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**HOUSE BILL 1328**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Representatives Stokesbary and Rude

AN ACT Relating to increasing funding to schools and families for students not meeting academic standards; amending RCW 28A.165.100; adding a new section to chapter 28A.165 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that, in accordance with the federal every student succeeds act, the state in 2015 set a target of 90 percent of students meeting grade level math and English language arts standards by 2025. Despite this goal, the percentage of Washington students performing at grade level has never exceeded 50 percent for math or 60 percent for English language arts.

The legislature further finds that the prolonged school shutdowns in 2020 exacerbated the situation, with the most recent test scores showing that only 51 percent of Washington students are meeting English language arts standards and just 38 percent are meeting math standards. The legislature finds that this compounding impact of the pandemic on student learning was significant and inequitable, widening preexisting opportunity and achievement gaps and hitting historically disadvantaged students hardest.

Therefore, it is the intent of the legislature to provide additional state funding support for students who are not meeting academic standards. First, the legislature intends to fund supplemental programs of assistance, beyond the state's statutory program of basic education, for school districts, charter schools, and state-tribal education compact schools to provide additional academic supports for students not meeting standards. If school districts fail to increase the percentage of students performing at grade level, the legislature intends to provide a new family stipend to parents of struggling students, so that parents have additional resources to arrange directly for tutoring or other academic supports for their children.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.165 RCW to read as follows:

(1) Beginning September 1, 2023, and each school year thereafter, the superintendent of public instruction must allocate $250 per full-time equivalent student to each local education agency, increased for inflation from the 2023-24 school year, to establish supplemental supports for students who are not meeting academic standards. The total amount provided under this subsection to each local education agency must be divided into school portions and family stipend portions as required by this section. The superintendent of public instruction must calculate each portion as required in this section.

(2) The local education agency must use the school portion of the amounts provided under subsection (1) of this section in the same manner as allocations for the learning assistance program, under RCW 28A.165.005 through 28A.165.065.

(3) The local education agency must use the family stipend portion of the amounts provided under subsection (1) of this section to provide direct stipends of up to $500 per student to families of students who are not meeting academic standards, as defined in RCW 28A.165.015, for academic supports arranged by the family. Local education agencies may adjust stipend amounts per student based on the availability of funding for family stipends.

(4) The program established in this section and funding appropriated and allocated for this program are provided as a supplemental program of educational assistance and are not part of the state's instructional program of basic education.

(5) At least four times a year, local education agencies must provide, via email and other methods, to students who are not meeting academic standards, and their parents or legal guardians, information on the availability of family stipends, including an attestation form to request a stipend.

(6)(a) In completing the form required under subsection (5) of this section, recipients of the family stipend must attest to the following:

(i) The stipend will be used for academic supports for the student not meeting academic standards; and

(ii) They will report the following to the local education agency by September 30th of the following school year:

(A) A description of the practices, activities, and programs supported with the stipend; and

(B) Expenditures, up to the stipend amount, categorized by the following: Tutoring services, instructional materials, reading materials, online and computer-based learning, other educational services, school supplies, and outside physical, social, and emotional supports.

(b) Recipients of the family stipend must maintain receipts and documentation supporting the expenditures reported under (a)(ii) of this subsection, which may be subject to review by the local education agency.

(c) Local education agencies may restrict a recipient from receiving family stipends in subsequent years if the recipient does not:

(i) Report the information required under this subsection (6); or

(ii) Provide the expenditure receipts and supporting documentation upon request.

(d) Local education agencies must use the information reported under this subsection to identify areas where they can improve services and supports to students who are not meeting academic standards.

(7) The office of the superintendent of public instruction must publish a model form that local education agencies may use for students to receive a family stipend.

(8) The office of the superintendent of public instruction must distribute amounts under this section to local education agencies as follows:

(a) The school portion must be distributed according to the apportionment schedule defined in RCW 28A.510.250.

(b) The family stipend portion must be distributed as follows:

(i) 75 percent in September;

(ii) 2.5 percent each month from October to March;

(iii) Two percent each month from April to August.

(9) Amounts provided to a local education agency for the family stipend portion in a school year that are not expended within that school year may carry over to the following year but may only be expended to provide family stipends as required in subsection (3) of this section.

(10) For purposes of the section, the following definitions apply:

(a) "School portion" means the sum of (a)(i) and (ii) of this subsection (10) multiplied by the local education agency's annual average number of full-time equivalent students.

(i) $125 multiplied by the lesser of the percentage of local education agency students meeting standard on the state math assessment or the assessment standard threshold, divided by the assessment standard threshold.

(ii) $125 multiplied by the lesser of the percentage of local education agency students meeting standard on the state English language arts assessment or the assessment standard threshold, divided by the assessment standard threshold.

(b) "Family stipend portion" means the total amount provided under subsection (1) of this section to the local education agency minus the school portion.

(c) "Percentage of students meeting standard" means the percentage of students meeting standard on the state math assessment or state English language arts assessment in the prior school year, as reported under RCW 28A.655.090.

(d) "Assessment standard threshold" means:

(i) For the 2023-24 school year, 50 percent;

(ii) For the 2024-25 school year, 60 percent;

(iii) For the 2025-26 school year, 70 percent;

(iv) For the 2026-27 school year, 80 percent;

(v) Beginning in the 2027-28 school year, 90 percent.

(e) "Inflation" means, for any school year, the implicit price deflator for that fiscal year, using the official current base, compiled by the bureau of economic analysis, United States department of commerce.

(f) "Local education agencies" means school districts, charter schools, and state-tribal education compact schools.

(g) "Academic supports" means a service or resource that assists students in meeting academic standards including, but not limited to, tutoring, supplemental instruction, online learning programs, educational services, and supporting resources.

**Sec.**  RCW 28A.165.100 and 2021 c 111 s 8 are each amended to read as follows:

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

(2) Annually ((~~[by]~~)) by September 30th, school districts shall report to the office of the superintendent of public instruction, using a common format prepared by the office:

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

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

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

(d) The percentage of learning assistance program funding used to engage community partners, the number of students receiving direct supports and services from those community partners, and the types of supports and services; ((~~and~~))

(e) The number of students that received family stipends under section 2(3) of this act, their academic growth, and information reported by recipients under section 2(6)(a)(ii) of this act; and

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

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

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