

2SSB 5147 - S AMD 351
By Senator Hawkins

PULLED 03/05/2021

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** INTENT. The COVID-19 pandemic has created
4 a unique set of challenges and circumstances that have tested the
5 K-12 education system. Due to reduced instructional time, educational
6 inequities, and the inability to access technology and educational
7 services, many students have suffered learning loss and a disruption
8 to their educational experience. As a result, the legislature finds
9 that additional academic programs may help students to obtain the
10 knowledge and skills needed to prevent negative educational outcomes.
11 By utilizing a series of optional programs, including additional
12 instructional days, opening various school facilities, extra academic
13 opportunities, and an alternative school calendar, selected school
14 districts will be better able to address the negative outcomes of the
15 pandemic in a flexible and locally responsive manner while reengaging
16 students to meet their social, physical, and academic needs.

17 NEW SECTION. **Sec. 2.** FUNDING FOR ADDITIONAL INSTRUCTIONAL DAYS.
18 (1) Subject to the availability of amounts appropriated for this
19 specific purpose, school districts that provide additional
20 instructional days beyond the minimum number required under RCW
21 28A.150.220 during the 2021-22 school year may receive additional
22 funding to assist in providing these instructional days.

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

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

30 (4) This section expires August 31, 2022.

1 NEW SECTION. **Sec. 3.** SUMMER REENGAGEMENT GRANT PROGRAM. (1)

2 Subject to the availability of amounts appropriated for this specific
3 purpose, the office of the superintendent of public instruction shall
4 create and administer a grant program for the purpose of assisting
5 school districts in facilitating a week-long program in schools for
6 students to reengage in learning, physical activity, and social
7 interaction prior to the start of the 2021-22 school year.

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

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

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

- 16 (i) Promote students connecting socially with their classmates;
17 (ii) Encourage students to engage in physical activity; and
18 (iii) Support families who have struggled with child care needs.

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

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

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

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

32 (7) This section expires August 31, 2022.

33 NEW SECTION. **Sec. 4.** ADDITIONAL EDUCATIONAL OPPORTUNITIES GRANT
34 PROGRAM. (1) Subject to the availability of amounts appropriated for
35 this specific purpose, the office of the superintendent of public
36 instruction shall create and administer a grant program for the
37 purpose of providing funds for accelerating learning in certain
38 districts to address learning loss resulting from the COVID-19
39 pandemic.

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

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

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

8 (ii) Civic engagement;

9 (iii) Service learning;

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

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

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

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

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

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

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

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

35 (5) Grants allocated under this section must be prioritized to
36 school districts that have demonstrated a significant percentage of
37 students assessed to be one and a half years or more below grade
38 level in reading or mathematics and had enrollment of 50 percent or
39 more students eligible for free or reduced-price meals in the 2019-20
40 school year or used the community eligibility provision under section

1 104(a) of the federal healthy, hunger-free kids act of 2010 (P.L.
2 111-296) to provide universal meals in all district schools during
3 the 2019-20 school year.

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

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

11 (8) This section expires August 31, 2022.

12 **Sec. 5.** RCW 28A.215.060 and 2008 c 169 s 1 are each amended to
13 read as follows:

14 COMMUNITY LEARNING CENTER PROGRAM. (1) The Washington community
15 learning center program is established. The program shall be
16 administered by the office of the superintendent of public
17 instruction. The purposes of the program include:

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

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

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

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

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

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

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

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

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

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

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

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

16 (a) Remedial and academic enrichment;

17 (b) Mathematics, reading, and science education;

18 (c) Arts and music education;

19 (d) Entrepreneurial education;

20 (e) Community service;

21 (f) Tutoring and mentoring programs;

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

24 (h) Recreational and athletic activities;

25 (i) Telecommunications and technology education;

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

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

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

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

1 providers that were eligible for the community learning center
2 program grants.

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

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

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

21 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.630
22 RCW to read as follows:

23 **BALANCED SCHOOL CALENDAR GRANT PROGRAM.** (1) The office of the
24 superintendent of public instruction shall select a limited number of
25 school districts for a program to implement a year-round school
26 calendar. In doing so, the office of the superintendent of public
27 instruction may select up to 20 school districts to provide a minimum
28 of 180 school days throughout the entire school year.

29 (2) School districts selected under the program shall provide a
30 year-round school year instructional schedule beginning in the
31 2022-23 school year and through the 2025-26 school year in all
32 schools in their district.

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

35 (i) Except as provided under (c)(i)(B) of this subsection, had
36 enrollment of 35 percent or more students eligible for free or
37 reduced-price meals in the 2019-20 school year or used the community
38 eligibility provision under section 104(a) of the federal healthy,

1 hunger-free kids act of 2010 (P.L. 111-296) to provide universal
2 meals in all district schools during the 2019-20 school year; and

3 (ii) A maximum district-wide enrollment of 10,000 students in the
4 2019-20 school year.

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

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

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

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

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

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

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

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

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

38 (6) Subject to the availability of amounts appropriated for this
39 specific purpose, the office of the superintendent of public
40 instruction shall allocate funds to each participating school

1 district in an amount equal to the school district's base allocation
2 per full-time equivalent student, multiplied by the school's annual
3 average full-time equivalent student enrollment, multiplied by 0.025.

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

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

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

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

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

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

22 (10) This section expires July 31, 2027.

23 NEW SECTION. **Sec. 7.** SCHOOL DISTRICT STABILIZATION FUNDS. (1)
24 Subject to the availability of amounts appropriated for this specific
25 purpose, the office of the superintendent of public instruction shall
26 administer recovery and acceleration funds to school districts who do
27 not receive allocations of funds attributable to the elementary and
28 secondary school emergency relief (ESSER) fund, as modified by the
29 coronavirus response and relief supplemental appropriations act, P.L.
30 116-260, division M.

31 (2) This section expires August 31, 2023.

32 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.630
33 RCW to read as follows:

34 ADDITIONAL RECOVERY AND ACCELERATION SUPPORTS. (1) Subject to the
35 availability of amounts appropriated for this specific purpose, the
36 office of the superintendent of public instruction shall administer
37 funds to skill centers and educational service districts to support

1 their stability and recovery from the educational impacts of the
2 COVID-19 pandemic.

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

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

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

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

26 (4)(a) The office of the superintendent of public instruction,
27 subject to the availability of amounts appropriated for this specific
28 purpose, shall administer grants for the purpose of growing capacity
29 for high quality dual language learning. In administering this grant
30 program, the office of the superintendent of public instruction may
31 further the goals and objectives established by chapter 236, Laws of
32 2017, and may prioritize districts that received grants under section
33 520(10), chapter 357, Laws of 2020.

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

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

4 (5) In addition to the administration of grants under subsections
5 (3) and (4) of this section, the office of the superintendent of
6 public instruction shall, subject to the availability of funds
7 appropriated for this specific purpose, use appropriate federal funds
8 to expand the high school success pilot program created under section
9 501(4)(u), chapter 357, Laws of 2020, with a particular focus on
10 providing extra supports for incoming ninth graders with the purpose
11 of keeping these students on track to graduate high school.

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

18 (7) This section expires August 31, 2025.

19 NEW SECTION. **Sec. 9.** The legislature recognizes that additional
20 resources from the federal government may be forthcoming that could
21 be used to fund the activities and purposes of this act. To ensure
22 the efficient uses of state resources and to maximize the use of
23 federal funds, the office should use any anticipated or unanticipated
24 federal funding allocated to the state through July 1, 2022, that is
25 available to supplant the amounts appropriated for the purpose of
26 implementing this act. If the office submits a request to the
27 governor pursuant to RCW 43.79.270 for an allotment revision to spend
28 unanticipated revenue that could be used for the purposes of this
29 act, the request must contain a proposal to use the unanticipated
30 moneys for the sole purpose of reducing allotments of appropriations
31 made to implement this act and to place such moneys in unallotted
32 reserve status."

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1 On page 1, line 2 of the title, after "acceleration;" strike the
2 remainder of the title and insert "amending RCW 28A.215.060; adding
3 new sections to chapter 28A.630 RCW; creating new sections; and
4 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.

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