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ENGROSSED SUBSTITUTE SENATE BILL 5877

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State of Washington

58th Legislature

2004 Regular Session

**By** Senate Committee on Education (originally sponsored by Senators Johnson, McAuliffe, Kohl-Welles and Rasmussen; by request of Governor Locke)

READ FIRST TIME 02/05/04.

1 AN ACT Relating to the learning assistance program; adding new  
2 sections to chapter 28A.165 RCW; and repealing RCW 28A.165.010,  
3 28A.165.012, 28A.165.030, 28A.165.040, 28A.165.050, 28A.165.060,  
4 28A.165.070, 28A.165.080, and 28A.165.090.

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

6 NEW SECTION. **Sec. 1.** PURPOSE. The learning assistance program  
7 requirements in this chapter are designed to: (1) Promote the use of  
8 assessment data when developing programs to assist underachieving  
9 students; and (2) guide school districts when implementing programs to  
10 assist underachieving students. Districts are encouraged to place  
11 special emphasis on addressing the needs of students in the early  
12 grades. Further, this chapter provides the means by which a school  
13 district becomes eligible for learning assistance program funds and the  
14 distribution of those funds.

15 NEW SECTION. **Sec. 2.** DEFINITIONS. Unless the context clearly  
16 indicates otherwise the definitions in this section apply throughout  
17 this chapter.

1 (1) "Approved program" means a program submitted to and approved by  
2 the office of the superintendent of public instruction and conducted  
3 pursuant to the plan that addresses the required elements as provided  
4 for in this chapter.

5 (2) "Basic skills areas" means reading, writing, and mathematics as  
6 well as readiness associated with these skills.

7 (3) "Participating student" means a student in kindergarten through  
8 grade eleven who scores below standard for his or her grade level on  
9 the statewide assessments and who is identified in the approved plan to  
10 receive services. Beginning with the 2007-2008 school year,  
11 "participating student" means a student in kindergarten through grade  
12 twelve who scores below standard for his or her grade level on the  
13 statewide assessments and who is identified in the approved plan to  
14 receive services.

15 (4) "Statewide assessments" means statewide tests at the third  
16 grade level established pursuant to RCW 28A.230.190, sixth grade level  
17 established pursuant to RCW 28A.230.193, and ninth grade level  
18 established pursuant to RCW 28A.230.230 and the Washington assessment  
19 of student learning pursuant to chapter 28A.655 RCW in the other  
20 relevant grades.

21 (5) "Underachieving students" means students with the greatest  
22 academic deficits in basic skills as identified by the statewide  
23 assessments.

24 NEW SECTION. **Sec. 3.** PROGRAM PLAN. By July 1st of each year, a  
25 participating school district shall submit the district's plan for  
26 using learning assistance funds to the office of the superintendent of  
27 public instruction for approval. For the 2004-05 school year, school  
28 districts must identify the program activities to be implemented from  
29 section 4 of this act and are encouraged to implement the elements in  
30 subsections (1) through (8) of this section. Beginning in the 2005-06  
31 school year, the program plan must identify the program activities to  
32 be implemented from section 4 of this act and implement all of the  
33 elements in subsections (1) through (8) of this section. The school  
34 district plan shall include the following:

35 (1) District and school-level data on reading, writing, and  
36 mathematics achievement as reported pursuant to chapter 28A.655 RCW and  
37 relevant federal law;

1 (2) Processes used for identifying the underachieving students to  
2 be served by the program, including the identification of school or  
3 program sites providing program activities;

4 (3) How accelerated learning plans are developed and implemented  
5 for participating students. Accelerated learning plans may be  
6 developed as part of existing student achievement plan process such as  
7 student plans for achieving state high school graduation standards,  
8 individual student academic plans, or the achievement plans for groups  
9 of students. Accelerated learning plans shall include:

10 (a) Achievement goals for the students;

11 (b) Roles of the student, parents, or guardians and teachers in the  
12 plan;

13 (c) Communication procedures regarding student accomplishment; and

14 (d) Plan reviews and adjustments processes;

15 (4) How state level and classroom assessments are used to inform  
16 instruction;

17 (5) How focused and intentional instructional strategies have been  
18 identified and implemented;

19 (6) How highly qualified instructional staff are developed and  
20 supported in the program and in participating schools;

21 (7) How other federal, state, district, and school resources are  
22 coordinated with school improvement plans and the district's strategic  
23 plan to support underachieving students; and

24 (8) How a program evaluation will be conducted to determine  
25 direction for the following school year.

26 NEW SECTION. **Sec. 4.** PROGRAM ACTIVITIES. Use of best practices  
27 magnifies the opportunities for student success. The following are  
28 services and activities that may be supported by the learning  
29 assistance program:

30 (1) Extended learning time opportunities occurring:

31 (a) Before or after the regular school day;

32 (b) On Saturday; and

33 (c) Beyond the regular school year;

34 (2) Professional development for certificated and classified staff  
35 that focuses on:

36 (a) The needs of the student population;

- 1 (b) Specific literacy and mathematics content and instructional  
2 strategies; and
- 3 (c) The use of student work to guide effective instruction;
- 4 (3) Consultant teachers to assist in implementing effective  
5 instructional practices by teachers serving participating students;
- 6 (4) Tutoring support for participating students; and
- 7 (5) Outreach activities and support for parents of participating  
8 students.

9 NEW SECTION. **Sec. 5.** PLAN APPROVAL PROCESS. A participating  
10 school district shall annually submit a program plan to the office of  
11 the superintendent of public instruction for approval. The program  
12 plan must address all of the elements in section 3 of this act and  
13 identify the program activities to be implemented from section 4 of  
14 this act.

15 School districts achieving state reading and mathematics goals as  
16 prescribed in chapter 28A.655 RCW shall have their program approved  
17 once the program plan and activities submittal is completed.

18 School districts not achieving state reading and mathematics goals  
19 as prescribed in chapter 28A.655 RCW and that are not in a state or  
20 federal program of school improvement shall be subject to program  
21 approval once the plan components are reviewed by the office of the  
22 superintendent of public instruction for the purpose of receiving  
23 technical assistance in the final development of the plan.

24 School districts with one or more schools in a state or federal  
25 program of school improvement shall have their plans and activities  
26 reviewed and approved in conjunction with the state or federal program  
27 school improvement program requirements.

28 NEW SECTION. **Sec. 6.** FUNDS--ELIGIBILITY--DISTRIBUTION. Each  
29 school district with an approved program is eligible for state funds  
30 provided for the learning assistance program. The funds shall be  
31 appropriated for the learning assistance program in accordance with the  
32 biennial appropriations act. The distribution formula is for school  
33 district allocation purposes only. The distribution formula shall be  
34 based upon an assessment of students and on one or more family income  
35 factors measuring economic need.

1        NEW SECTION.    **Sec. 7.**    MONITORING.    To ensure that school districts  
2    are meeting the requirements of an approved program, the superintendent  
3    of public instruction shall monitor such programs no less than once  
4    every four years.    Individual student records shall be maintained at  
5    the school district.

6        NEW SECTION.    **Sec. 8.**    RULES.        The superintendent of public  
7    instruction shall adopt rules in accordance with chapter 34.05 RCW that  
8    are necessary to implement this chapter.

9        NEW SECTION.    **Sec. 9.**    CAPTIONS NOT LAW.    Captions used in this act  
10   are not any part of the law.

11       NEW SECTION.    **Sec. 10.**    The following acts or parts of acts are  
12   each repealed:

13        (1) RCW 28A.165.010 (Intent) and 1989 c 233 s 1 & 1987 c 478 s 1;

14        (2) RCW 28A.165.012 (Program created) and 1987 c 478 s 2;

15        (3) RCW 28A.165.030 (Definitions) and 1999 c 78 s 1, 1990 c 33 s  
16    148, & 1987 c 478 s 3;

17        (4)    RCW    28A.165.040    (Application for state funds--Needs  
18    assessment--Plan) and 1990 c 33 s 149, 1989 c 233 s 2, & 1987 c 478 s  
19    4;

20        (5) RCW 28A.165.050 (Identification of students--Coordination of  
21    use of funds) and 1987 c 478 s 5;

22        (6) RCW 28A.165.060 (Services or activities under program) and 1989  
23    c 233 s 3 & 1987 c 478 s 6;

24        (7) RCW 28A.165.070 (Eligibility for funds--Distribution of funds--  
25    Development of allocation formula) and 1995 1st sp.s. c 13 s 1, 1993  
26    sp.s. c 24 s 520, 1990 c 33 s 150, & 1987 c 478 s 7;

27        (8) RCW 28A.165.080 (Monitoring) and 1990 c 33 s 151 & 1987 c 478  
28    s 8; and

29        (9) RCW 28A.165.090 (Rules) and 1990 c 33 s 152 & 1987 c 478 s 9.

30       NEW SECTION.    **Sec. 11.**    Sections 1 through 9 of this act are each  
31   added to chapter 28A.165 RCW.

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