**1182-S2 AMS EDU S7126.1 - NOT FOR FLOOR USE**

**2SHB 1182** - S COMM AMD

By Committee on Early Learning & K-12 Education

**ADOPTED 03/04/2020**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  The legislature acknowledges that the learning assistance program was developed to provide supplemental services for public school students who are not meeting academic standards. Initially, school districts were allowed to use learning assistance program funds in a flexible manner to support participating students. Over time, the legislature has continued to reduce flexibility, create additional restrictions, and establish priorities for the use of learning assistance program funds to such an extent that the program may no longer be as effective in promoting student success or serving the original intent as it could be. The legislature finds that it is time to reexamine the learning assistance program requirements in a holistic manner with a goal of restoring flexibility to districts to use the funds in a way that promotes a coordinated system of academic and nonacademic supports that reduce barriers to academic achievement and best serve student success while also balancing local control with local accountability for improvement in student learning.

NEW SECTION. **Sec.**  (1) The office of the superintendent of public instruction shall review the requirements of the learning assistance program and shall make recommendations to the legislature by October 1, 2020, on how to modify the program requirements including, but not limited to, recommendations on:

(a) Appropriate monitoring and reporting requirements;

(b) The types of services and activities that can be supported by the learning assistance program funds, including whether support for all or portions of the Washington integrated student supports protocol established under RCW 28A.300.139 should be included; and

(c) Whether use of a practice or strategy identified on the state menu as required by RCW 28A.165.035 should continue to be a criteria of the program.

(2) This section expires January 1, 2021.

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

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

(a) Extended learning time opportunities occurring:

(i) Before or after the regular school day;

(ii) On Saturday; and

(iii) Beyond the regular school year;

(b) Services under RCW 28A.320.190;

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

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

(i) The needs of a diverse student population;

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

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

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

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

((~~(f)~~)) (g) School-wide behavioral health system of supports and interventions for students including social workers, counselors, instructional aides, and other school-based health professionals;

(h) Screening and intervention requirements under RCW 28A.320.260, even if the student being screened or provided with supports is not eligible to participate in the learning assistance program, and any staff trainings necessary to implement RCW 28A.320.260;

(i) Outreach activities and support for parents of participating students, including employing parent and family engagement coordinators; and

((~~(g)~~)) (j) Up to ((~~five~~)) fifteen percent of a district's learning assistance program allocation may be used for development of partnerships with community-based organizations, educational service districts, and other local agencies to deliver academic and nonacademic supports to participating students who are significantly at risk of not being successful in school to reduce barriers to learning, increase student engagement, and enhance students' readiness to learn. The school board must approve in an open meeting any community-based organization or local agency before learning assistance program funds may be expended.

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

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

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

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

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

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

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

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

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

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On page 1, line 5 of the title, after "protocol;" strike the remainder of the title and insert "amending RCW 28A.165.035 and 28A.165.005; creating new sections; and providing an expiration date."

EFFECT: Strikes all provisions in the underlying bill and inserts provisions with the following effects:

(1) Adds an intent section;

(2) Allows the Learning Assistance Program (LAP) to support school-wide behavioral health system of supports and interventions, including social workers, counselors, instructional aids, and other school-based health professionals;

(3) Allows LAP to support intensive reading and literacy improvement strategies;

(4) Requires school districts to expend a portion of LAP funding to address the needs of students in grades K-4 who are deficient in reading or reading readiness skills, rather than requiring districts to focus first on these students;

(5) Requires the Office of the Superintendent of Public Instruction to review the LAP requirements and make recommendations to the legislature by October 1, 2020. The recommendations must address appropriate monitoring and reporting requirements, the types of services and activities that should be supported by LAP, whether the Washington Integrated Student Supports Protocol should be included, and whether the use of a practice or strategy identified on the state menu should be continued;

(6) Increases the five percent cap on the use of LAP allocations for partnership development to fifteen percent.