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HOUSE BILL 2075

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State of Washington                      65th Legislature                      2017 Regular Session

By Representatives Pettigrew, Stanford, and Tarleton

Read first time 02/10/17. Referred to Committee on Appropriations.

1            AN ACT Relating to increasing college and career readiness and  
2 graduation rates in public schools; and adding a new chapter to Title  
3 28A RCW.

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

5            NEW SECTION.        **Sec. 1.**        DEFINITIONS. The definition in this  
6 section applies throughout this chapter unless the context clearly  
7 requires otherwise.

8            "Career and technical education" has the definition in RCW  
9 28A.700.010.

10           NEW SECTION.        **Sec. 2.**        ACCOUNT ESTABLISHMENT. The high school  
11 graduation and college and career readiness account is created in the  
12 state treasury. All receipts from federal funds, state  
13 appropriations, and private donations and gifts must be deposited in  
14 the account. Moneys in the account may be spent only after  
15 appropriation. Expenditures from the account may be used only for the  
16 purposes in this chapter.

17           NEW SECTION.        **Sec. 3.**        LEGISLATIVE APPROPRIATION. (1) Beginning  
18 in the 2017-2019 biennium, the state legislature shall, at each  
19 regular session in an odd-numbered year, appropriate from the account

1 established in section 2 of this act amounts equaling not less than  
2 four hundred dollars per full-time equivalent student enrolled in a  
3 public middle school and high school per school year, for state  
4 support of the requirements of this chapter during the ensuing  
5 biennium.

6 (2) The amount appropriated under this section shall be in  
7 addition to the total amount of state funding the legislature would  
8 otherwise appropriate or make available for the biennium for  
9 kindergarten through grade twelve public education and any local  
10 school funding provided from other sources. The amount must be  
11 adjusted annually for inflation.

12 (3) The enrollment of middle school and high school students of a  
13 school district under subsection (1) of this section is determined by  
14 the annual average number of full-time equivalent students enrolled  
15 in middle schools and high schools in the district on the first  
16 school day of each month.

17 NEW SECTION. **Sec. 4.** USE OF FUNDS. (1) The funds provided in  
18 accordance with this section may not be used for purposes or  
19 requirements established before the effective date of this section  
20 except for programs to replace federal or time-bound grant dollars  
21 lost between June 2013 and June 2017.

22 (2) Beginning in the 2019-20 school year, except as provided in  
23 subsection (1) of this section and section 9 of this act, the  
24 superintendent of public instruction must distribute from the amounts  
25 appropriated under section 3 of this act to each school district  
26 meeting the eligibility requirements determined under section 5 of  
27 this act and the rules adopted by the superintendent of public  
28 instruction, an amount based on the average number of full-time  
29 equivalent middle school and high school students in the district on  
30 the first school day each month. This distribution formula is for  
31 school district allocation purposes but the funds distributed to the  
32 school districts must be expended in each of the three programs  
33 listed in subsection (3) of this section, unless the district  
34 demonstrates in the application for funds that the district already  
35 provides equitable access across the district in one or more of the  
36 three programs and the programs are leading to desired outcomes.

37 (3) The amounts distributed to school districts under this  
38 section must be used to establish or expand:

1 (a) Career and technical education programs in middle schools,  
2 high schools, or skill centers. Authorized expenditures under this  
3 subsection (3)(a) may include:

4 (i) Purchasing new or upgraded equipment;

5 (ii) Constructing or modernizing facilities, including skill  
6 center facilities, used for the delivery of career and technical  
7 education instruction;

8 (iii) Recruiting, certifying, employing, and training personnel  
9 to provide career and technical education instruction;

10 (iv) Providing summer or after-school career and technical  
11 education, which may include industrial certification programs; and

12 (v) Providing for students on a career pathway, career and  
13 technical education, and career learning that results in the earning  
14 of or progress towards industrial certifications;

15 (b) College-level courses in high schools. Authorized  
16 expenditures under this subsection (3)(b) may include:

17 (i) Establishing or expanding advanced placement, international  
18 baccalaureate, or comparable college courses, or establishing or  
19 expanding dual credit programs offered in conjunction with a  
20 community college, public or private baccalaureate college, or career  
21 school;

22 (ii) Assisting students with the selection and successful  
23 completion of college-level educational opportunities;

24 (iii) Recruiting, certifying, employing, and training personnel  
25 to provide college-level educational opportunities in high schools;

26 (iv) Reimbursing test fees or tuition costs for students to  
27 receive dual credit;

28 (v) Supporting students in learning the academic skills required  
29 to succeed in dual-credit classes through programs such as  
30 advancement via individual determination (AVID);

31 (vi) Providing counselors to advise students on dual-credit  
32 programs; and

33 (vii) Offering evidence-based high-quality college preparation  
34 programs in middle schools;

35 (c) Drop-out prevention strategies in middle schools and high  
36 schools. Authorized expenditures under this subsection (3)(c) may  
37 include:

38 (i) Implementing activities to reduce chronic absenteeism;

1 (ii) Establishing and maintaining early warning data management  
2 systems that provide timely reports on students' grades, absences,  
3 and discipline by school and by course; and

4 (iii) Providing academic and social supports for students at risk  
5 of not graduating for the purpose of ensuring that the students will  
6 be and will remain, by the time they enter grade six, on track to  
7 accrue the necessary course credits to graduate. Academic and social  
8 supports provided under this subsection (3)(c)(iii) for qualifying  
9 students must begin after the completion of grade six and may include  
10 summer programs, additional instructional time before and after  
11 school hours, tutoring or small group instruction during the school  
12 day, and counseling services; and

13 (d) Providing courses, counseling, and coaching in middle school  
14 and high school for the purpose of providing early exposure for  
15 students to employment opportunities and requirements and options for  
16 postsecondary education.

17 (4) Beginning in the 2019-20 school year, school districts  
18 receiving amounts appropriated under section 3 of this act must  
19 provide all students in middle schools the opportunity to access  
20 career and technical education courses.

21 (5)(a) Beginning in the 2019-20 school year, the superintendent  
22 of public instruction may retain a maximum of one and one-half  
23 percent of the amount appropriated under section 3 of this act for  
24 administrative costs. Beginning with the 2020-21 school year, the  
25 superintendent of public instruction may retain a maximum of one and  
26 one-quarter percent of the amount appropriated under section 3 of  
27 this act for administrative costs.

28 (b) If deemed necessary by the superintendent of public  
29 instruction, the superintendent must:

30 (i) Intervene where necessary to ensure appropriate use of  
31 amounts distributed under this section; and

32 (ii) Facilitate continuous improvement of the use of the  
33 appropriated amounts by implementing strategies for school districts  
34 to share best practices for improving graduation rates and college  
35 and career readiness.

36 (6) Indirect cost charges by school districts may not exceed five  
37 percent of the amounts received under this section. The districts  
38 must use a portion of these funds to conduct and report to the office  
39 of the superintendent of public instruction an analysis of: (a)  
40 Student attendance in middle school and high school grades; and (b)

1 disciplinary referrals, suspensions, and expulsions in middle school  
2 and high school grades, disaggregated by race and ethnicity.

3 NEW SECTION. **Sec. 5.** REQUIREMENTS FOR RECEIPT OF FUNDING.  
4 School districts receiving amounts distributed under section 4 of  
5 this act must:

- 6 (1) Comply with eligibility requirements established by the  
7 superintendent of public instruction under section 7 of this act; and  
8 (2) Obtain approval from the superintendent of public instruction  
9 of the district's two-year plan for use of the appropriated funds.

10 NEW SECTION. **Sec. 6.** PROMOTED ACTIONS. School districts  
11 receiving amounts appropriated under section 3 of this act are  
12 encouraged to:

- 13 (1) Cooperate, coordinate, or act jointly with other school  
14 districts, educational service districts, professional learning  
15 communities, nonprofit programs, community-based organizations, and  
16 local and regional employers to maximize the benefits of the  
17 appropriated amounts;  
18 (2) Use evidence-based criteria to determine appropriate staffing  
19 ratios and class sizes to comply with or otherwise support the  
20 provisions of section 4 of this act; and  
21 (3) Identify and pursue opportunities for federal, state, and  
22 local funds that may be for purposes that comply with or otherwise  
23 support the provisions of section 4 of this act.

24 NEW SECTION. **Sec. 7.** STATE AGENCY DUTIES. Before the 2019-20  
25 school year, the superintendent of public instruction must adopt  
26 rules necessary for the implementation of this chapter, including  
27 rules defining "evidence-based high-quality college preparation  
28 programs" under section 4 of this act. The rules must require school  
29 districts to submit a two-year plan for use of the funds distributed  
30 in accordance with section 4 of this act. The rules must also  
31 include, but are not limited to, additional provisions governing  
32 school district eligibility for the receipt of funds, approval  
33 criteria by the superintendent of the district two-year plans, and  
34 school district reporting requirements. The eligibility requirements  
35 must require that districts:

- 36 (1) Provide sufficient time for teachers and staff of students in  
37 grade six to review data on students' grades, absences, and

1 discipline, by school and course, and to develop strategies to ensure  
2 that at-risk students stay on-track to graduate;

3 (2) Implement district-wide evidenced-based practices for  
4 reducing chronic absenteeism in middle school and high school grades;

5 (3) Assign high school students to advanced and dual-credit  
6 courses in accordance with RCW 28A.320.195 and 28A.320.196;

7 (4) Implement systems to ensure that high school students,  
8 including English learners, are taking courses required for on-time  
9 graduation;

10 (5) Demonstrate efforts to minimize administrative and indirect  
11 costs associated with expenditures authorized under section 4 of this  
12 act;

13 (6) Demonstrate their ability to provide the new or expanded  
14 programs and services for students authorized in accordance with  
15 section 4 of this act by the beginning of the 2019-20 school year;  
16 and

17 (7) Have established by the beginning of the 2019-20 school year  
18 early warning data management systems in their middle schools and  
19 high schools that provide timely reports on students' grades,  
20 absences, and discipline by school and by course; and are using the  
21 data to identify students not on track to graduate and to plan  
22 appropriate supports and interventions.

23 NEW SECTION. **Sec. 8.** RULE-MAKING AUTHORITY. The state board of  
24 education shall adopt rules for school district appeals of decisions  
25 of the superintendent under section 9 of this act to not transmit  
26 funding to a school district.

27 NEW SECTION. **Sec. 9.** DISTRICTS NOT RECEIVING FUNDING. (1) If a  
28 school district applies for but does not receive amounts appropriated  
29 under section 3 of this act, the superintendent of public instruction  
30 must prepare a corrective action plan for the district. The  
31 superintendent of public instruction may use a portion of the amount  
32 the district would have been eligible to receive to assist the school  
33 district with the implementation of the corrective action plan.

34 (2) If a school district qualifies for funding distributed under  
35 section 4 of this act the year immediately following an unsuccessful  
36 application for funding, the superintendent of public instruction  
37 must distribute to the district an amount equaling the amount the  
38 district would have received in the prior year if it had qualified

1 for funding, less any amounts used by the superintendent under  
2 subsection (1) of this section.

3 (3) If a school district does not apply or does not qualify for  
4 funding distributed under section 4 of this act in either the first  
5 or second year of the biennium, the superintendent of public  
6 instruction must, on a prorated basis, use funds appropriated under  
7 section 3 of this act for those school districts that do qualify for  
8 funding.

9 NEW SECTION. **Sec. 10.** REVIEW AND REPORTING. (1) The joint  
10 legislative audit and review committee must review and report on the  
11 performance of school districts receiving amounts under section 4 of  
12 this act. Items that the committee must review include, but are not  
13 limited to disaggregate data in the following areas:

- 14 (a) Student attendance in middle school and high school grades;
- 15 (b) Disciplinary referrals, suspensions, and expulsions in middle  
16 school and high school grades;
- 17 (c) Beginning with grade nine, student progress toward  
18 graduation;
- 19 (d) Graduation rates;
- 20 (e) Rates of college attendance by high school graduates; and
- 21 (f) The need for remedial courses in college.

22 (2) Reports required by subsection (1) of this section must be  
23 provided to the superintendent of public instruction, the governor,  
24 and the appropriate committees of the house of representatives and  
25 the senate on or before December 1, 2021, and December 1st of each  
26 odd-numbered year thereafter. Reports submitted to the house of  
27 representatives and the senate must comply with RCW 43.01.036.

28 NEW SECTION. **Sec. 11.** STATE AUDITOR DUTIES. The state auditor  
29 must conduct financial, program, and performance audits of the uses  
30 and effectiveness of funds appropriated under section 3 of this act  
31 in complying with the provisions of this chapter. Reports required by  
32 this section must be provided to the superintendent of public  
33 instruction, the governor, and the appropriate committees of the  
34 house of representatives and the senate on or before December 1,  
35 2021, and December 1st of each odd-numbered year thereafter. Reports  
36 submitted to the house of representatives and the senate must comply  
37 with RCW 43.01.036.

1        NEW SECTION.    **Sec. 12.**    Sections 1 through 11 of this act  
2    constitute a new chapter in Title 28A RCW.

3        NEW SECTION.    **Sec. 13.**    If any provision of this act or its  
4    application to any person or circumstance is held invalid, the  
5    remainder of the act or the application of the provision to other  
6    persons or circumstances is not affected.

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