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**HOUSE BILL 1328**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Representatives Stokesbary and Rude

Read first time 01/16/23. Referred to Committee on Appropriations.

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

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

6 NEW SECTION. **Sec. 1.** The legislature finds that, in accordance  
7 with the federal every student succeeds act, the state in 2015 set a  
8 target of 90 percent of students meeting grade level math and English  
9 language arts standards by 2025. Despite this goal, the percentage of  
10 Washington students performing at grade level has never exceeded 50  
11 percent for math or 60 percent for English language arts.

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

20 Therefore, it is the intent of the legislature to provide  
21 additional state funding support for students who are not meeting

1 academic standards. First, the legislature intends to fund  
2 supplemental programs of assistance, beyond the state's statutory  
3 program of basic education, for school districts, charter schools,  
4 and state-tribal education compact schools to provide additional  
5 academic supports for students not meeting standards. If school  
6 districts fail to increase the percentage of students performing at  
7 grade level, the legislature intends to provide a new family stipend  
8 to parents of struggling students, so that parents have additional  
9 resources to arrange directly for tutoring or other academic supports  
10 for their children.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.165  
12 RCW to read as follows:

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

22 (2) The local education agency must use the school portion of the  
23 amounts provided under subsection (1) of this section in the same  
24 manner as allocations for the learning assistance program, under RCW  
25 28A.165.005 through 28A.165.065.

26 (3) The local education agency must use the family stipend  
27 portion of the amounts provided under subsection (1) of this section  
28 to provide direct stipends of up to \$500 per student to families of  
29 students who are not meeting academic standards, as defined in RCW  
30 28A.165.015, for academic supports arranged by the family. Local  
31 education agencies may adjust stipend amounts per student based on  
32 the availability of funding for family stipends.

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

37 (5) At least four times a year, local education agencies must  
38 provide, via email and other methods, to students who are not meeting  
39 academic standards, and their parents or legal guardians, information

1 on the availability of family stipends, including an attestation form  
2 to request a stipend.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 (i) 75 percent in September;

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

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

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

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

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

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

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

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

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

28 (d) "Assessment standard threshold" means:

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

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

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

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

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

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

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

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

5 **Sec. 3.** RCW 28A.165.100 and 2021 c 111 s 8 are each amended to  
6 read as follows:

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

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

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

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

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

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

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

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

33 (3) By January 1, 2020, and each January 1st thereafter, the  
34 office of the superintendent of public instruction shall compile the  
35 school district data reported as required by subsection (2) of this  
36 section, and report, in compliance with RCW 43.01.036, to the  
37 appropriate committees of the legislature with the annual and  
38 longitudinal gains for the specific practices, activities, and  
39 programs used by the school districts and schools to show which are

1 the most effective. The data must be disaggregated by student  
2 subgroups as described in RCW 28A.300.042(1) for student-level data.

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