
HOUSE BILL 1208

State of Washington

67th Legislature

2021 Regular Session

By Representatives Santos, Steele, Lekanoff, Paul, Callan, Ortiz-Self, Bergquist, and Harris-Talley

Read first time 01/15/21. Referred to Committee on Education.

1 AN ACT Relating to modifying the learning assistance program to
2 enable school districts to focus on identifying and addressing
3 student academic deficits in basic skills resulting from or
4 exacerbated by the COVID-19 pandemic by granting greater local
5 control over, accountability for, and flexibility with program funds,
6 and to authorize continued flexible use of program funds through the
7 framework of the Washington integrated student supports protocol;
8 amending RCW 28A.300.139, 28A.165.005, 28A.165.015, 28A.165.065,
9 28A.165.100, 28A.300.130, 28A.305.130, 28A.320.190, and 28A.710.280;
10 adding new sections to chapter 28A.165 RCW; creating new sections;
11 repealing RCW 28A.165.035; providing a contingent effective date;
12 providing a contingent expiration date; and declaring an emergency.

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

14 NEW SECTION. **Sec. 1.** (1) The legislature acknowledges that the
15 learning assistance program was developed to provide supplemental
16 instruction and services for public school students who are not
17 meeting academic standards. Initially, school districts were allowed
18 to use learning assistance program funds in a flexible manner to
19 support students participating in the program. Over time, the
20 legislature restricted, and established priorities for, the use of
21 learning assistance program funds. The legislature finds that it is

1 time to restore flexibility to the use of learning assistance program
2 funds; however, local control must be balanced with accountability
3 for improvement in the academic achievement of students participating
4 in the program.

5 (2) The legislature expects that learning assistance program
6 funds will continue to be used to provide supplemental instruction
7 and services to students who are not meeting academic standards.
8 However, the legislature intends to immediately remove restrictions
9 on the use of learning assistance program funds so that school
10 districts can use these funds to identify and address student
11 academic deficits in basic skills resulting from and exacerbated by
12 the COVID-19 pandemic.

13 (3) (a) Beginning September 1, 2025, or following the end of the
14 state of emergency declared by the governor due to COVID-19,
15 whichever is later, the legislature intends to continue the flexible
16 use of learning assistance program funds but require that budgeting
17 and expenditure of these funds occur through the framework of the
18 Washington integrated student supports protocol, established by the
19 legislature in 2016.

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

24 (c) Under the protocol, before engaging in the process of
25 budgeting and expending learning assistance program funds, the
26 legislature expects school district boards of directors to perform
27 needs assessments and use data to map the resources of the school
28 district, each school, and the community. School boards are expected
29 to identify gaps in the coordination and integration of academic and
30 nonacademic supports and to engage community partners in strategic
31 planning that prioritizes the needs of students. Each school in the
32 district is also expected to use needs assessments and data to
33 determine how to best engage community partners to address the
34 academic and nonacademic needs of its students in an integrated and
35 coordinated manner. Finally, the legislature expects that schools and
36 school districts will use data in an iterative process to drive
37 decisions about how learning assistance program funds continue to be
38 used, and to determine whether decisions about the use of program
39 funds resulted in improvement in students' academic achievement.

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

4 (1) Immediately upon the effective date of this section and
5 through the later of: (a) The expiration or termination of
6 Proclamation 20-05, and any subsequent orders extending or amending
7 the proclamation, declaring a state of emergency on February 29,
8 2020, for all counties in Washington due to COVID-19; or (b)
9 September 1, 2025, school districts must budget and expend the
10 appropriations for the learning assistance program, under RCW
11 28A.165.005 through 28A.165.065, to identify and address student
12 academic deficits in basic skills resulting from and exacerbated by
13 the COVID-19 pandemic.

14 (2) During the time period described in subsection (1) of this
15 section, school districts are encouraged to budget and expend the
16 appropriations for the learning assistance program, under RCW
17 28A.165.005 through 28A.165.065, using the framework of the
18 Washington integrated student supports protocol, established under
19 RCW 28A.300.139.

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

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

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

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

35 (1) Subject to the availability of amounts appropriated for this
36 specific purpose, the Washington integrated student supports protocol
37 is established. The protocol shall be developed by the center for the
38 improvement of student learning, established in RCW 28A.300.130,

1 based on the framework described in this section. The purposes of the
2 protocol include:

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

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

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

12 (d) Increasing public awareness of the evidence showing that
13 academic outcomes are a result of both academic and nonacademic
14 factors; and

15 (e) Supporting statewide and local organizations in their efforts
16 to provide leadership, coordination, technical assistance,
17 professional development, and advocacy to implement high-quality,
18 evidence-based, student-centered, coordinated approaches throughout
19 the state.

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

25 (b) The essential framework of the Washington integrated student
26 supports protocol includes:

27 (i) Needs assessments: A system-level needs assessment with
28 resource mapping must be conducted in order to identify academic and
29 nonacademic supports that are currently available or lacking in
30 schools, school districts, and the community. A student-level needs
31 assessment must be conducted for all at-risk students in order to
32 develop or identify the needed academic and nonacademic supports
33 within the students' school and community. These supports must be
34 coordinated to provide students with a package of mutually
35 reinforcing supports designed to meet the individual needs of each
36 student.

37 (ii) Integration and coordination: The school and district
38 leadership and staff must (~~develop close relationships~~) establish
39 clear, cooperative policies and procedures with out-of-school

1 providers of academic and nonacademic supports to enhance the
2 effectiveness of the protocol.

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

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

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

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

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

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

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

29 Unless the context clearly indicates otherwise the definitions in
30 this section apply throughout this chapter.

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

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

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

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

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

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

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

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

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

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

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

1 (c) The specific practices, activities, and programs used by each
2 school building that received learning assistance program funding;
3 and

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

9 (3) By January 1, 2020, and each January 1st thereafter, the
10 office of the superintendent of public instruction shall compile the
11 school district data reported as required by subsection (2) of this
12 section, and report, in compliance with RCW 43.01.036, to the
13 appropriate committees of the legislature with the annual and
14 longitudinal gains for the specific practices, activities, and
15 programs used by the school districts and schools to show which are
16 the most effective. The data must be disaggregated by student
17 subgroups as described in RCW 28A.300.042(1) for student-level data.

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

20 (1) To facilitate access to information and materials on
21 educational improvement and research, the superintendent of public
22 instruction, subject to the availability of amounts appropriated for
23 this specific purpose, shall establish the center for the improvement
24 of student learning. The center shall work in conjunction with
25 parents, educational service districts, institutions of higher
26 education, and education, parent, community, and business
27 organizations.

28 (2) The center, subject to the availability of amounts
29 appropriated for this specific purpose, and in conjunction with other
30 staff in the office of the superintendent of public instruction,
31 shall:

32 (a) Serve as a clearinghouse for information regarding successful
33 educational improvement and parental involvement programs in schools
34 and districts, and information about efforts within institutions of
35 higher education in the state to support educational improvement
36 initiatives in Washington schools and districts;

37 (b) Provide best practices research that can be used to help
38 schools develop and implement: Programs and practices to improve
39 instruction; systems to analyze student assessment data, with an

1 emphasis on systems that will combine the use of state and local data
2 to monitor the academic progress of each and every student in the
3 school district; comprehensive, school-wide improvement plans;
4 school-based shared decision-making models; programs to promote
5 lifelong learning and community involvement in education; school-to-
6 work transition programs; programs to meet the needs of highly
7 capable students; programs and practices to meet the needs of
8 students who are not meeting academic standards as defined in RCW
9 28A.165.015; programs and practices to meet the needs of students
10 with disabilities; programs and practices to meet the diverse needs
11 of students based on gender, racial, ethnic, economic, and special
12 needs status; research, information, and technology systems; and
13 other programs and practices that will assist educators in helping
14 students learn the essential academic learning requirements;

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

17 (d) Work with appropriate organizations to inform teachers,
18 district and school administrators, and school directors about the
19 waivers available and the broadened school board powers under RCW
20 28A.320.015;

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

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

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

33 (h) By December 1, 2026, and by December 1st annually thereafter:

34 (i) Review the learning assistance program information submitted as
35 required by RCW 28A.165.100; and (ii) report to the appropriate
36 committees of the legislature with a summary of the innovations made
37 by school districts to reduce barriers to the academic achievement of
38 students participating in the learning assistance program; and

39 (i) 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) Accredited, 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.

1 NEW SECTION. **Sec. 14.** Section 2 of this act expires 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. 15.** Section 3 of this act takes effect at the
8 later of either: (1) The expiration or termination of Proclamation
9 20-05, and any subsequent orders extending or amending the
10 proclamation, declaring a state of emergency on February 29, 2020,
11 for all counties in Washington due to COVID-19; or (2) September 1,
12 2025.

13 NEW SECTION. **Sec. 16.** The office of the governor must provide
14 written notice of the expiration date of section 2 of this act and
15 the effective date of section 3 of this act to affected parties, the
16 chief clerk of the house of representatives, the secretary of the
17 senate, the office of the code reviser, and others as deemed
18 appropriate by the office of the governor.

19 NEW SECTION. **Sec. 17.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of
21 the state government and its existing public institutions, and takes
22 effect immediately.

--- END ---