budget and expend
31 the appropriations for the learning assistance program, under RCW
32 28A.165.005 through 28A.165.065, using the framework of the
33 Washington integrated student supports protocol, established under
34 RCW 28A.300.139.

35 (3) A district may use up to 15 percent of the district's
36 learning assistance program allocation to deliver academic,
37 nonacademic, and social-emotional supports and services to students
38 through partnerships with community-based or other out-of-school
39 organizations in accordance with RCW 28A.300.139. Any agreement

1 entered into by a school district and a community partner in
2 accordance with RCW 28A.300.139 must:

3 (a) Specify that learning assistance program funds may be used
4 only to provide direct supports and services to students;

5 (b) Clearly identify the academic, nonacademic, or social-
6 emotional supports and services that will be made available to
7 students by the community partner and how those supports and services
8 align to the needs of the students as identified in the student-level
9 needs assessment required by RCW 28A.300.139; and

10 (c) Identify the in-school supports that will be reinforced by
11 the supports and services provided by the community partner to
12 promote student progress towards meeting academic standards.

13 **Sec. 4.** RCW 28A.300.139 and 2016 c 72 s 801 are each amended to
14 read as follows:

15 (1) (~~Subject to the availability of amounts appropriated for~~
16 ~~this specific purpose, the~~) The Washington integrated student
17 supports protocol is established. The protocol shall be developed by
18 the center for the improvement of student learning, established in
19 RCW 28A.300.130, based on the framework described in this section.
20 The purposes of the protocol include:

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

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

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

30 (d) Increasing public awareness of the evidence showing that
31 academic outcomes are a result of both academic and nonacademic
32 factors; and

33 (e) Supporting statewide and local organizations in their efforts
34 to provide leadership, coordination, technical assistance,
35 professional development, and advocacy to implement high-quality,
36 evidence-based, student-centered, coordinated approaches throughout
37 the state.

38 (2)(a) The Washington integrated student supports protocol must
39 be sufficiently flexible to adapt to the unique needs of schools and

1 districts across the state, yet sufficiently structured to provide
2 all students with the individual support they need for academic
3 success.

4 (b) The essential framework of the Washington integrated student
5 supports protocol includes:

6 (i) Needs assessments: A system-level needs assessment with
7 resource mapping must be conducted in order to identify academic and
8 nonacademic supports that are currently available or lacking in
9 schools, school districts, and the community. A student-level needs
10 assessment must be conducted for all at-risk students in order to
11 develop or identify the needed academic and nonacademic supports
12 within the students' school and community. These supports must be
13 coordinated to provide students with a package of mutually
14 reinforcing supports designed to meet the individual needs of each
15 student.

16 (ii) Integration and coordination: The school and district
17 leadership and staff must (~~develop close relationships~~) establish
18 clear, cooperative policies and procedures with community-based and
19 other out-of-school providers of academic and nonacademic supports to
20 enhance the effectiveness of the protocol.

21 (iii) Community partnerships: Community partners must be engaged
22 to provide academic, nonacademic, and social-emotional supports to
23 reduce barriers to students' academic success, including supports to
24 students' families.

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

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

32 **Sec. 5.** RCW 28A.165.005 and 2017 3rd sp.s. c 13 s 403 are each
33 amended to read as follows:

34 (~~(1)~~) This chapter is designed to: (~~(a)~~) (1) Promote the use
35 of data when developing programs to assist students who are not
36 meeting academic standards (~~and reduce disruptive behaviors in the~~
37 ~~classroom~~); and (~~(b)~~) (2) guide school districts in providing the
38 most effective and efficient practices when implementing supplemental
39 instruction and services to assist students who are not meeting

1 academic standards ((and reduce disruptive behaviors in the
2 classroom)).

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

7 **Sec. 6.** RCW 28A.165.015 and 2017 3rd sp.s. c 13 s 404 are each
8 amended to read as follows:

9 Unless the context clearly indicates otherwise the definitions in
10 this section apply throughout this chapter.

11 (1) "Basic skills areas" means reading, writing, and mathematics
12 as well as readiness associated with these skills.

13 (2) (~~("Participating student" means a student in kindergarten
14 through grade twelve who scores below standard for his or her grade
15 level using multiple measures of performance, including on the
16 statewide student assessments or other assessments and performance
17 measurement tools administered by the school or district and who is
18 identified by the district to receive services.~~

19 ~~(3))~~ "Statewide student assessments" means one or more of the
20 assessments administered by school districts as required under RCW
21 28A.655.070.

22 ((~~(4))~~) (3) "Students who are not meeting academic standards"
23 means students with the greatest academic deficits in basic skills as
24 identified by statewide, school, or district assessments or other
25 performance measurement tools.

26 **Sec. 7.** RCW 28A.165.065 and 2013 2nd sp.s. c 18 s 206 are each
27 amended to read as follows:

28 To ensure that school districts are meeting the requirements of
29 this chapter, the superintendent of public instruction shall monitor
30 learning assistance programs using, at minimum, data reported as
31 required under RCW 28A.165.100, no less than once every four years.
32 The primary purpose of program monitoring is to evaluate the
33 effectiveness of a school district's allocation and expenditure of
34 resources and monitor school district fidelity in implementing best
35 practices using the framework of the Washington integrated student
36 supports protocol, established under RCW 28A.300.139. The office of
37 the superintendent of public instruction may provide technical

1 assistance to school districts to improve the effectiveness of a
2 learning assistance program.

3 **Sec. 8.** RCW 28A.165.100 and 2019 c 208 s 1 are each amended to
4 read as follows:

5 (1) School districts shall record in the statewide individual
6 student data system annual entrance and exit performance data for
7 each student participating in the learning assistance program
8 according to specifications established by the office of the
9 superintendent of public instruction.

10 (2) (~~By August 1, 2014, and each~~) Annually September 30th
11 (~~thereafter~~), school districts shall report to the office of the
12 superintendent of public instruction, using a common format prepared
13 by the office:

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

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

18 (c) The specific practices, activities, and programs used by each
19 school building that received learning assistance program funding;
20 (~~and~~)

21 (d) The percentage of learning assistance program funding used to
22 engage community partners, the number of students receiving direct
23 supports and services from those community partners, and the types of
24 supports and services; and

25 (e) Other data if required by the office of the superintendent of
26 public instruction to demonstrate the efficacy of the learning
27 assistance program expenditures to show student academic growth gains
28 including indicators aligned with the accountability framework for
29 schools receiving support under RCW 28A.657.110.

30 (3) By January 1, 2020, and each January 1st thereafter, the
31 office of the superintendent of public instruction shall compile the
32 school district data reported as required by subsection (2) of this
33 section, and report, in compliance with RCW 43.01.036, to the
34 appropriate committees of the legislature with the annual and
35 longitudinal gains for the specific practices, activities, and
36 programs used by the school districts and schools to show which are
37 the most effective. The data must be disaggregated by student
38 subgroups as described in RCW 28A.300.042(1) for student-level data.

1 **Sec. 9.** RCW 28A.300.130 and 2016 c 72 s 804 are each amended to
2 read as follows:

3 Provisions in subsections (1) through (5) of this section are
4 subject to the availability of amounts appropriated for these
5 specific purposes.

6 (1) To facilitate access to information and materials on
7 educational improvement and research, the superintendent of public
8 instruction (~~(, subject to the availability of amounts appropriated~~
9 ~~for this specific purpose,)~~) shall establish the center for the
10 improvement of student learning. The center shall work in conjunction
11 with parents, educational service districts, institutions of higher
12 education, and education, parent, community, and business
13 organizations.

14 (2) The center, (~~(subject to the availability of amounts~~
15 ~~appropriated for this specific purpose, and)~~) in conjunction with
16 other staff in the office of the superintendent of public
17 instruction, shall:

18 (a) Serve as a clearinghouse for information regarding successful
19 educational improvement and parental involvement programs in schools
20 and districts, and information about efforts within institutions of
21 higher education in the state to support educational improvement
22 initiatives in Washington schools and districts;

23 (b) Provide best practices research that can be used to help
24 schools develop and implement: Programs and practices to improve
25 instruction; systems to analyze student assessment data, with an
26 emphasis on systems that will combine the use of state and local data
27 to monitor the academic progress of each and every student in the
28 school district; comprehensive, school-wide improvement plans;
29 school-based shared decision-making models; programs to promote
30 lifelong learning and community involvement in education; school-to-
31 work transition programs; programs to meet the needs of highly
32 capable students; programs and practices to meet the needs of
33 students with disabilities; programs and practices to meet the
34 diverse needs of students based on gender, racial, ethnic, economic,
35 and special needs status; research, information, and technology
36 systems; and other programs and practices that will assist educators
37 in helping students learn the essential academic learning
38 requirements;

39 (c) Periodically review the efficacy of programs and practices
40 designed to meet the needs of students who are not meeting academic

1 standards as defined in RCW 28A.165.015, starting with the best
2 practices and strategies included on the state menus developed under
3 RCW 28A.165.035, as repealed by this act, and RCW 28A.655.235, and
4 the services and activities listed in RCW 28A.165.035, as repealed by
5 this act;

6 (d) Develop and maintain an internet web site to increase the
7 availability of information, research, and other materials;

8 ~~((d))~~ (e) Work with appropriate organizations to inform
9 teachers, district and school administrators, and school directors
10 about the waivers available and the broadened school board powers
11 under RCW 28A.320.015;

12 ~~((e))~~ (f) Provide training and consultation services, including
13 conducting regional summer institutes;

14 ~~((f))~~ (g) Identify strategies for improving the success rates
15 of ethnic and racial student groups and students with disabilities,
16 with disproportionate academic achievement;

17 ~~((g))~~ (h) Work with parents, teachers, and school districts in
18 establishing a model absentee notification procedure that will
19 properly notify parents when their student has not attended a class
20 or has missed a school day. The office of the superintendent of
21 public instruction shall consider various types of communication with
22 parents including, but not limited to, email, phone, and postal mail;

23 ~~((and~~

24 ~~(-h-))~~ (i) By December 1, 2026, and by December 1st annually
25 thereafter: (i) Review the learning assistance program information
26 submitted as required by RCW 28A.165.100; and (ii) report to the
27 appropriate committees of the legislature with a summary of the
28 innovations made by school districts to reduce barriers to the
29 academic achievement of students participating in the learning
30 assistance program; and

31 (j) Perform other functions consistent with the purpose of the
32 center as prescribed in subsection (1) of this section.

33 (3) The superintendent of public instruction shall select and
34 employ a director for the center.

35 (4) The superintendent may enter into contracts with individuals
36 or organizations including but not limited to: School districts;
37 educational service districts; educational organizations; teachers;
38 higher education faculty; institutions of higher education; state
39 agencies; business or community-based organizations; and other
40 individuals and organizations to accomplish the duties and

1 responsibilities of the center. In carrying out the duties and
2 responsibilities of the center, the superintendent, whenever
3 possible, shall use practitioners to assist agency staff as well as
4 assist educators and others in schools and districts.

5 (5) The office of the superintendent of public instruction shall
6 report to the legislature by September 1, 2007, and thereafter
7 biennially, regarding the effectiveness of the center for the
8 improvement of student learning, how the services provided by the
9 center for the improvement of student learning have been used and by
10 whom, and recommendations to improve the accessibility and
11 application of knowledge and information that leads to improved
12 student learning and greater family and community involvement in the
13 public education system.

14 **Sec. 10.** RCW 28A.305.130 and 2019 c 252 s 112 are each amended
15 to read as follows:

16 The purpose of the state board of education is to provide
17 advocacy and strategic oversight of public education; implement a
18 standards-based accountability framework that creates a unified
19 system of increasing levels of support for schools in order to
20 improve student academic achievement; provide leadership in the
21 creation of a system that personalizes education for each student and
22 respects diverse cultures, abilities, and learning styles; and
23 promote achievement of the goals of RCW 28A.150.210. In addition to
24 any other powers and duties as provided by law, the state board of
25 education shall:

26 (1) Hold regularly scheduled meetings at such time and place
27 within the state as the board shall determine and may hold such
28 special meetings as may be deemed necessary for the transaction of
29 public business;

30 (2) Form committees as necessary to effectively and efficiently
31 conduct the work of the board;

32 (3) Seek advice from the public and interested parties regarding
33 the work of the board;

34 (4) For purposes of statewide accountability:

35 (a) Adopt and revise performance improvement goals in reading,
36 writing, science, and mathematics, by subject and grade level, once
37 assessments in these subjects are required statewide; academic and
38 technical skills, as appropriate, in secondary career and technical
39 education programs; and student attendance, as the board deems

1 appropriate to improve student learning. The goals shall be
2 consistent with student privacy protection provisions of RCW
3 28A.655.090(7) and shall not conflict with requirements contained in
4 Title I of the federal elementary and secondary education act of
5 1965, or the requirements of the Carl D. Perkins vocational education
6 act of 1998, each as amended. The goals may be established for all
7 students, economically disadvantaged students, limited English
8 proficient students, students with disabilities, and students (~~from~~
9 ~~disproportionately academically underachieving racial and ethnic~~
10 ~~backgrounds~~) who are not meeting academic standards as defined in
11 RCW 28A.165.015, disaggregated as described in RCW 28A.300.042(1) for
12 student-level data. The board may establish school and school
13 district goals addressing high school graduation rates and dropout
14 reduction goals for students in grades seven through twelve. The
15 board shall adopt the goals by rule. However, before each goal is
16 implemented, the board shall present the goal to the education
17 committees of the house of representatives and the senate for the
18 committees' review and comment in a time frame that will permit the
19 legislature to take statutory action on the goal if such action is
20 deemed warranted by the legislature;

21 (b) (i) (A) Identify the scores students must achieve in order to
22 meet the standard on the statewide student assessment, and the SAT or
23 the ACT if used to demonstrate career and college readiness under RCW
24 28A.655.250. The board shall also determine student scores that
25 identify levels of student performance below and beyond the standard.
26 The board shall set such performance standards and levels in
27 consultation with the superintendent of public instruction and after
28 consideration of any recommendations that may be developed by any
29 advisory committees that may be established for this purpose;

30 (B) To permit the legislature to take any statutory action it
31 deems warranted before modified or newly established scores are
32 implemented, the board shall notify the education committees of the
33 house of representatives and the senate of any scores that are
34 modified or established under (b) (i) (A) of this subsection on or
35 after July 28, 2019. The notifications required by this subsection
36 (4) (b) (i) (B) must be provided by November 30th of the year proceeding
37 the beginning of the school year in which the modified or established
38 scores will take effect;

39 (ii) The legislature intends to continue the implementation of
40 chapter 22, Laws of 2013 2nd sp. sess. when the legislature expressed

1 the intent for the state board of education to identify the student
2 performance standard that demonstrates a student's career and college
3 readiness for the eleventh grade consortium-developed assessments.
4 Therefore, by December 1, 2018, the state board of education, in
5 consultation with the superintendent of public instruction, must
6 identify and report to the governor and the education policy and
7 fiscal committees of the legislature on the equivalent student
8 performance standard that a tenth grade student would need to achieve
9 on the state assessments to be on track to be career and college
10 ready at the end of the student's high school experience;

11 (iii) The legislature shall be advised of the initial performance
12 standards and any changes made to the elementary, middle, and high
13 school level performance standards. The board must provide an
14 explanation of and rationale for all initial performance standards
15 and any changes, for all grade levels of the statewide student
16 assessment. If the board changes the performance standards for any
17 grade level or subject, the superintendent of public instruction must
18 recalculate the results from the previous ten years of administering
19 that assessment regarding students below, meeting, and beyond the
20 state standard, to the extent that this data is available, and post a
21 comparison of the original and recalculated results on the
22 superintendent's web site;

23 (c) Annually review the assessment reporting system to ensure
24 fairness, accuracy, timeliness, and equity of opportunity, especially
25 with regard to schools with special circumstances and unique
26 populations of students, and a recommendation to the superintendent
27 of public instruction of any improvements needed to the system; and

28 (d) Include in the biennial report required under RCW
29 28A.305.035, information on the progress that has been made in
30 achieving goals adopted by the board;

31 (5) Accredite, subject to such accreditation standards and
32 procedures as may be established by the state board of education, all
33 private schools that apply for accreditation, and approve, subject to
34 the provisions of RCW 28A.195.010, private schools carrying out a
35 program for any or all of the grades kindergarten through twelve.
36 However, no private school may be approved that operates a
37 kindergarten program only and no private school shall be placed upon
38 the list of accredited schools so long as secret societies are
39 knowingly allowed to exist among its students by school officials;

1 (6) Articulate with the institutions of higher education,
2 workforce representatives, and early learning policymakers and
3 providers to coordinate and unify the work of the public school
4 system;

5 (7) Hire an executive director and an administrative assistant to
6 reside in the office of the superintendent of public instruction for
7 administrative purposes. Any other personnel of the board shall be
8 appointed as provided by RCW 28A.300.020. The board may delegate to
9 the executive director by resolution such duties as deemed necessary
10 to efficiently carry on the business of the board including, but not
11 limited to, the authority to employ necessary personnel and the
12 authority to enter into, amend, and terminate contracts on behalf of
13 the board. The executive director, administrative assistant, and all
14 but one of the other personnel of the board are exempt from civil
15 service, together with other staff as now or hereafter designated as
16 exempt in accordance with chapter 41.06 RCW; and

17 (8) Adopt a seal that shall be kept in the office of the
18 superintendent of public instruction.

19 **Sec. 11.** RCW 28A.320.190 and 2019 c 252 s 113 are each amended
20 to read as follows:

21 (1) The extended learning opportunities program is created for
22 eligible (~~eleventh and~~) ninth through twelfth grade students who
23 are not on track to meet local or state graduation requirements as
24 well as eighth grade students who need additional assistance in order
25 to have the opportunity for a successful entry into high school. The
26 program shall provide early notification of graduation status and
27 information on education opportunities including preapprenticeship
28 programs that are available.

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

36 (3) Under the extended learning opportunities program,
37 instructional services for eligible students can occur during the
38 regular school day, evenings, on weekends, or at a time and location
39 deemed appropriate by the school district, including the educational

1 service district, in order to meet the needs of these students.
2 Instructional services provided under this section do not include
3 services offered at private schools. Instructional services can
4 include, but are not limited to, the following:

5 (a) Individual or small group instruction;

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

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

9 (d) Language development instruction for English language
10 learners;

11 (e) Online curriculum and instructional support, including
12 programs for credit retrieval and statewide student assessment
13 preparatory classes; and

14 (f) Reading improvement specialists available at the educational
15 service districts to serve eighth(~~, eleventh, and~~) through twelfth
16 grade educators through professional development in accordance with
17 RCW 28A.415.350. The reading improvement specialist may also provide
18 direct services to eligible students and those students electing to
19 continue a fifth year in a high school program who are still
20 struggling with basic reading skills.

21 **Sec. 12.** RCW 28A.710.280 and 2018 c 266 s 403 are each amended
22 to read as follows:

23 (1) The legislature intends that state funding for charter
24 schools be distributed equitably with state funding provided for
25 other public schools.

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

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

1 (b) The superintendent also shall, for purposes of making
2 distributions under this section, and in accordance with the
3 applicable formulae for categorical programs specified in (b)(i)
4 through (v) of this subsection (2) and any enrichment to those
5 statutory formulae that is specified in the omnibus appropriations
6 act, separately calculate and distribute moneys appropriated by the
7 legislature to charter schools for:

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

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

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

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

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

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

28 NEW SECTION. **Sec. 13.** RCW 28A.165.035 (Program activities—
29 Partnerships with local entities—Development and use of state menus
30 of best practices and strategies) and 2018 c 75 s 7, 2016 c 72 s 803,
31 2013 2nd sp.s. c 18 s 203, 2008 c 321 s 4, & 2004 c 20 s 4 are each
32 repealed.

33 NEW SECTION. **Sec. 14.** Section 2 of this act expires at the
34 later of either: (1) The expiration or termination of Proclamation
35 20-05, and any subsequent orders extending or amending the
36 proclamation, declaring a state of emergency on February 29, 2020,
37 for all counties in Washington due to COVID-19; or (2) September 1,
38 2025.

1 NEW SECTION. **Sec. 15.** Section 3 of this act takes effect at the
2 later of either: (1) The expiration or termination of Proclamation
3 20-05, and any subsequent orders extending or amending the
4 proclamation, declaring a state of emergency on February 29, 2020,
5 for all counties in Washington due to COVID-19; or (2) September 1,
6 2025.

7 NEW SECTION. **Sec. 16.** The office of the governor must provide
8 written notice of the expiration date of section 2 of this act and
9 the effective date of section 3 of this act to affected parties, the
10 chief clerk of the house of representatives, the secretary of the
11 senate, the office of the code reviser, and others as deemed
12 appropriate by the office of the governor.

13 NEW SECTION. **Sec. 17.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of
15 the state government and its existing public institutions, and takes
16 effect immediately."

SHB 1208 - S AMD 738
By Senator Billig

ADOPTED 04/09/2021

17 On page 1, line 7 of the title, after "protocol;" strike the
18 remainder of the title and insert "amending RCW 28A.300.139,
19 28A.165.005, 28A.165.015, 28A.165.065, 28A.165.100, 28A.300.130,
20 28A.305.130, 28A.320.190, and 28A.710.280; adding new sections to
21 chapter 28A.165 RCW; creating new sections; repealing RCW
22 28A.165.035; providing a contingent effective date; providing a
23 contingent expiration date; and declaring an emergency."

EFFECT: (1) Provides that school districts may use up to fifteen percent of their learning assistance program (LAP) allocations to deliver academic, nonacademic, and social-emotional supports and services to students through partnerships with community-based or other out-of-school organizations.

(2) Requires that agreements with community partners must: (a) Specify that LAP funds may only be used to provide direct services and supports to students; (b) clearly identify the supports and services that will be made available to students and how they will align to the needs of students as identified in the student-level needs assessment; and (c) identify the in-school supports that will be reinforced by the supports and services provided by the community

partner to promote student progress towards meeting academic standards.

(3) Requires school districts to annually report the percentage of LAP funding used to engage community partners, the number of students receiving direct supports and services from those community partners, and the types of supports and services provided.

--- END ---