

SHB 1208 - S AMD 538
By Senator Wellman

WITHDRAWN 04/09/2021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25 the services and activities listed in RCW 28A.165.035, as repealed by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. If a school district elects to budget and expend
3 learning assistance program funds using the framework of the
4 Washington integrated student supports protocol, any agreement
5 entered into by the school district and a community partner in
6 accordance with RCW 28A.300.139 must specify that learning assistance
7 program funds may be used only to provide direct services to
8 students.

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

12 (1) While the state allocations for the learning assistance
13 program under this chapter are intended to be flexible dollars within
14 the control of the public school and school district, this local
15 control must be balanced with local accountability for improvement in
16 student achievement.

17 (2) School district boards of directors must budget and expend
18 the appropriations for the learning assistance program, under RCW
19 28A.165.005 through 28A.165.065, using the framework of the
20 Washington integrated student supports protocol, established under
21 RCW 28A.300.139. Any agreement entered into by a school district and
22 a community partner in accordance with RCW 28A.300.139 must specify
23 that learning assistance program funds may be used only to provide
24 direct services to students.

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

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

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

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

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

4 (d) Increasing public awareness of the evidence showing that
5 academic outcomes are a result of both academic and nonacademic
6 factors; and

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

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

17 (b) The essential framework of the Washington integrated student
18 supports protocol includes:

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

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

34 (iii) Community partnerships: Community partners must be engaged
35 to provide academic, nonacademic, and social-emotional supports to
36 reduce barriers to students' academic success, including supports to
37 students' families.

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

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

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

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

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

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

22 Unless the context clearly indicates otherwise the definitions in
23 this section apply throughout this chapter.

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

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

32 ~~(3))~~ "Statewide student assessments" means one or more of the
33 assessments administered by school districts as required under RCW
34 28A.655.070.

35 ~~((4))~~ (3) "Students who are not meeting academic standards"
36 means students with the greatest academic deficits in basic skills as
37 identified by statewide, school, or district assessments or other
38 performance measurement tools.

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

3 To ensure that school districts are meeting the requirements of
4 this chapter, the superintendent of public instruction shall monitor
5 learning assistance programs using, at minimum, data reported as
6 required under RCW 28A.165.100, no less than once every four years.
7 The primary purpose of program monitoring is to evaluate the
8 effectiveness of a school district's allocation and expenditure of
9 resources and monitor school district fidelity in implementing best
10 practices using the framework of the Washington integrated student
11 supports protocol, established under RCW 28A.300.139. The office of
12 the superintendent of public instruction may provide technical
13 assistance to school districts to improve the effectiveness of a
14 learning assistance program.

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

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

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

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

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

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

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

38 (3) By January 1, 2020, and each January 1st thereafter, the
39 office of the superintendent of public instruction shall compile the

1 school district data reported as required by subsection (2) of this
2 section, and report, in compliance with RCW 43.01.036, to the
3 appropriate committees of the legislature with the annual and
4 longitudinal gains for the specific practices, activities, and
5 programs used by the school districts and schools to show which are
6 the most effective. The data must be disaggregated by student
7 subgroups as described in RCW 28A.300.042(1) for student-level data.

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

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

13 (1) To facilitate access to information and materials on
14 educational improvement and research, the superintendent of public
15 instruction(~~(, subject to the availability of amounts appropriated~~
16 ~~for this specific purpose,)) shall establish the center for the
17 improvement of student learning. The center shall work in conjunction
18 with parents, educational service districts, institutions of higher
19 education, and education, parent, community, and business
20 organizations.~~

21 (2) The center, (~~subject to the availability of amounts~~
22 ~~appropriated for this specific purpose, and)) in conjunction with
23 other staff in the office of the superintendent of public
24 instruction, shall:~~

25 (a) Serve as a clearinghouse for information regarding successful
26 educational improvement and parental involvement programs in schools
27 and districts, and information about efforts within institutions of
28 higher education in the state to support educational improvement
29 initiatives in Washington schools and districts;

30 (b) Provide best practices research that can be used to help
31 schools develop and implement: Programs and practices to improve
32 instruction; systems to analyze student assessment data, with an
33 emphasis on systems that will combine the use of state and local data
34 to monitor the academic progress of each and every student in the
35 school district; comprehensive, school-wide improvement plans;
36 school-based shared decision-making models; programs to promote
37 lifelong learning and community involvement in education; school-to-
38 work transition programs; programs to meet the needs of highly
39 capable students; programs and practices to meet the needs of

1 students with disabilities; programs and practices to meet the
2 diverse needs of students based on gender, racial, ethnic, economic,
3 and special needs status; research, information, and technology
4 systems; and other programs and practices that will assist educators
5 in helping students learn the essential academic learning
6 requirements;

7 (c) Periodically review the efficacy of programs and practices
8 designed to meet the needs of students who are not meeting academic
9 standards as defined in RCW 28A.165.015, starting with the best
10 practices and strategies included on the state menus developed under
11 RCW 28A.165.035, as repealed by this act, and RCW 28A.655.235, and
12 the services and activities listed in RCW 28A.165.035, as repealed by
13 this act;

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

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

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

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

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

31 ~~((and~~

32 ~~(h))~~ (i) By December 1, 2026, and by December 1st annually
33 thereafter: (i) Review the learning assistance program information
34 submitted as required by RCW 28A.165.100; and (ii) report to the
35 appropriate committees of the legislature with a summary of the
36 innovations made by school districts to reduce barriers to the
37 academic achievement of students participating in the learning
38 assistance program; and

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

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

3 (4) The superintendent may enter into contracts with individuals
4 or organizations including but not limited to: School districts;
5 educational service districts; educational organizations; teachers;
6 higher education faculty; institutions of higher education; state
7 agencies; business or community-based organizations; and other
8 individuals and organizations to accomplish the duties and
9 responsibilities of the center. In carrying out the duties and
10 responsibilities of the center, the superintendent, whenever
11 possible, shall use practitioners to assist agency staff as well as
12 assist educators and others in schools and districts.

13 (5) The office of the superintendent of public instruction shall
14 report to the legislature by September 1, 2007, and thereafter
15 biennially, regarding the effectiveness of the center for the
16 improvement of student learning, how the services provided by the
17 center for the improvement of student learning have been used and by
18 whom, and recommendations to improve the accessibility and
19 application of knowledge and information that leads to improved
20 student learning and greater family and community involvement in the
21 public education system.

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

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

34 (1) Hold regularly scheduled meetings at such time and place
35 within the state as the board shall determine and may hold such
36 special meetings as may be deemed necessary for the transaction of
37 public business;

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

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

3 (4) For purposes of statewide accountability:

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

29 (b) (i) (A) Identify the scores students must achieve in order to
30 meet the standard on the statewide student assessment, and the SAT or
31 the ACT if used to demonstrate career and college readiness under RCW
32 28A.655.250. The board shall also determine student scores that
33 identify levels of student performance below and beyond the standard.
34 The board shall set such performance standards and levels in
35 consultation with the superintendent of public instruction and after
36 consideration of any recommendations that may be developed by any
37 advisory committees that may be established for this purpose;

38 (B) To permit the legislature to take any statutory action it
39 deems warranted before modified or newly established scores are
40 implemented, the board shall notify the education committees of the

1 house of representatives and the senate of any scores that are
2 modified or established under (b)(i)(A) of this subsection on or
3 after July 28, 2019. The notifications required by this subsection
4 (4)(b)(i)(B) must be provided by November 30th of the year proceeding
5 the beginning of the school year in which the modified or established
6 scores will take effect;

7 (ii) The legislature intends to continue the implementation of
8 chapter 22, Laws of 2013 2nd sp. sess. when the legislature expressed
9 the intent for the state board of education to identify the student
10 performance standard that demonstrates a student's career and college
11 readiness for the eleventh grade consortium-developed assessments.
12 Therefore, by December 1, 2018, the state board of education, in
13 consultation with the superintendent of public instruction, must
14 identify and report to the governor and the education policy and
15 fiscal committees of the legislature on the equivalent student
16 performance standard that a tenth grade student would need to achieve
17 on the state assessments to be on track to be career and college
18 ready at the end of the student's high school experience;

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

31 (c) Annually review the assessment reporting system to ensure
32 fairness, accuracy, timeliness, and equity of opportunity, especially
33 with regard to schools with special circumstances and unique
34 populations of students, and a recommendation to the superintendent
35 of public instruction of any improvements needed to the system; and

36 (d) Include in the biennial report required under RCW
37 28A.305.035, information on the progress that has been made in
38 achieving goals adopted by the board;

39 (5) Accredite, subject to such accreditation standards and
40 procedures as may be established by the state board of education, all

1 private schools that apply for accreditation, and approve, subject to
2 the provisions of RCW 28A.195.010, private schools carrying out a
3 program for any or all of the grades kindergarten through twelve.
4 However, no private school may be approved that operates a
5 kindergarten program only and no private school shall be placed upon
6 the list of accredited schools so long as secret societies are
7 knowingly allowed to exist among its students by school officials;

8 (6) Articulate with the institutions of higher education,
9 workforce representatives, and early learning policymakers and
10 providers to coordinate and unify the work of the public school
11 system;

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

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

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

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

36 (2) Under the extended learning opportunities program and to the
37 extent funds are available for that purpose, districts shall make
38 available to students in grade twelve who have failed to meet one or
39 more local or state graduation requirements the option of continuing

1 enrollment in the school district in accordance with RCW 28A.225.160.
2 Districts are authorized to use basic education program funding to
3 provide instruction to eligible students under RCW 28A.150.220(5).

4 (3) Under the extended learning opportunities program,
5 instructional services for eligible students can occur during the
6 regular school day, evenings, on weekends, or at a time and location
7 deemed appropriate by the school district, including the educational
8 service district, in order to meet the needs of these students.
9 Instructional services provided under this section do not include
10 services offered at private schools. Instructional services can
11 include, but are not limited to, the following:

12 (a) Individual or small group instruction;

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

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

16 (d) Language development instruction for English language
17 learners;

18 (e) Online curriculum and instructional support, including
19 programs for credit retrieval and statewide student assessment
20 preparatory classes; and

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

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

30 (1) The legislature intends that state funding for charter
31 schools be distributed equitably with state funding provided for
32 other public schools.

33 (2) For eligible students enrolled in a charter school
34 established and operating in accordance with this chapter, the
35 superintendent of public instruction shall transmit to each charter
36 school an amount calculated as provided in this section and based on
37 the statewide average salaries set forth in RCW 28A.150.410 for
38 certificated instructional staff adjusted by the regionalization
39 factor that applies to the school district in which the charter

1 school is geographically located, including any enrichment to those
2 statutory formulae that is specified in the omnibus appropriations
3 act. The amount must be the sum of (a) and (b) of this subsection.

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

8 (b) The superintendent also shall, for purposes of making
9 distributions under this section, and in accordance with the
10 applicable formulae for categorical programs specified in (b)(i)
11 through (v) of this subsection (2) and any enrichment to those
12 statutory formulae that is specified in the omnibus appropriations
13 act, separately calculate and distribute moneys appropriated by the
14 legislature to charter schools for:

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

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

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

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

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

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

35 NEW SECTION. **Sec. 13.** RCW 28A.165.035 (Program activities—
36 Partnerships with local entities—Development and use of state menus
37 of best practices and strategies) and 2018 c 75 s 7, 2016 c 72 s 803,
38 2013 2nd sp.s. c 18 s 203, 2008 c 321 s 4, & 2004 c 20 s 4 are each
39 repealed.

Integrated Student Supports Protocol must specify that Learning Assistance Program funds may only be used to provide direct services to students.

--- **END** ---