

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5877

Chapter 20, Laws of 2004

58th Legislature
2004 Regular Session

LEARNING ASSISTANCE PROGRAM

EFFECTIVE DATE: 6/10/04

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

BRAD OWEN

President of the Senate

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

FRANK CHOPP

Speaker of the House of Representatives

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.

MILTON H. DOUMIT JR.

Secretary

Approved March 18, 2004.

FILED

March 18, 2004 - 12:50 p.m.

GARY F. LOCKE

Governor of the State of Washington

**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.

Passed by the Senate March 10, 2004.

Passed by the House March 5, 2004.

Approved by the Governor March 18, 2004.

Filed in Office of Secretary of State March 18, 2004.