**5147-S2 AMS HAWK S1854.2 - NOT FOR FLOOR USE**

**2SSB 5147** - S AMD **351**

By Senator Hawkins

**PULLED 03/05/2021**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  INTENT. The COVID-19 pandemic has created a unique set of challenges and circumstances that have tested the K-12 education system. Due to reduced instructional time, educational inequities, and the inability to access technology and educational services, many students have suffered learning loss and a disruption to their educational experience. As a result, the legislature finds that additional academic programs may help students to obtain the knowledge and skills needed to prevent negative educational outcomes. By utilizing a series of optional programs, including additional instructional days, opening various school facilities, extra academic opportunities, and an alternative school calendar, selected school districts will be better able to address the negative outcomes of the pandemic in a flexible and locally responsive manner while reengaging students to meet their social, physical, and academic needs.

NEW SECTION. **Sec.**  FUNDING FOR ADDITIONAL INSTRUCTIONAL DAYS. (1) Subject to the availability of amounts appropriated for this specific purpose, school districts that provide additional instructional days beyond the minimum number required under RCW 28A.150.220 during the 2021-22 school year may receive additional funding to assist in providing these instructional days.

(2) Funding allocated under this section is limited to a maximum of three additional instructional days per school district, in alignment with RCW 28A.330.100.

(3) The office of the superintendent of public instruction shall administer the funding allocated for the purposes of this section and may adopt rules necessary for the effective and efficient implementation of this section.

(4) This section expires August 31, 2022.

NEW SECTION. **Sec.**  SUMMER REENGAGEMENT GRANT PROGRAM. (1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall create and administer a grant program for the purpose of assisting school districts in facilitating a week-long program in schools for students to reengage in learning, physical activity, and social interaction prior to the start of the 2021-22 school year.

(2)(a) A school district participating in the program shall open facilities in at least one school in the district for structured activities for students, under staff supervision.

(b) School facilities to be opened under this program may include, but are not limited to, school libraries, cafeterias, gymnasiums, and playgrounds.

(c) School districts participating in this program shall prioritize activities or programs that:

(i) Promote students connecting socially with their classmates;

(ii) Encourage students to engage in physical activity; and

(iii) Support families who have struggled with child care needs.

(3) Grants allocated for the purposes of this section must be allocated in proportion to student enrollment.

(4) In allocating grants under this program, the office of the superintendent of public instruction is encouraged to collaborate with the no child left inside program of the Washington state recreation and conservation office, as applicable.

(5) Nothing in this section modifies instructional requirements under RCW 28A.150.220 nor shall any activity or program provided under this section count towards meeting minimum instructional requirements under state law.

(6) The office of the superintendent of public instruction may adopt rules necessary for the effective and efficient implementation of this section.

(7) This section expires August 31, 2022.

NEW SECTION. **Sec.**  ADDITIONAL EDUCATIONAL OPPORTUNITIES GRANT PROGRAM. (1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall create and administer a grant program for the purpose of providing funds for accelerating learning in certain districts to address learning loss resulting from the COVID-19 pandemic.

(2)(a) A school district receiving a grant under this section shall provide up to five days of additional educational opportunities for students to review educational concepts, subjects, and materials under staff supervision in preparation for the 2021-22 school year.

(b) Programs offered as part of these reviews may include, but are not limited to:

(i) Enrichment and learning activities that support the arts;

(ii) Civic engagement;

(iii) Service learning;

(iv) Science, technology, engineering, and mathematics.

(3) School districts that receive funds under this section may also use funds to support the following:

(a) Evaluating students in grades two through 10 to determine learning gaps in reading, literacy, and mathematics;

(b) Supplemental contracts for school-based staff for instruction and other academic interventions for students determined to be one and a half years or more below grade level in reading or mathematics;

(c) Professional development for school-based staff to plan and implement accelerated learning strategies; and

(d) Intensive outreach and support for students who are highly mobile including, but not limited to, students experiencing homelessness or unstable living situations, students in foster care, and migrant students.

(4)(a) School districts that receive funds under this section shall administer diagnostic assessments to all students in grades two through 10 to assess learning gaps in reading and mathematics. Districts shall report to the office of the superintendent of public instruction the percentage of students in grades two through 10 that are one and a half years or more below grade level, disaggregated by student subgroups.

(b) For the purposes of this subsection (4), "diagnostic assessments" means methods of evaluating student academic progress that include, but are not limited to, statewide assessments, local assessments, and standard academic monitoring.

(5) Grants allocated under this section must be prioritized to school districts that have demonstrated a significant percentage of students assessed to be one and a half years or more below grade level in reading or mathematics and had enrollment of 50 percent or more students eligible for free or reduced-price meals in the 2019-20 school year or used the community eligibility provision under section 104(a) of the federal healthy, hunger-free kids act of 2010 (P.L. 111-296) to provide universal meals in all district schools during the 2019-20 school year.

(6) Nothing in this section shall be construed to modify instructional requirements under RCW 28A.150.220 nor shall any activity or program provided under this section count towards meeting minimum instructional requirements under state law.

(7) The office of the superintendent of public instruction may adopt rules that are necessary for the effective and efficient implementation of this program.

(8) This section expires August 31, 2022.

**Sec.**  RCW 28A.215.060 and 2008 c 169 s 1 are each amended to read as follows:

COMMUNITY LEARNING CENTER PROGRAM.

(1) The Washington community learning center program is established. The program shall be administered by the office of the superintendent of public instruction. The purposes of the program include:

(a) Supporting the creation or expansion of community learning centers that provide students with tutoring and educational enrichment when school is not in session;

(b) Providing training and professional development for community learning center program staff;

(c) Increasing public awareness of the availability and benefits of after-school programs; ((~~and~~))

(d) Addressing learning stabilization, recovery, and acceleration as a result of the COVID-19 pandemic; and

(e) Supporting statewide after-school intermediary organizations in their efforts to provide leadership, coordination, technical assistance, professional development, advocacy, and programmatic support to the Washington community learning center programs and after-school programs throughout the state.

(2)(a) Subject to funds appropriated for this purpose, the office of the superintendent of public instruction may provide community learning center grants to any public or private organization that meets the eligibility criteria of the federal twenty-first century community learning centers program.

(b) Priority may be given to grant requests submitted jointly by one or more schools or school districts and one or more community-based organizations or other nonschool partners.

(c) Priority may also be given to grant requests for after‑school programs focusing on improving mathematics achievement, particularly for middle and junior high school students.

(d) Priority shall be given to grant requests that:

(i) Focus on improving reading and mathematics proficiency for students who attend schools that have been identified as being in need of improvement under section 1116 of Title I of the federal no child left behind act of 2001; and

(ii) Include a public/private partnership agreement or proposal for how to provide free transportation for those students in need that are involved in the program.

(3) Community learning center grant funds may be used to carry out a broad array of out-of-school activities that support and enhance academic achievement. The activities may include but need not be limited to:

(a) Remedial and academic enrichment;

(b) Mathematics, reading, and science education;

(c) Arts and music education;

(d) Entrepreneurial education;

(e) Community service;

(f) Tutoring and mentoring programs;

(g) Programs enhancing the language skills and academic achievement of limited English proficient students;

(h) Recreational and athletic activities;

(i) Telecommunications and technology education;

(j) Programs that promote parental involvement and family literacy;

(k) Drug and violence prevention, counseling, and character education programs; and

(l) Programs that assist students who have been truant, suspended, or expelled, to improve their academic achievement.

(4) Each community learning center grant may be made for a maximum of five years. Each grant recipient shall report annually to the office of the superintendent of public instruction on what transportation services are being used to assist students in accessing the program and how those services are being funded. Based on this information, the office of the superintendent of public instruction shall compile a list of transportation service options being used and make that list available to all after-school program providers that were eligible for the community learning center program grants.

(5) To the extent that funding is available for this purpose, the office of the superintendent of public instruction may provide grants or other support for the training and professional development of community learning center staff, the activities of intermediary after-school organizations, and efforts to increase public awareness of the availability and benefits of after-school programs.

(6) Schools or school districts that receive a community learning center grant under this section may seek approval from the office of the superintendent of public instruction for flexibility to use a portion of their state transportation funds for the costs of transporting students to and from the community learning center program.

(7) The office of the superintendent of public instruction shall evaluate program outcomes and report to the governor and the education committees of the legislature on the outcomes of the grants and make recommendations related to program modification, sustainability, and possible expansion. An interim report is due November 1, 2008. A final report is due December 1, 2009.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.630 RCW to read as follows:

BALANCED SCHOOL CALENDAR GRANT PROGRAM.

(1) The office of the superintendent of public instruction shall select a limited number of school districts for a program to implement a year-round school calendar. In doing so, the office of the superintendent of public instruction may select up to 20 school districts to provide a minimum of 180 school days throughout the entire school year.

(2) School districts selected under the program shall provide a year-round school year instructional schedule beginning in the 2022-23 school year and through the 2025-26 school year in all schools in their district.

(3)(a) Each school district participating in the alternative school year calendar program must have:

(i) Except as provided under (c)(i)(B) of this subsection, had enrollment of 35 percent or more students eligible for free or reduced-price meals in the 2019-20 school year or used the community eligibility provision under section 104(a) of the federal healthy, hunger-free kids act of 2010 (P.L. 111-296) to provide universal meals in all district schools during the 2019-20 school year; and

(ii) A maximum district-wide enrollment of 10,000 students in the 2019-20 school year.

(b) In selecting districts for participation in the program, the office of the superintendent of public instruction shall select districts on a first-come, first-served basis based on the application date of eligible districts, except as provided under (c) and (d) of this subsection.

(c) The office of the superintendent of public instruction may select up to 20 school districts for participation in this program under the following parameters:

(i)(A) Up to 10 school districts with a maximum district-wide enrollment of 2,000 students in the 2019-20 school year.

(B) Additional school districts of this size may be selected, subject to amounts appropriated for this specific purpose, for any openings that may remain under (c)(ii) and (iii) of this subsection upon the closure of the application window;

(ii) Up to seven school districts with a minimum district-wide enrollment of 2,001 students and a maximum district-wide enrollment of 6,000 students in the 2019-20 school year; and

(iii) Up to three school districts with a minimum district-wide enrollment of 6,001 students and a maximum district-wide enrollment of 10,000 students in the 2019-20 school year.

(d) From all applicants, the office of the superintendent of public instruction may select up to 10 school districts located west of the crest of the Cascade mountains and up to 10 school districts east of the crest of the Cascade mountains.

(4) Prior to applying to participate in the program, school districts must convene at least two public meetings to solicit public comments and must consult with any bargaining units.

(5) In addition to other program requirements established by the office of the superintendent of public instruction, school districts participating in the program shall adopt a school calendar that provides instructional days in at least 11 months of the year and in which breaks in scheduled instructional days for students are limited to a maximum of four consecutive weeks throughout the school year.

(6) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall allocate funds to each participating school district in an amount equal to the school district's base allocation per full-time equivalent student, multiplied by the school's annual average full-time equivalent student enrollment, multiplied by 0.025.

(7) The office of the superintendent of public instruction shall notify districts of their selection in the program by no later than March 1, 2022. The notification to districts of their selection must also include an estimate of funds to be received under subsection (5) of this section. Districts shall have 90 days from the date of notification to accept or deny participation in the program.

(8) By December 31, 2026, the office of the superintendent of public instruction shall provide a report to the education committees of the legislature on the following:

(a) Participation in the program, including demographic information of the participating school districts;

(b) Outcomes of the program, including student growth and academic performance between districts; and

(c) Recommendations based on the experiences of the school district, including any relevant policy and fiscal recommendations for the statewide application of a year-round school year.

(9) The office of the superintendent of public instruction may adopt rules necessary for the implementation of this section.

(10) This section expires July 31, 2027.

NEW SECTION. **Sec.**  SCHOOL DISTRICT STABILIZATION FUNDS. (1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall administer recovery and acceleration funds to school districts who do not receive allocations of funds attributable to the elementary and secondary school emergency relief (ESSER) fund, as modified by the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(2) This section expires August 31, 2023.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.630 RCW to read as follows:

ADDITIONAL RECOVERY AND ACCELERATION SUPPORTS.

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall administer funds to skill centers and educational service districts to support their stability and recovery from the educational impacts of the COVID-19 pandemic.

(2) During the 2021-22 and 2022-23 school years, a maximum enrollment limit may not be placed on the funding of students participating in running start programs. The office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the student achievement council, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined full-time equivalent experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(3)(a) Subject to the availability of funds appropriated for this specific purpose, the office of the superintendent of public instruction shall administer two-year grants to community-based organizations that provide essential enrichment learning activities during school breaks, reengagement activities and supports, and before-and-after-school supports for students most impacted by school building closures.

(b) In providing these grants, the office of the superintendent of public instruction shall use appropriate federal funds, subject to appropriation by the legislature.

(c) Grants administered under this subsection may be for the 2021-22 and 2022-23 school years, and the 2023-24 and 2024-25 school years.

(4)(a) The office of the superintendent of public instruction, subject to the availability of amounts appropriated for this specific purpose, shall administer grants for the purpose of growing capacity for high quality dual language learning. In administering this grant program, the office of the superintendent of public instruction may further the goals and objectives established by chapter 236, Laws of 2017, and may prioritize districts that received grants under section 520(10), chapter 357, Laws of 2020.

(b) In administering grants under this subsection (4), the office of the superintendent of public instruction shall prioritize grants to establish new dual language programs in order to mitigate the literacy impacts in early grades resulting from the COVID-19 pandemic.

(c) In providing these grants, the office of the superintendent of public instruction shall use appropriate federal funds, subject to appropriation by the legislature.

(5) In addition to the administration of grants under subsections (3) and (4) of this section, the office of the superintendent of public instruction shall, subject to the availability of funds appropriated for this specific purpose, use appropriate federal funds to expand the high school success pilot program created under section 501(4)(u), chapter 357, Laws of 2020, with a particular focus on providing extra supports for incoming ninth graders with the purpose of keeping these students on track to graduate high school.

(6) For the purposes of this section, "appropriate federal funds" means funds attributable to the elementary and secondary school emergency relief fund, as modified by the coronavirus response and relief supplemental appropriations act (CRRSA/ESSR), P.L. 116-260, division M, in addition to applicable additional resources from the federal government that may be forthcoming.

(7) This section expires August 31, 2025.

NEW SECTION. **Sec.**  The legislature recognizes that additional resources from the federal government may be forthcoming that could be used to fund the activities and purposes of this act. To ensure the efficient uses of state resources and to maximize the use of federal funds, the office should use any anticipated or unanticipated federal funding allocated to the state through July 1, 2022, that is available to supplant the amounts appropriated for the purpose of implementing this act. If the office submits a request to the governor pursuant to RCW 43.79.270 for an allotment revision to spend unanticipated revenue that could be used for the purposes of this act, the request must contain a proposal to use the unanticipated moneys for the sole purpose of reducing allotments of appropriations made to implement this act and to place such moneys in unallotted reserve status."

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By Senator Hawkins

**PULLED 03/05/2021**

On page 1, line 2 of the title, after "acceleration;" strike the remainder of the title and insert "amending RCW 28A.215.060; adding new sections to chapter 28A.630 RCW; creating new sections; and providing expiration dates."

EFFECT: Requires that districts receiving grants under the additional educational opportunities grant program evaluate students to assess learning gaps and report data to OSPI. Modifies provisions to the Washington Community Learning Center Program to include addressing stabilization, recovery, and acceleration as a result of the COVID-19 pandemic. Directs OSPI to administer recovery and acceleration funds to school districts who did not receive ESSER funds. Directs OSPI to administer funds to skill centers and educational service districts to support their stability and recovery from the educational impacts of COVID-19. Establishes that no maximum enrollment limit shall be placed on the funding of Running Start students. Requires OSPI to administer two-year grants to community-based organizations that provide essential enrichment learning activities for students most impacted by school building closures. Requires OSPI to administer grants for growth in dual language learning and to expand the high school success pilot program.