

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5877**

58th Legislature  
2004 Regular Session

Passed by the Senate March 10, 2004  
YEAS 49 NAYS 0

---

**President of the Senate**

Passed by the House March 5, 2004  
YEAS 92 NAYS 1

---

**Speaker of the House of Representatives**

Approved

---

**Governor of the State of Washington**

CERTIFICATE

I, Milton H. Doumit, Jr.,  
Secretary of the Senate of the  
State of Washington, do hereby  
certify that the attached is  
**ENGROSSED SUBSTITUTE SENATE BILL  
5877** as passed by the Senate and  
the House of Representatives on  
the dates hereon set forth.

---

**Secretary**

FILED

**Secretary of State  
State of Washington**

---

**ENGROSSED SUBSTITUTE SENATE BILL 5877**

---

AS AMENDED BY THE HOUSE

Passed Legislature - 2004 Regular Session

**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 in providing the most  
10 effective and efficient practices when implementing programs to assist  
11 underachieving students. Further, this chapter provides the means by  
12 which a school district becomes eligible for learning assistance  
13 program funds and the distribution of those funds.

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

17            (1) "Approved program" means a program submitted to and approved by

1 the office of the superintendent of public instruction and conducted  
2 pursuant to the plan that addresses the required elements as provided  
3 for in this chapter.

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

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

14 (4) "Statewide assessments" means one or more of the several basic  
15 skills assessments administered as part of the state's student  
16 assessment system, and assessments in the basic skills areas  
17 administered by local school districts.

18 (5) "Underachieving students" means students with the greatest  
19 academic deficits in basic skills as identified by the statewide  
20 assessments.

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

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

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

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

7 (a) Achievement goals for the students;

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

10 (c) Communication procedures regarding student accomplishment; and

11 (d) Plan reviews and adjustments processes;

12 (4) How state level and classroom assessments are used to inform  
13 instruction;

14 (5) How focused and intentional instructional strategies have been  
15 identified and implemented;

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

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

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

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

27 (1) Extended learning time opportunities occurring:

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

29 (b) On Saturday; and

30 (c) Beyond the regular school year;

31 (2) Professional development for certificated and classified staff  
32 that focuses on:

33 (a) The needs of a diverse student population;

34 (b) Specific literacy and mathematics content and instructional  
35 strategies; and

36 (c) The use of student work to guide effective instruction;

- 1 (3) Consultant teachers to assist in implementing effective  
2 instructional practices by teachers serving participating students;  
3 (4) Tutoring support for participating students; and  
4 (5) Outreach activities and support for parents of participating  
5 students.

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

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

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

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

25 NEW SECTION. **Sec. 6.** FUNDS--ELIGIBILITY--DISTRIBUTION. Each  
26 school district with an approved program is eligible for state funds  
27 provided for the learning assistance program. The funds shall be  
28 appropriated for the learning assistance program in accordance with the  
29 biennial appropriations act. The distribution formula is for school  
30 district allocation purposes only. The distribution formula shall be  
31 based on an assessment of students and on one or more family income  
32 factors measuring economic need. Beginning with the 2005-06 school  
33 year, fifty percent of the distribution formula shall be based on an  
34 assessment of students and fifty percent shall be based on one or more  
35 family income 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.

--- END ---